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| **Chichester District Council** |
| PAS Self-Assessment Toolkit – Part 4 |
| May 2024 |

# PAS LOCAL PLAN ROUTE MAPPER TOOLKIT PART 4: LOCAL PLAN SOUNDNESS & QUALITY ASSESSMENT

**Why you should use this part of the toolkit**

The purpose of this assessment is to provide a ‘mock’ examination - as far as that is possible - of the drafts of your local plan policies update. It is intended to be particularly helpful for use as part of the development of your emerging local plan policies update and as a final check prior to publication of your Regulation 19 Submission Local Plan policies update. It will help you to identify areas for improvement and understand potential risks to the soundness of the plan or its usability.

**How to use this part of the toolkit**

There are 50 ‘key questions’ in the assessment matrix below which might seem a lot to get through. But thinking through these questions now could save time and expense further down the line. If you are undertaking a partial plan policies update not all of the content will be relevant to you.

If you are completing this assessment or peer reviewing it for a colleague within or from another authority, you should put yourself into the mind of a Planning Inspector assessing the soundness of the draft local plan policies update by keeping in mind the ‘tests’ as follows. Is the draft local plan update:

* **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
* **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
* **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
* **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in the [National Planning Policy Framework](https://www.gov.uk/government/publications/national-planning-policy-framework--2) and other statements of national planning policy, where relevant.

For some elements, particularly those concerning clarity, you will also need to consider yourself as an end user of the Local Plan policies update.

Provide a brief answer to each question cross referring to evidence that has informed or supports the local plan policies update in order to justify your reasoning and the score you have attributed. Identify any likely implications of not changing your approach or ways in which you may potentially improve the score either through changes to the plan policies update, evidence or further engagement with developers or infrastructure providers recorded in your statement of common ground. But remember that the local plan policies update doesn’t need to be supported by reams of evidence. Evidence needs to be proportionate, clear and robust in line with [PAS advice on proportionate evidence](https://www.local.gov.uk/pas/).

If you find it helpful, you can score your local plan policies update on the degree to which you meet requirements underpinning the question. You can then add up the scores to calculate your confidence in the local plan policies update (on a scale from -100 to +100) and use this as a benchmark for future improvements. Where a particular question is not applicable to your circumstances, please score +2.

**How to use the results of this part of the toolkit**

You can use the results of this tool throughout the plan making process to assess the extent to which your plan addresses key soundness requirements. There is no requirement to publish or submit this table to the Planning Inspectorate as part of the independent examination, but you may find the assessment (or some elements) helpful to inform changes to your plan or supporting documents.

|  | ***KEY QUESTIONS*** | ***Assessment***  *Note: In answering the questions, you should be able to reference the document(s) in the plan evidence base (which may include any Statement(s) of Common Ground - both Examination focused and in relation to the Duty to Cooperate). Try to be as precise as possible when referencing evidence sources, including identifying specific sections/ paragraphs where appropriate.* | | | | | | | | | |
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|  | **Growth Strategy** | | | | | | | | | | |
| **A** | **In no more than 100 words (excluding any referencing) summarise your strategy for delivering growth and development in your area** | The strategy for delivering growth and development takes a positive approach which provides for levels of growth which are realistic, deliverable and achievable within the plan period, whilst recognising environmental constraints and established limitations of the local infrastructure, particularly the congested strategic road network (including associated local road network). Growth is to be delivered in sustainable locations to meet housing, employment, and retail needs, allowing for the growth of key sectors in the plan area, such as the horticultural industry and supporting existing businesses, and is primarily focused in areas that have the greatest potential to realise sustainable transport opportunities. | | | | | | | | | |
| **B** | **In no more than 100 words (excluding any referencing) identify the key factors which informed the distribution of development in the local plan policies update** | The distribution of development has been informed by:   * The sub-regional planning context, in particular the Local Strategic Statement (LSS2) for West Sussex and Greater Brighton * The overall vision and objectives * The pattern of need and demand for housing and employment across the area * Infrastructure capacity and constraints, in particular relating to wastewater treatment, roads and transport * Environmental constraints and responding to climate change * The availability of housing sites, their deliverability and phasing * Public consultation and the sustainability appraisal of options and policies. | | | | | | | | | |
| **C** | **List each of the main growth areas and strategic sites and the key infrastructure needed to support delivery** | Policy S1 Spatial Development Strategy sets out that the focus for the majority of growth is at Chichester City and within the east-west corridor. This is supported by growth in the north-east of the plan area at Loxwood. This is informed by Policy S2 Settlement Hierarchy. The text below is a summary, for full details see the latest IDP. Highway works on-site/ directly related are not listed separately.  **Strategic Development Locations – within or adjacent to the sub-regional centre of Chichester city:**  Policy A2: Chichester City – 270 dwellings to be allocated through the Neighbourhood Plan process. A range of infrastructure including leisure, green infrastructure, social and community facilities. CIL contributions towards off-site infrastructure, plus S106 towards SPA mitigation and off-site highway mitigation.  A4 and A5: Southern Gateway – Bus Station, Bus Depot and Basin Road Car Park and Police Field, Kingsham Road - 180 dwellings with some retail/commercial uses on the ground floor of the redeveloped bus station site. Cycle and pedestrian improvements, replacement sports pitch (contribution to off-site), green infrastructure, public realm improvements, plus S106 towards SPA mitigation and off-site highway mitigation. Nutrient mitigation required.  Policy A6: West of Chichester - allocated for 1,600 dwellings and has been carried forward from the adopted Local Plan. (It is allocated in the adopted Local Plan for residential development of 1,250 dwellings during the plan period to 2029, with reserved matters granted (phase 1) for all 750 homes following outline application 14/04301/OUT with a signed S106 agreement). Phase 1 under construction. Further 850 homes to be delivered by 2039 with a range of infrastructure including leisure, green infrastructure, social and community facilities (outline for Phase 2 resolution to permit subject to S106). On-site primary school (phase 1), community hall, sports pitches, country park and SANGs, plus S106 towards SPA mitigation and off-site highway mitigation. New access road to north (delivered) and south (part of Phase 2).  Policy A7: Shopwyke – 585 dwellings. Adopted Local Plan allocation - all consented under application 15/03720/OUT  Policy A8: Land East of Chichester - allocated for residential development of 680 dwellings during the plan period to 2039, and a range of infrastructure including leisure, green infrastructure, social and community facilities. S106 for bridleway and public transport improvements. Serviced land and build costs for a 1FE to be expanded to a 2FE Primary School when required. Community hall (if not provided on Shopwyke Lakes development). Plus S106 towards SPA mitigation and off-site highway mitigation.  Policy A9: Westhampnett - 500 dwellings. Adopted Local Plan allocation - All consented under application 16/03791/OUT  Policy A10: Maudlin Farm, Westhampnett 265 dwellings and a range of infrastructure, including leisure, green infrastructure, social and community facilities. On-site delivery of green infrastructure. CIL contributions to off-site infrastructure. Plus S106 towards SPA mitigation and off-site highway mitigation.  **Strategic Employment Allocation – within or adjacent to the sub-regional centre of Chichester city:**  Policy A20: Land south of Bognor Road - 15ha of employment development/28,000 sqm plus 5 plots for travelling showpeople with storage. Provision of bus lane along A259 approaching Bognor Road roundabout (developer contribution of 15%). Mitigation scheme to include diversion of Vinnetrow Road to a new junction on A259 at the access to Springfield Park.  **Strategic Development Locations – at Settlement Hubs in the east-west corridor:**  Policy A13: Southbourne - Broad Location for Development is allocated for residential development of 1,050 dwellings and a range of infrastructure including leisure, green infrastructure, social and community facilities. On-site serviced land for a 2-form entry (FE) expandable to 3FE primary school and pro rata share of the build costs would be required, with early years and SEND provision at new school. On-site community hall. Plus S106 towards SPA mitigation and off-site highway mitigation. Nutrient mitigation required.  Policy A14: Tangmere allocated for 1,300 dwellings. Carried forward from the adopted Local Plan but expanded from a residential development of 1,000 to 1,300 homes with a range of green infrastructure, employment, social and community facilities. The development will be planned as an expansion of Tangmere village, enhancing Tangmere's role as a settlement hub and delivering a range of housing types. Resolution to permit subject to S106.  **Strategic Development Locations – At the following service villages in the east-west corridor:**  Policy A11: Highgrove Farm, Bosham - residential development of 300 dwellings and a range of infrastructure including leisure, green infrastructure, social and community facilities. S106 for safety measures at Brooks Lane railway crossing. IDP identifies pro rata costs of land and contribution of a 2FE expandable to 3FE school with A12 and A13 and Westbourne Parish numbers to provide new school at Southbourne. S106 contributions to early years and SEND provision at new school in Southbourne. However, application has only provided CIL contributions. On-site community hall and junior pitch. Plus S106 towards SPA mitigation and off-site highway mitigation. Nutrient mitigation required.  Policy A12: Chidham and Hambrook - Residential development of 300 dwellings to be allocated through the Neighbourhood Plan process and a range of infrastructure including leisure, green infrastructure, social and community facilities. However, numbers have been met through speculative permissions. Would have provided pro rata costs of land and contribution of a 2FE expandable to 3FE school with A11, A12 and A13 and Westbourne Parish numbers to provide new school at Southbourne and S106 towards expansion of existing Community Hall or new Hall of sufficient size to accommodate a variety of recreational and social activities. Plus S106 contributions to early years and SEND provision at new school in Southbourne. However, applications will have only provided CIL contributions. Plus S106 towards SPA mitigation and off-site highway mitigation. Nutrient mitigation required.  **Strategic Development Locations – at the following service village in the north of the Plan area:**  Policy A15: Loxwood 220 dwellings to be allocated through the Neighbourhood Plan. CIL towards a range of infrastructure, including leisure, green infrastructure, social and community facilities. On-site green infrastructure. | | | | | | | | | |
|  | **Overall does the local plan policies update clearly articulate the strategy for where and how sustainable development will be delivered and that this is ‘an appropriate strategy’ within the context of paragraph 35 of the NPPF?** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score: +1.** The Plan clearly articulates where development will come forward, with a clear spatial development strategy (Policy S1) illustrated on the key diagram. The Sustainability Appraisal considered alternative growth scenarios for the south and north-east of the plan area and the preferred scenario was selected to ensure that growth could be delivered within the plan period, as opposed to higher growth at Southbourne. The scenario selected for the north-east of the plan area is justified as it supports growth whilst recognising the inherently less sustainable nature of the location. The ‘how’ is through a combination of strategic allocations, a Broad Location for Development (BLD) and strategic and non-strategic parish housing numbers. The strategic and non-strategic housing numbers reflect the council’s ongoing commitment to supporting neighbourhood planning.  The score is +1 rather than +2 as the Plan would have been more sustainable with lower numbers in the northeast, but this had to be explored to balance the inability to provide more in the south of the plan area due to the congested A27. It is also acknowledged that the Southbourne BLD would have been preferable as an allocation in the plan, had it been known earlier in the plan making process that the Parish Council would ‘hand back’ the housing to the District Council to plan for. However, given the circumstances that the council has had to respond to, it is still an appropriate strategy. | | | | | | | | | |
| **Implications of taking no further action:**  The Plan is seen as sound. Therefore, there should be no implications of taking no further action. | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** No action required | | | | | | | | | |
| **Reviewer Comments:** I agree. You could also refer to the need for Southbourne to be a BLD rather than an allocation which would have been preferable. *[Post review comment: reference made in reason for score section]* | | | | | | | | | |
|  | **Is it clear how the amount of development identified for any growth areas or major site allocations has been determined – and that the level proposed is deliverable and justified?** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score: +2.** The Local Plan contains clear policies to allocate sites for housing and employment, as well as parish housing requirements. Sites which have yet to be fully delivered from the current adopted Local Plan have been carried over to the new plan, with numbers increased where evidence has supported this. The approach is supported by evidence which has been used to inform and justify the position reached. This includes:   * Call of sites at earlier stages of plan preparation which informed the HELAA * Housing and Economic Land Availability Assessment (2021) * Housing Trajectory * Viability Assessment * Infrastructure Delivery Plan   The Southbourne BLD is being progressed through a separate DPD which is being commenced now (as opposed to post adoption of the Local Plan) in order to ensure delivery timescales are met. The Housing Supply Background Paper provides further detail on delivery rates. | | | | | | | | | |
| **Implications of taking no further action:** None | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** None, action being taken to progress Southbourne BLD will firm up delivery timescales. | | | | | | | | | |
| **Reviewer Comments:** From the evidence I have seen, I agree with the assessment. The length of time since Reg 19 publication has resulted in the numbers of some sites needing to change, but there is a clear rationale for this. | | | | | | | | | |
|  | **Is it clear that the local plan policies update provides for the most appropriate level of housing growth using the standard methodology as a starting point? Can you clearly articulate why planned growth levels should not be higher or lower?**  **If you are proposing any material change away from the level of housing indicated by the standard method, can you clearly justify this through evidence?**  **Does the level of housing provide for an appropriate and justified buffer?** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score: +1.** The Standard Method is used as the starting point for housing need arising within the plan area. The Housing Need Background Paper sets out the reasons why it should not be higher. The housing requirement set in the Local Plan does not meet the full local housing need level and is set at 575 dwellings per annum (compared to the local need of 638dpa). The housing requirement set in the Local Plan does not meet the full housing need level due to constraints on development arising from the A27 Chichester Bypass. This element of the Strategic Road Network is at or over capacity at several junctions and a level of development equating to full housing need is incapable of delivering the full identified necessary mitigation package to mitigate its impact. The council is therefore proposing a level of housing growth that has previously been agreed with National Highways as suitable for testing and that will have a demonstrably lesser impact (without mitigation) on the strategic and local road networks. The Plan proposes that the identification and prioritisation of mitigation measures to address the impact of development on the transport network are led by a Transport Infrastructure Management Group (TIMG), which will include the production of a new transport model and other relevant evidence. Until this time a precautionary approach to the delivery of housing is appropriate.  The score is +1 rather than +2 as there is some uncertainty around the reliability of the current transport model, which will remain until a new model can be developed and implemented. Growth levels within the Plan have been informed by the use of this model. The outputs of the current model have been (and continue to be) verified through additional measures to demonstrate that it is reasonable to rely on the model for assessing the impact of growth. Given the circumstances that the council has had to respond to, the significant capacity issues on the strategic road network the level of growth and strategy identified within the plan is appropriate. This incorporates the possibility of an early review of the plan should new future evidence suggest a greater level of growth is achievable. | | | | | | | | | |
| **Implications of taking no further action:** The Plan is seen as sound. Therefore, there should be no implications of taking no further action other than those that will continue through the TIMG and monitor and manage process. | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** The council will continue to work with the relevant highway authorities to ensure that the transport evidence base is further developed and that the impacts of the Plan on the national and local highway networks are mitigated in the most appropriate manner. | | | | | | | | | |
| **Reviewer Comments:** This is a fair summary of what has been a difficult and drawn-out process to be able to arrive an appropriate level of housing growth in the Local Plan. It is clear that there is evidence to support the decisions taken, but there remains uncertainty around the reliance on the model and around the approach of National Highways. | | | | | | | | | |
|  | **Is the distribution of development justified in respect of the need for, and approach to, Green Belt release and can you demonstrate that alternatives to Green Belt release have been fully considered? Can you demonstrate that exceptional circumstances exist to justify green belt release?** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score +2:** The local plan area does not contain any Green Belt, and therefore this question is not applicable. | | | | | | | | | |
| **Implications of taking no further action:** N/A | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** | | | | | | | | | |
| **Reviewer Comments:** N/A | | | | | | | | | |
|  | **Is it clear how sites have been selected and have site allocations been made on a consistent basis having regard to the evidence base, including housing and employment land availability assessments, the Sustainability Appraisal and viability assessment? If not, can you justify why?** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score: +2.** The HELAA was produced following a comprehensive and rigorous call for sites process. The HELAA conclusions provided a robust understanding of the plan area housing and employment capacity and the starting point for consideration of sites. Suitable locations for development have subsequently been tested in detail through Sustainability Appraisal, Habitats Regulation Assessment, Transport Study, Infrastructure Delivery Plan, Viability Assessment and Landscape Study. For full details see the Housing Distribution Background Paper and Employment Background Paper. | | | | | | | | | |
| **Implications of taking no further action:** None | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** None | | | | | | | | | |
| **Reviewer Comments:** Whilst I have not seen most of the evidence work referred to above, I agree that the council has taken a robust approach to site selection and preparing allocation policies. | | | | | | | | | |
|  | **Does the local plan policies update identify a housing requirement for designated neighbourhood areas?** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score: +2.**  The Local Plan identifies requirements for some designated neighbourhood areas, as set out in Policy H2 and Policy H3. The site/s allocation within the Southbourne BLD is currently set out as to be identified through either the neighbourhood planning process or a subsequent Site Allocation DPD but the council is now progressing a separate DPD for Southbourne (with the LDS to be updated accordingly). Due to speculative planning applications coming forward ahead of the local plan, the actual delivery of allocations through neighbourhood planning will be lower than as set out in Policies H2 and H3. The latest position on the remaining supply to come from neighbourhood plans will be set out in the Housing Supply Background Paper. | | | | | | | | | |
| **Implications of taking no further action:** None | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** None | | | | | | | | | |
| **Reviewer Comments:** I agree. The council has continued to robustly support neighbourhood planning, ensuring that the Local Plan provides direction in terms of housing numbers where this is appropriate. This inevitably gives rise to some uncertainty in the delivery of homes at the neighbourhood level, but there are policies in places to manage that risk. The approach taken on Southbourne is a case in point. | | | | | | | | | |
|  | **Do site allocations include sufficient detail on the mix and quantum of development, including, where appropriate any necessary supporting infrastructure?** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score: +2.** Chapter 10 includes site/location specific policies for each strategic allocation or parish location. The new site allocation policies set out the overall number of dwellings, the number of self/custom build plots, the requirement to provide specialist accommodation for older persons, the number of gypsy and traveller plots, any on-site infrastructure requirements (eg school provision) and any other requirements. The sites which have been carried forward from the adopted Local Plan have been updated where necessary. The Southbourne BLD, Chidham and Hambrook and Loxwood policies clearly set out the requirements to come forward when sites are allocated for development. All policies cross refer to the Infrastructure Delivery Plan (IDP) which sets out the infrastructure requirements to support each site. Requirements for masterplanning are also clearly set out in the policies. | | | | | | | | | |
| **Implications of taking no further action:** None | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** None | | | | | | | | | |
| **Reviewer Comments:** I agree that Chapter 10 on the Plan provides sufficient detail on the site allocations. There is a balance here between providing sufficient detail and being overly prescriptive, but in my view the balance has been fairly struck overall. There is a process in place to ensure that the details for Southbourne BLD can be prepared over the coming months. | | | | | | | | | |
| **D** | **What targets have you set for non-residential floorspace or employment land and, if relevant, the number of jobs to be created over the plan period?**  **List these targets and the evidence source for this ‘need’ target?** | Policy E1 sets out a net additional 108,000 to 115,000sqm of employment floorspace. This figure has been determined through the HEDNA (2022).  In terms of retail floorspace, Policy E5 sets out that provision will be made for 6,600 square metres (gross) of comparison and convenience goods retail floorspace and food/beverage uses across the plan area for the period to 2035. This figure has been determined through the Retail Study evidence base (the 2022 study) which has identified the need and how it can be delivered. The Retail Study identifies the amount of convenience and comparison goods floorspace projects for the period up to 2039. It demonstrates that the overall retail and food/beverage floorspace for Chichester city up to 2035 can be accommodated by the existing stock (vacant floorspace in the city centre) and through new strategic allocations, rather than new development.  There is a need for 67 ha of land to meet future horticultural land within the Horticultural Development Areas (HDAs) and an additional 137 ha forecast to be required outside the HDAs (HEDNA 2020). | | | | | | | | | |
|  | **Where and how are the targets referred to above to be delivered? Do the sites and indicative capacities that you have identified demonstrate that these targets are achievable? If you are not allocating sites to meet needs identified, can you justify and explain how those needs will be met?** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score: +2**. Policy E1 sets out how this need will be met, through a combination of existing permissions, allocations in the existing Site Allocation DPD, sites brought forward from the current adopted Local Plan and a new allocation on land South of Bognor Road. Together these slightly exceed the range of employment floorspace required and the new allocation is a large site so could potentially accommodate more.  No new retail floorspace allocations are being made within the plan. Retail floorspace is to be provided through the re-occupation of vacant floorspace, particularly in the town centre, as well as limited new development within strategic housing sites, including allocations A4 Southern Gateway, A6 Land West of Chichester, A7 Land at Shopwyke (although this is almost at completion), A8 Land East of Chichester, and A14 Land West of Tangmere.  Policy E3 addresses the horticultural need identified in the HEDNA 2020 for the plan period and paragraph 7.24 details an extension to the current Runcton HDA in order to meet the need identified. Policy E4 provides for horticultural and ancillary development within for designated Horticultural Development Areas (HDAs) across the local plan area. The HDAs ensure that the horticultural industry can continue to thrive, and sufficient suitable sites are available to support its growth. | | | | | | | | | |
| **Implications of taking no further action:** None | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** None | | | | | | | | | |
| **Reviewer Comments:** It is clear that the identified targets are being planned for through the allocations and commitments referred to above and the relevant policies provide sufficient detail and direction to allow the targets to be met. With regard to retail, it may be worth adding on what basis the conclusion was made that no additional retail floorspace was required, beyond that coming forward in the strategic site allocations. [Post review comment: Clarification added] | | | | | | | | | |
|  | **Does the local plan policies update: (i) identify infrastructure that is necessary to support planned growth; and (ii) enable provision of this infrastructure?** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score: +1.** The Local Plan is supported by an Infrastructure Delivery Plan (IDP). As far as practicable, it identifies the type of infrastructure and specific infrastructure projects required to support growth over the plan period, the organisations responsible for delivery, when the infrastructure is required, cost and funding mechanisms. The IDP has informed the site allocation policies in terms of the infrastructure requirements specific to that site (as set out in response to Question C). Capacity in infrastructure and services will be monitored through updates to the IDP and future infrastructure needs assessments through the Infrastructure Business Plan (IBP).  Policy I1 (Infrastructure Provision) sets out how the necessary infrastructure will be secured. The Local Plan also includes other relevant policies which enable infrastructure delivery, for example P15 and T1. | | | | | | | | | |
| **Implications of taking no further action:** None | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** None | | | | | | | | | |
| **Reviewer Comments:** Whilst I agree with the response above in relation to the IDP and Policy I1, uncertainty remains in relation to the strategic transport infrastructure. This is due to the lack of funding for the agreed A27 mitigation infrastructure package, requiring the monitor and manage approach to be introduced. Whilst that is likely to be effective in allowing residential development to come forward as planned, it does introduce some significant uncertainty as to the location, specification, and timing of strategic transport infrastructure. **I recommend reducing the score here to +1.** *[Post review comment: Agreed – in relation to the A27 related transport mitigation specifically there is some uncertainty that can be managed through the flexibility within the monitor and manage process, which is still the most appropriate strategy. On that basis, and that basis alone, score reduced to +1, previously +2]* | | | | | | | | | |
|  | **Can you demonstrate that the transport and other infrastructure needed to support each growth area or strategic site identified in the local plan policies update: (i) can be funded and delivered; and (ii) is supported by the relevant providers/ delivery agents in terms of funding and timescales indicated?**  **Have you identified the extent of any funding gap? If so, are you able to explain why you are confident that any gap can be addressed?** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score: +1** The council has been in discussions with the highway authorities for six years regarding the appropriate level of development in the Local Plan and how its impact on the Strategic Road Network (SRN) and Local Highway Network (LHN) can be satisfactorily mitigated. The council’s evidence demonstrates that the level of intervention on the SRN is unaffordable and therefore the Plan seeks to adopt a ‘monitor and manage’ approach to the delivery of mitigation. The council has reduced other policy demands on development to a level that allows for a maximum level of funding to be secured towards mitigation of the impact on the SRN and LHN and a detailed viability assessment has demonstrated that the Plan is viable with the burden of cost being placed on developments within it. The form and prioritisation of the necessary transport mitigation proposals is a matter of ongoing discussion for the TIMG, to which relevant authorities are party. The nature and form of the proposals promoted through the TIMG will dictate what additional funding external to that collected as part of the Plan may be made available, however the availability of additional funding will form part of the mitigation prioritisation process. Other sources of funding towards infrastructure on the A27 have been investigated as part of the formation of the transport strategy. Whilst no further funding was available for those purposes, mitigation through suitable transport and active travel measures will likely attract additional sources of funding, although these will not be known until the schemes progress further. However, the council has done all it can to address funding issues and has developed potential schemes and identified likely sources of funding as far as it can, at this stage. | | | | | | | | | |
| **Implications of taking no further action:** The Plan is seen as sound. Therefore, there should be no implications of taking no further action other than those that will continue through the TIMG and monitor and manage process. | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** The council will continue to work with the relevant stakeholders through the TIMG to ensure sufficient infrastructure funding is available, when and where it is required. | | | | | | | | | |
| **Reviewer Comments:** The response above highlights the challenges that have been faced here, but also the council’s commitment to address the challenges. Work has been done to identify (as far as possible) the infrastructure that is likely to be required and the monitor and manage process and the TIMG have been introduced to manage the need for additional modelling work and address the lack of funding for the full A27 mitigation package. A revised and more comprehensive funding mechanism will be introduced through Policy T1. Notwithstanding this work, uncertainties remain in terms of the ability to fund necessary infrastructure and the timing and specification of this, however, taking account of the extensive work the council has undertaken with its partners and the mechanisms introduced through Policy T1, I would agree that the score should be +1. | | | | | | | | | |
|  | **Process and Outcomes (*see also Toolkit Parts 2 and 3*)** | | | | | | | | | | |
| **E** | **What are the cross boundary strategic matters affecting your local plan policies update? List these.** | Housing needs, transport infrastructure, water neutrality, nutrient neutrality, wastewater, gypsy and traveller and travelling showpeople needs, other infrastructure (e.g. schools, healthcare), air quality, flood management and natural environment (habitats) | | | | | | | | | |
|  | **Does your Duty to Cooperate Statement(s) of Common Ground: (i) identify these issues; (ii) identify the bodies you have engaged with or continue to engage with; and (iii) clearly set out not just the process, but the outcomes of this engagement highlighting areas of agreement and of difference?** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score: +2.** The Duty to Cooperate Statement of Compliance sets out the strategic and cross boundary issues on which the council has engaged identifying how, when and on what issues the different duty to cooperate bodies were engaged, the outcome of this engagement on shaping the Local Plan and any outstanding strategic issues on which the council continues to engage.  Where appropriate, Statements of Common Ground have been prepared with individual duty to cooperate bodies, which provide more detail on the engagement undertaken and the outcomes of this. | | | | | | | | | |
| **Implications of taking no further action:** None | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** None | | | | | | | | | |
| **Reviewer Comments:** I agree. The Duty to Cooperate Statement of Compliance (April 2024) is comprehensive. It is clear that significant joint working with relevant bodies has taken place throughout the preparation of the Local Plan. Whilst some Statements of Common Ground are yet to be signed, these are making good progress and the council has a clear sense of the timescale required to complete these. | | | | | | | | | |
| **F** | **Are there any aspects of the local plan policies update not in conformity with national policy (or where you will be relying on transitional provisions)? Please set these out and provide justification with reference to evidence for these. Are you satisfied you can robustly defend this on the basis of local evidence?**  ***For instance, are you seeking to require affordable housing on sites which are below the threshold of major development as defined by national planning policy?*** | The council will be relying on the transitional provisions set out in paragraph 230 of the NPPF following the publication of the December 2023 updates, as the plan had reached regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 prior to 19 March 2024.  Policy NE17 identifies tighter water efficiency standards below Building Regulations Optional Standards (110lp) for all development which increases water use within the Sussex North Water Resource Zone (within the Chichester plan area). The evidence for this is set out in the Water Neutrality Study Parts A-C and Water Neutrality Topic Paper. The requirement for all development to be water neutral is a legal requirement to satisfy the Habitats Regulations. | | | | | | | | | |
|  | **Are there any specific policies in the local plan policies update where there are differences to any policy approach set out in a relevant strategic planning framework (e.g. the London Plan, or a plan produced by a Combined Authority or through voluntary agreement).** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score: +2.** Not applicable to the Local Plan | | | | | | | | | |
| **Implications of taking no further action:** None | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** None | | | | | | | | | |
| **Reviewer Comments:** N/A | | | | | | | | | |
|  | **Is the local plan policies update:**   * **in conformity with any ‘higher level’ plans prepared by the Council; and** * **properly reflecting provisions of any made neighbourhood plan?** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score: +2.** Made neighbourhood plans within the plan area relate to the adopted Local Plan. There are a number of neighbourhood plans that are/will be reviewed and updated as a result of the provisions in the new Local Plan, for example to address the delivery of strategic and parish housing numbers. | | | | | | | | | |
| **Implications of taking no further action:** None | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** None | | | | | | | | | |
| **Reviewer Comments:** I agree. | | | | | | | | | |
|  | **Does your Consultation Statement demonstrate how you have complied with the specific requirements of the Town and Country Planning (Local Plan) (England) Regulations 2012 and the Council’s adopted Statement of Community Involvement to date [you should revisit and update this following the publication of your Regulation 19 local plan policies update]?** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score: +2** The Statement of Consultation (SoC) has been prepared in accordance with the Town and Country Planning (Local Plan) (England) Regulations 2012. It describes how the council has approached engagement with specific consultation bodies, general consultation bodies, residents and other persons to inform and develop the proposed submission Local Plan at its various stages of preparation. The SoC also describes how bodies or persons were notified of the Local Plan proposals and invited to make representations. It summarises the main matters raised within policy areas and also outlines council responses to representations, making clear how these have been considered. The SoC has been revised and updated following the Regulation 19 publication and consultation.  The Council’s Statement of Community Involvement (SCI) was revised and adopted on 23 January 2024. The SCI describes the Council’s five engagement commitments to be met during consultations to ensure clarity, inclusivity, accessibility, transparency, and accountability. The SCI outlines the stages of Local Plan production and identifies statutory consultees as well as general consultation bodies and other parties including seldom heard groups. It is considered that the SoC addresses the Council’s engagement commitments and describes how these have been met during Local Plan preparation, adhering to the production processes described by the SCI. | | | | | | | | | |
| **Implications of taking no further action:** None | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** None | | | | | | | | | |
| **Reviewer Comments:** I agree. | | | | | | | | | |
|  | **Has the Sustainability Appraisal – incorporating the requirements of the Strategic Environmental Assessment legislation - evaluated all reasonable alternatives? Is it clear why alternatives have not been selected?** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score: +2.** Each Local Plan stage was subject to Sustainability Appraisal (SA) and a SA Report published alongside each Local Plan consultation document. Where alternative approaches were proposed, these were evaluated and the outcomes used to inform the subsequent preparation of the Plan. As set out in the SA Report (January 2023) reasonable growth scenarios have been considered. Chapter 5 and appendices IV and V of the SA Report explain how the reasonable growth scenarios were established, Chapter 6 appraises the scenarios and Chapter 7 explains why the chosen scenario was preferred and alternatives not selected. | | | | | | | | | |
| **Implications of taking no further action:** None | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** None | | | | | | | | | |
| **Reviewer Comments:** I agree. | | | | | | | | | |
|  | **Does the Sustainability Appraisal adequately assess the likely significant effects of policies and proposals?** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score: +2.** Chapter 9 of the SA Report (January 2023) provides an appraisal of the Local Plan against the SA framework and an overall conclusion on the likely significant effects. The appraisal focuses on the spatial strategy as it is this that generates significant effects on the baseline with proportionate consideration given to the Local Plan thematic policies as these are less likely to generate significant effects. | | | | | | | | | |
| **Implications of taking no further action:** None | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** None | | | | | | | | | |
| **Reviewer Comments:** I agree. | | | | | | | | | |
|  | **Is it clear how the Sustainability Appraisal has influenced the local plan policies update including how any policies or site allocations have been amended as a result and does it show (and conclude) that the local plan policies update is an appropriate strategy?** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score: +2.** The SA process has been integral to the Local Plan preparation process, with SA being carried out at each Local Plan stage. SA Reports were published at each Local Plan consultation stage and were available for public comment. Chapter 9 of the SA Report (January 2023) provides an appraisal of the thematic policies, including the site allocation policies. The outcomes of this are clearly set out in the SA Report and have influenced the growth levels in the north of the plan area and the balancing of higher growth at Southbourne with deliverability within the plan period and other constraints. The SA conclusion for housing recognises that it would be difficult to envisage a reasonable alternative strategy that performs significantly better, in terms of meeting housings needs, without giving rise to significant drawbacks in respect of other plan and wider sustainability objectives. | | | | | | | | | |
| **Implications of taking no further action:** None | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** None | | | | | | | | | |
| **Reviewer Comments:** I agree. The SA process has been undertaken at each stage of the preparation of the Local Plan with a robust and comprehensive approach being used. The findings of the SA process have been discussed and considered by Officers in the work preparing the strategies and policies set out within the plan. | | | | | | | | | |
|  | **Is it clear how an Equalities Impact Assessment has influenced the local plan policies update?** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score: +2.** An Equality Impact Assessment (EqIA) has been undertaken at each stage of the Local Plan. The EqIA of the proposed Submission Local Plan (Regulation 19) considered the impact of the Local Plan policies and proposals upon those groups with protected characteristics. It found that the overall impact would be positive and no amendments to the Local Plan policies were needed. | | | | | | | | | |
| **Implications of taking no further action:** None | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** None | | | | | | | | | |
| **Reviewer Comments:** I agree. | | | | | | | | | |
|  | **Does the Habitats Regulations Assessment consider the local plan policies update in combination with other plans and projects?** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score: +2.** The HRA/AA has been published to support the Local Plan and considers the Local Plan policies, in particular Chapters 4, 5, 6 and 10, in accordance with the Habitats Regulations. The HRA and relevant policies have taken account of the potential ’in combination’ effects with other plans. | | | | | | | | | |
| **Implications of taking no further action:** None | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** None | | | | | | | | | |
| **Reviewer Comments:** I agree. | | | | | | | | | |
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|  | **If the Habitats Regulations Assessment has identified, through ‘Appropriate Assessment’ that mitigation measures are required, does the local plan policies update adequately identify the measures required and the mechanisms for delivering them?** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score: +2.** The HRA Appropriate Assessment confirms that the mitigation required through Local Plan policy for water efficiency measures and the LPA-led water neutrality off-setting scheme will ensure development in the Local Plan will achieve water neutrality. This will ensure no adverse effects on water levels at the Arun Valley from the Local Plan either alone or in-combination.  Mitigation required to avoid recreational disturbance of birds in the Solent and Chichester and Langstone Harbours and Pagham Harbour includes established tools for successfully mitigating new residential development within the areas of influence and is an appropriate and effective method of mitigating future potential disturbance as a result of development within the Plan.  Following the regulation 19 consultation Natural England raised new concerns relating to air quality in the north part of the plan area as part of a joint issue with Horsham District Council. Further work has been undertaken to focus on the impact of proposed development and any likely adverse effect on SACs in that part of the plan area and this has concluded no adverse effects.  The HRA Appropriate Assessment considered the issue of nutrient neutrality, which is a requirement for Chichester and Langstone Harbours as part of the wider Solent nutrient catchment area. The HRA, and addendum, looked at the nutrient budget and confirms that sufficient offsetting for the first 5 years of the Local Plan period should be achievable without particular difficulty, whilst also noting that there is a policy requirement (Policy NE19 Nutrient Neutrality) to ensure that all relevant development is nutrient neutral. | | | | | | | | | |
| **Implications of taking no further action:** None | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** None | | | | | | | | | |
| **Reviewer Comments:** I agree. | | | | | | | | | |
|  | **Is it clear how the outcomes and conclusions of the Habitats Regulations Assessment have influenced the local plan policies update?** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score: +2**  The Local Plan has been directly influenced by the Habitats Regulations Assessment, in requiring water neutrality to be achieved and, consequently, has influenced development delivery rates and levels both within the north plan area and across the wider area within the Sussex North Water Resource Zone. Similarly, in relation to nitrates, nutrient neutrality is required by the Habitats Regulations for all relevant development in the Chichester and Langstone Harbours catchment within the wider Solent Catchment Area.  Policy NE19 addresses this requirement. Recreational disturbance of birds within the Chichester and Langstone Harbours SPA is also addressed through Policy NE7, as is the impact on Pagham Harbour SPA. | | | | | | | | | |
| **Implications of taking no further action:** None | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** None | | | | | | | | | |
| **Reviewer Comments:** I agree. | | | | | | | | | |
|  | ***Housing Strategy*** | | | | | | | | | | |
|  | **Can you demonstrate that the policies and proposed allocations in your local plan policies update meet your housing requirement in full and that this can be achieved as a minimum? If not [*for instance, because another local authority has agreed to plan for your unmet need*], can you explain and robustly justify why?** | -2 | | -1 | | 0 | +1 | | +2 | | |
| No, we do not meet this requirement | | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | Yes, we are likely to meet this requirement | | Yes, we are confident our plan will meet this requirement | | |
| **Reason for score: +2.** The plan (as submitted) provides for a total supply of 10,359 homes over the plan period, against a plan requirement of 10,350. The latest data (as set out in the Housing Supply Background Paper) sets out that a total of 10,752 homes will be delivered. This will provide a supply of 5.15 years housing on adoption of the Local Plan. It will meet 96% of its objectively assessed need, due to the constraint of the A27. The council is in the process of securing Statement of Common Ground with other authorities however, at this point no other authority has indicated or confirmed that they will be able to meet Chichester’s unmet need. The Housing Need Background Paper and Transport Background Paper detail the evidence to justify and support this position. The Duty to Cooperate Statement of Compliance sets out how the council has engaged with neighbouring authorities in relation to its unmet housing needs and bilateral Statement of Common Ground are being prepared. | | | | | | | | | |
| **Implications of taking no further action for local plan soundness and/or effectiveness:** None | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** None | | | | | | | | | |
| **Reviewer Comments:** I agree. I am aware that the council has worked hard to maximise the number of homes that can be achieved in the context of the severe constraints imposed by the lack of funding for strategic highways infrastructure improvements. Please see also my comments to Question 26 below. | | | | | | | | | |
| **G** | ***Is there any unmet need in neighbouring areas that you have been formally asked to accommodate? If yes, then list the amount by each local authority area.*** | Yes, the council has been asked to consider the following:  Havant Borough Council (4,309 total unmet need)  South Downs National Park (part within Chichester District, 44dpa)  Crawley Borough Council (7,505 total unmet need)  Horsham District Council (2,275 total unmet need)  Elmbridge District Council (4,000 estimated shortfall in 2020)  Lewes District Council (between 2,675 and 6,628 total – to be determined through production of Regulation 19 version of the new Local Plan) Worthing (response sent on draft Plan) | | | | | | | | | |
|  | **Does your local plan policies update accommodate any of this unmet need where you can sustainably to do so?** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score: +2.** Chichester plan area is unable to meet any unmet need, as it is unable to sustainably meet its own needs in full. | | | | | | | | | |
| **Implications of taking no further action:** None | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** None | | | | | | | | | |
| **Reviewer Comments:** I agree. | | | | | | | | | |
|  | **Is there a housing trajectory which illustrates the expected rate of housing delivery and ensures the maintenance of a 5-year supply during the plan period?**  **Is your strategy for delivery and implementation clearly articulated and justified to support the trajectory?** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score: +2.** Appendix E of the plan sets out the housing trajectory for the plan period, with the latest version set out in the Housing Supply Background Paper and Council’s suggested modifications schedule. Phasing assumptions are set out for each site/housing figure. Justification for this phasing can be found in the Housing Supply Background Paper.  The trajectory maintains a five year supply until the monitoring year 31/32. Due to the constrained housing figure (as set out in the Housing Need and Transport Background Papers), and the need for a 5% buffer as part of maintaining a 5 year supply in the earlier stages of the plan period, the identified number of dwellings that the plan is able to deliver is effectively brought forward to earlier in the plan period. | | | | | | | | | |
| **Implications of taking no further action:** None | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** Delivery strategy and phasing can be further supported by updates to development forms and statements of common ground as sites/applications progress. | | | | | | | | | |
| **Reviewer Comments:** I agree. | | | | | | | | | |
|  | **Can you confirm: (i) that the local plan policies update will provide for a 5-year supply of specific deliverable sites on adoption; and (ii) that beyond this 5 year period sites are developable and (iii) if relevant, you have included a 5 or 20 percent buffer to deal with under-delivery.** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score: +2.** The list of deliverable sites is available in the trajectory in Appendix E of the plan. The trajectory sets out sites by progress, showing which are under construction, have detailed or outline permissions.  New strategic allocations and parish housing figures have been informed by a HELAA which assessed whether a site is developable. In addition a broad location of development is identified at Southbourne to provide longer term needs for housing delivery as set out in the Southbourne BLD background paper and Policy A13 of the plan.  There is no previous under-delivery and therefore no relevant buffer added. | | | | | | | | | |
| **Implications of taking no further action:** None | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** None | | | | | | | | | |
| **Reviewer Comments:** I agree. | | | | | | | | | |
|  | **Does the level of supply provide any ‘head room’ (that is additional supply above that required) to enable you to react quickly to any unforeseen changes in circumstances and to ensure that the full requirement will be met during the plan period?** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score: +1.** As set out in the Housing Need and Transport background papers the plan has a constrained housing requirement. It is therefore deemed inappropriate to add a buffer to the plan and allocate additional housing to meet it. However, following a number of sites being granted permission through appeals since the Regulation 19 plan the total number of homes in the plan (including a windfall allowance) is above the constrained housing requirement. | | | | | | | | | |
| **Implications of taking no further action:** None | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** None | | | | | | | | | |
| **Reviewer Comments:** Whilst the Local Plan is likely to be able to demonstrate a 5-year supply of deliverable sites at the point of adoption, the numbers suggest that this could be tight and even relatively small changes could tip Chichester into a Housing Land Supply of less than 5 years. Also, the planned housing supply flexibility is only 4% above the requirement currently. This is also less than would be optimal. I think that these points suggest that the appropriate score should be +1 rather than +2. | | | | | | | | | |
|  | **Is the Council reliant on the delivery of any ‘windfall’ sites (sites not specifically identified in the development plan) during the plan period and if so, how many and when? Is there compelling evidence to confirm that such sites will continue to come forward?** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score: +2.** The housing trajectory includes an allowance for 720 dwellings through windfall over the plan period. This starts from the monitoring year 2027/2028 so that sites are not double counted.  The windfall allowance is based on a review of 10 years of historic delivery, analysis of whether the council had an adopted plan at the time of permission, whether the council had a 5 year supply and whether previous land uses consistently delivered/whether there are opportunities for such sites to keep coming forward (eg. Office to residual use). Detail on this analysis can be found in the LSH 5YHLS Critical Friend Review 1st April 23 and LSH Policy Advice February 2023. | | | | | | | | | |
| **Implications of taking no further action:** None | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** None | | | | | | | | | |
| **Reviewer Comments:** I agree. | | | | | | | | | |
|  | **Does the local plan policies update make it clear what size, type and tenure of housing is required?** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score:** **+2.** The Local Plan contains policies on housing mix and affordable housing mix policy which sets out the requirements in relation to housing mix and tenure. These policies seek to balance flexibility with clear guidance regarding the mix of dwellings required for both market and affordable housing policy. The tenure requirements are more clearly defined within the affordable housing policy, which is considered appropriate given the need to high degree of importance which ought to be attached to the particularly housing need. There are also policies which support the provision of other forms of specialist housing and self/custom build. | | | | | | | | | |
| **Implications of taking no further action:** The policies could be made more prescriptive. However, it is considered that this would create an overly rigid policy framework, which probably wouldn’t be considered acceptable by developers, nor would it allow schemes to respond in an agile manner to local characteristics. | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** It is considered that an alternative course of action i.e. a more prescriptive approach would be inappropriate. | | | | | | | | | |
| **Reviewer Comments:** The approach taken is balanced and provides clear direction to applications but avoids being overly prescriptive which would be a risk to delivery. | | | | | | | | | |
|  | **Does the local plan policies update specifically address the needs of different groups in the community?** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score: +1.** The Local Plan contains a specialist housing policy which provides a framework for the needs of different sections of the community to be met. The allocation policies also contain policy requirements to address specialist housing needs, such as those of older persons and gypsies and travellers. The policies generally don’t provide specific requirements in terms of the quantum of units to be provided (with the exception of the policies/requirements pertaining to gypsies and travellers). | | | | | | | | | |
| **Implications of taking no further action:** The policies could be made more prescriptive. However, it is considered that this would create an overly rigid policy framework, which probably wouldn’t be considered acceptable by developers/applicants. Moreover, it’s generally not possible to be specific in relation to all the different housing requirements encompassed by the local area. | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** It is considered that an alternative course of action i.e. a more prescriptive approach would be inappropriate. | | | | | | | | | |
| **Reviewer Comments:** I agree that the approach, including Policy H8 gets the balance right between ensuring that needs for specialist housing can be met and the need to avoid harming delivery prospects for larger schemes by being overly prescriptive. | | | | | | | | | |
|  | **Can your affordable housing requirements, including any geographical variations, be justified?**  **Does the local plan policies update provide for the delivery of the full need for affordable housing? If not, can you explain and justify why?** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score: +2.** The geographical requirements with respect to affordable housing are fully addressed in the Housing and Economic Development Needs Assessment. However, it is not possible to meet the affordable housing need in full, as is often the case in the south-east of England, where high house prices inevitably lead to high levels of affordable housing need. The constraints on additional housing delivery, and those on the viability of the Plan - given the significant cost of transport infrastructure, has resulted in a need to make choices around policy demands of development. If the transport impact of development cannot be mitigated then an even lower level of housing may be required, delivering even less affordable housing as a percentage alongside market housing. The strategy that the Council has adopted is justified and the most appropriate to maximise delivery of affordable housing, given the constrained circumstances the council finds itself in. | | | | | | | | | |
| **Implications of taking no further action:** None | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** None | | | | | | | | | |
| **Reviewer Comments:** It is recognised that the council has worked hard to maximise the level of affordable housing that it will be possible to deliver and that difficult choices have been required. Whilst the plan cannot provide for the full level of need, the reasons for this are clear and compelling. To that extent, I agree with the +2 scoring. | | | | | | | | | |
|  | **Have the needs for travellers and travelling showpeople been adequately assessed in accordance with national policy and have they been based on robust evidence?**  **Does the local plan policies update make adequate provision for the identified needs?** | -2 | -1 | | 0 | | | +1 | | | +2 |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement |
| **Reason for score: +2.** These needs have been assessed via a recent GTAA, and the need figures have been revised in light of the amendments made to Planning Policy for Traveller Sites at the end of 2023. Further detailed analysis has been done via consultants in relation to the intensification potential and capacity of existing sites. The Local Plan provides for the highest level of provision which is considered reasonably achievable, and the allocations within the plan, coupled with a moderate amount of windfall development, will allow for the needs to be me in full over the plan period. Full details are set out in the associated background paper. | | | | | | | | | |
| **Implications of taking no further action:** The lack of further action will mean that some speculative sites still need to come forward. However, extensive efforts have been made to allocate sufficient sites, and there does not appear to be a realistic prospect that additional sites could be allocated, and hence the proposed approach is considered to be the best available and most practical approach to the position. | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** Further allocations would be required. If these were to be stand-alone allocations specifically for traveller sites then pursing that approach would delay the progression of the Local Plan, and would be unlikely to actually deliver any more sites in any case. More provision could be made on the strategic housing allocations, however, that would only come forward later in the plan period, at which point there is a less pressing need, it could lead to site management problems, and would be at the expense of mainstream housing. | | | | | | | | | |
| **Reviewer Comments:** I agree. | | | | | | | | | |
|  | **Will the local plan policies update provide for a 5-year supply of deliverable travellers and travelling showpeople pitches to meet identified needs?** | -2 | -1 | | 0 | | | +1 | | | +2 |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement |
| **Reason for score: +1.** The 5 year need will be met for gypsies and travellers, provided a modest amount of windfall can be relied upon. However, it is not possible to meet the high level of need for travelling showpeople during the first 5 years, though the full level of need can be met over the remainder of the plan period (including the residual need from the first 5 years). Full details are set out in the associated background paper. | | | | | | | | | |
| **Implications of taking no further action:** The lack of further action will mean that some speculative sites still need to come forward. However, extensive efforts have been made to allocate sufficient sites, and there does not appear to be a realistic prospect that additional sites could be allocated, and hence the proposed approach is considered to be the best available and most practical approach to the position. | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** The plan already contains all theallocations which it is considered can reasonably be included. There isn’t considered to be any reasonable prospect that additional allocations can be included, while any additional provision within the strategic allocations wouldn’t come forward within the first 5 years and hence would not address this requirement. | | | | | | | | | |
| **Reviewer Comments:** There is clearly some risk here that the 5-year supply will not be met. However, I agree that the Local Plan is doing everything that it reasonably can to maximise the provision of sites for both travellers and travelling showpeople and this has been documented, so a score of +1 is justified. | | | | | | | | | |
| **H** | ***List any* travellers and travelling showpeople *sites identified to meet need and the timescales for their delivery*** | See policies H12, A8, A9, A13 and background paper. | | | | | | | | | |
|  | **Justified approaches to plan policy and content** | | | | | | | | | | |
|  | **Where thresholds are set in policies which trigger specific policy requirements, are these thresholds justified by evidence and is this clear in the supporting text?**  **[You may wish to check each policy setting a threshold]** | -2 | -1 | | 0 | | | +1 | | | +2 |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement |
| **Reason for score: +2.**  Policy P3 (Density) does not define specific residential density thresholds but its supporting text sets an expectation of a minimum of 35 dwellings per hectare to ensure efficient use of land. This expectation is justified by the Housing Density Evidence Study.  Policy H6 (Custom and/or Self Build Homes) and Policy H8 (Specialist accommodation for older people and those with specialised needs) apply to schemes over 200 homes. The policy thresholds reflect viability testing.  Policy H10 (Accessible and Adaptable Homes) requires 5% of all affordable housing to meet wheelchair accessibility standards M4(3)(2)(b) where there is an identified need on the housing register. This is in response to the need identified in the HEDNA of around 1,150 dwellings and the HEDNA recommendation that a starting point of 10% of homes meeting the standard is tested.  Policy P16 Health and Wellbeing - Development proposals for over 50 dwellings or 1000sqm, along with development proposals that may have an impact on health will require submission of a Health Impact Assessment. | | | | | | | | | |
| **Implications of taking no further action:** None | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** None | | | | | | | | | |
| **Reviewer Comments:** I agree. | | | | | | | | | |
|  | **Does the local plan policies update avoid deferring details on strategic matters to other documents? If it does, is it clear *why* matters will be covered in other Development Plan Documents or Supplementary Planning Documents and why this is appropriate?** | -2 | -1 | | 0 | | | +1 | | | +2 |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement |
| **Reason for score: +2.** The Local Plan does not defer strategic matters to other documents. It is appropriate to cover the allocation of site/s within the Southbourne BLD in a separate Development Plan Document in order to ensure that the proper masterplanning of the area can take place. Policy T1 sets out a monitor and manage approach to the transport strategy which is designed to respond to circumstances at the point of delivery of necessary infrastructure, and it therefore appropriate that certain issues are deferred to the monitor and manage process/TIMG. | | | | | | | | | |
| **Implications of taking no further action:** None | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** None | | | | | | | | | |
| **Reviewer Comments:** I agree. | | | | | | | | | |
|  | **Where the local plan policies update defines a hierarchy do policies throughout the Plan consistently: (i) reflect this hierarchical approach; (ii) make clear the level of protection afforded to designations depending on their status within the hierarchy; and (iii) is the approach consistent with National Policy?**  **[For example, hierarchies could relate to nature conservation, heritage assets, town centres/retail, settlements.] ­** | -2 | -1 | | 0 | | | +1 | | | +2 |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement |
| **Reason for score: +2.** The following policies include a hierarchical approach:  Policy NE5 (Biodiversity and Biodiversity Net Gain) defines and lists the Plan Area nature conservations sites, habitats and species requiring protection and enhancement. The order of the list reflects and adheres to the NPPF mitigation hierarchy, which is also clearly referenced within the policy and its supporting text, ensuring consistency in interpretation.  Policy NE5 also defines hierarchical criteria for biodiversity net gain, consistent with the Biodiversity Gain Hierarchy as defined in Articles 37A and 37D of the Town and Country Planning (Development Management Procedure) (England) Order 2015. NE5 establishes local requirements for how the statutory Biodiversity Gain Hierarchy is to be delivered. The Biodiversity Gain Hierarchy is not explicitly referenced, however, reflecting the incremental establishment of BNG terminology through national guidance during the Plan preparation period.It is considered that the lack of reference to the Biodiversity Gain Hierarchy helps to avoid confusion within the separate mitigation hierarchy in this instance.  Policy NE2 provides at criterion 4 that development of poorer quality agricultural land must be fully considered in preference to Best and Most Versatile (BMV) land. Where proposals would result in the loss of BMV land, proposals must consider the impacts. The policy approach follows paragraph 001 of the national planning practice guidance “Natural Environment”.  Policy E5 sets a hierarchy of town and local centres. We have followed this through into policies E6 and E7 which set out clear criteria for development within (or outside of) those centres. This is consistent with the NPPF and is supported by evidence. | | | | | | | | | |
| **Implications of taking no further action:** None | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** None | | | | | | | | | |
| **Reviewer Comments:** I agree. | | | | | | | | | |
|  | **Where policies seek to limit certain uses, is this justified by evidence and i­­s the rationale clear in the supporting text to the policy and in the evidence.**  **[For example, policies relating to town centres, employment or retail may seek to limit certain uses.]** | -2 | -1 | | 0 | | | +1 | | | +2 |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement |
| **Reason for score: +2.** Policy E2 seeks to limit development on employment sites to employment uses, unless certain criteria are met. This is in order to maintain a supply of employment space as no surplus has been identified. The HEDNA 2022 identifies a requirement for additional employment floorspace.  Policy A16 seeks to limit development at the Goodwood Motor Circuit and Airfield to uses that are connected to or ancillary to the existing uses, in recognition of the economic contribution of the Circuit and Airfield, and the need to manage noise and the scale of such uses, including additional traffic.  Policy A17 seeks to limit noise sensitive development close to Goodwood Motor Circuit and Airfield to protect residential amenity.  Policy A21 safeguards land for employment development specifically related to Rolls Royce and so limits other use.  Policy A19 and Policy A20 are employment allocations so limit uses to those identified in the policy (which for Policy A20 also includes travelling showpeople’s accommodation)  Policies E6 and E7 encourage certain uses to be provided within the town and local centres (as designated on the Policies Map). This is supported by the Retail Study 2022 (and 2018) as well as extensive years of retail monitoring of the town centre which indicate where retail uses are best provided.  Policy NE4 looks to restrict development within identified strategic wildlife corridors in order to protect areas of habitat and wildlife which utilise certain routes north-south of the plan area to the South Downs National Park. This policy is supported by a background paper which sets out evidence for identifying the corridors. This policy is subject to modifications suggested by the council which seek to achieve a balance of protecting identified corridors to ensure their functionality, with allowing for new housing and other growth in appropriate locations. | | | | | | | | | |
| **Implications of taking no further action:** None | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** None | | | | | | | | | |
| **Reviewer Comments:** I agree. | | | | | | | | | |
|  | **Is it clear that any standards proposed for development are justified and deliverable, taking into account the scale of the development? Where relevant, are they consistent with the principles set out in the National Design Code and National Model Design Code?**  **[For example, onsite provision of open space, optional technical standards, internal and external space standards.]** | -2 | -1 | | 0 | | | +1 | | | +2 |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement |
| **Reason for score: +2** Policy H6 (Custom and/or Self Build Homes) requires (as per the councils’ proposed modifications schedule) that 5% of market units on strategic scale housing sites should be self/custom build. At the Reg.19 stage the plan proposed a 2% requirement, which was reflective of the understanding of the level of need at that time. However, subsequently, the register has been updated and further analysis of this issue has been commissioned, which showed a higher level of need and hence recommended raising the percentage requirement. The increase to 5% brings the council into line with the percentage requirement sought in many local plans.  Policy H10 Accessible and Adaptable Homes requires 5% of affordable must meet wheelchair accessible standards and all remaining dwellings must meet accessibility and adaptability standards M4(2). This is in response to the need identified in the HEDNA of around 1,150 dwellings and the HEDNA recommendation that a starting point of 10% of homes meeting the standard is tested. The standards arrived at followed tested through the Viability Assessment and are deliverable.  Policy P6 (Amenity) requires new dwellings to meet as a minimum the Nationally Described Space Standards (NDSS). The adoption of NDSS is justified by the findings of the Residential Space Standards Evidence Study. The study considers the need, viability and timing of NDSS adoption, as well as compliance with mandatory accessibility standards, as factors determining the requirement for and deliverability of the standard’s adoption, concluding all are appropriately considered. Policy P6 follows from Policy P1 (Design Principles), which requires all development to achieve a high-quality design which accords with the National Design Guide and its ten characteristics, including 8. Homes and Buildings: functional, healthy, and sustainable. This characteristic is recognised within the National Design Guide to involve the provision of a good standard and quality of internal space. The Guide also states that Local Plans may adopt NDSS where a need is identified.  Supporting text to Policy P14 (Green Infrastructure) reflects that regard should be had to Natural England’s Green Infrastructure Framework – Principles and Standards. Recognising the GI Standards’ relatively recent publication in January 2023, evidence to justify the adoption of specific standards has not been collated. P14’s policy criteria are broadly consistent with the framework’s overarching principles.  Thresholds have been proposed in respect of open space, sport and recreation provision (Policy P15) which trigger the requirement for development to meet the open space standards. The requirement to meet these standards is justified by the available evidence (Open Space Study Update (2024) including Playing Pitch Strategy and Indoor and Build Leisure Needs Assessment). Modifications are proposed in order to ensure that the standards reflect the latest evidence. | | | | | | | | | |
| **Implications of taking no further action:** None | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** None | | | | | | | | | |
| **Reviewer Comments:** It is clear that there is compelling justification for the standards proposed and so I agree with the +2 score. | | | | | | | | | |
|  | **Deliverability** | | | | | | | | | | |
|  | **Has the viability of the local plan policies update been suitably tested and does this testing cover all requirements including in respect of any required standards, affordable housing provision and transport and other infrastructure needs and if relevant the implications of CIL?** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score: +2.** Yes, this has been addressed in detail by specialist consultants Dixon Searle Partnership. This is set out in the Council’s evidence base. This encompasses a stage 1 study in 2021, followed by a stage 2 study in 2023. The Council has also liaised with the viability consultants regarding the viability implications of the schedule of proposed amendments. | | | | | | | | | |
| **Implications of taking no further action:** It is not considered practical to constantly update the viability appraisal, and it is considered that the council has taken all reasonable steps to address this issue. | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** None | | | | | | | | | |
| **Reviewer Comments:** I agree. | | | | | | | | | |
|  | **Does the local plan policies update reflect the conclusions and recommendations of your viability evidence?**  **Is it clear the viability and delivery of development will not be put at risk by the requirements in the local plan policies update?** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score: +1.** Yes, the policies reflect the viability evidence. To ensure contributions collected under Policy T1 are fair and reasonably related in scale and kind it has been necessary to introduce an apportionment factor to the average contribution per dwelling that is required. It is acknowledged that in a small number of charging zones developments of a small number of typologies may face some viability pressure, although less so if the mix is HEDNA compliant. However, there is flexibility incorporated into relevant policies to allow for site specific and/or unexpected viability constraints to be addressed at the planning application stage, for example in relation to viability considerations. Some of the site-specific requirements may put pressure on the viability position pertaining to those sites, but it is considered that this can be managed at the planning application stage on the basis of the flexibility referred to above. | | | | | | | | | |
| **Implications of taking no further action:** Taking any further action at this stage would delay the process and is not considered warranted in any case. | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** The council could commission a more detailed update to the viability work. However, our consultants have suggested that this is neither necessary nor reasonable, as the viability position is also fluctuating to a certain extent and all that can really be done is establish reasonable parameters to work within, which has already been achieved. | | | | | | | | | |
| **Reviewer Comments:** The viability evidence secured is robust and has been carefully considered by Officers during the process of drafting policies and setting targets and standards. I agree with the +1 score as there will inevitably be a few instances (as the text above highlights) where viability issues may arise. | | | | | | | | | |
|  | **Does the monitoring framework clearly set out what matters will be monitored, and the indicators used? Are these measurable and can the data be readily secured/captured?** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score: +2.** The data to be monitored within the monitoring framework has been checked to verify that the targets identified within the monitoring framework can be achieved. The indicators are monitored annually, and the results are detailed in the Authorities Monitoring Report as set out in Appendix F (proposed new Chapter 11) of the Plan. Some plan policies require more regular monitoring such as those concerning wastewater, retail and housing and are reported separately as well as in the AMR. | | | | | | | | | |
| **Implications of taking no further action:** None | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** None | | | | | | | | | |
| **Reviewer Comments:** I agree. | | | | | | | | | |
|  | **Does the local plan policies update and monitoring framework identify a clear framework for plan review?**  **Where triggers for plan review and/or update are identified are they justified and proportionate?** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score: +2.** The Local Plan includes a Monitoring Framework at Appendix F. The council is proposing the addition of a new Policy (Policy M1 Review of the Local Plan) in order to provide a clear framework for the plan review. Appendix F is proposed to be moved into a new Chapter 11. | | | | | | | | | |
| **Implications of taking no further action:** None | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** Action has been taken through the suggested new Policy M1. | | | | | | | | | |
| **Reviewer Comments:** I agree. | | | | | | | | | |
|  | **Plan effectiveness (and associated policy clarity)** | | | | | | | | | | |
|  | **Does the local plan policies update clearly set out the timeframe that it covers? Is it clear which policies are strategic? Will the strategic policies provide for a minimum of 15 years from adoption? Does the evidence relied on to support those policies correspond/cover this whole period? Where larger scale developments are proposed as part of the strategy, does the vision look further ahead (at least 30 years)?** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score:** The Local Plan clearly sets out the timeframe for the Plan period 2021 – 2039. However, due to significant issues that required addressing before the council was able to submit the plan, it may not result in the plan being 15 years from adoption if this occurs post 31 March 2025.  The Plan clearly sets out the policies that are strategic in Appendix G.  Evidence base studies have been updated to cover the period up to 2039. | | | | | | | | | |
| **Implications of taking no further action:** Policies will not provide for 15 years from adoption | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** Discussion at examination. | | | | | | | | | |
| **Reviewer Comments:** I agree. The plan period is likely to require extending to at least 2040, but at this stage, that is not a certainty. | | | | | | | | | |
|  | **Does the local plan policies update clearly set out which adopted Development Plan policies it supersedes?** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score: +2.** Local Plan paragraph 1.2 clearly sets out that once adopted the Chichester Local Plan 2021-2039 will replace the Chichester Local Plan: Key Policies 2014-2029 in full. Paragraph 1.2 also makes clear that the policies and allocations in the Site Allocation DPD 2014-2029 are saved for continued use pending review as part of a future DPD. Local Plan Appendix H sets this out in more detail. | | | | | | | | | |
| **Implications of taking no further action:** None | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** None | | | | | | | | | |
| **Reviewer Comments:** I agree. | | | | | | | | | |
|  | **Are the objectives the policies are trying to achieve clear, and can the policies be easily used and understood for decision making?** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score:** **+1.** The policies are intended to be straight forward and clear for the reader and for the decision-maker. In this context, it is relevant to note that colleagues within the council, including those within the development management service, have been consulted on the policies and where necessary appropriate suggested modifications have been suggested. The score is +1 as a modification is proposed in order to clearly cross reference each policy to the vision and objectives. | | | | | | | | | |
| **Implications of taking no further action:** Suggested modification is to improve clarity rather than a soundness issue. | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** A suggested modification is proposed which sets out each policy and cross refers it to the vision and strategic objectives that the policy relates to. | | | | | | | | | |
| **Reviewer Comments:** I agree. Overall, the suite of policies in the Local Plan is detailed and comprehensive. Whilst this does provide a high level of guidance and direction for user of the Plan, it must be acknowledged that it will be a complex local plan to use for some users, with many policies needing to be taken into account for any given development. This factor also justified a +1 score rather than +2. | | | | | | | | | |
|  | **For each policy area you have designated or defined in the Plan: (i) are these clearly referenced and explained in the Plan; and (ii) clearly defined on the Policies Map?**  **Where you have included maps or graphics within the local plan policies update are these legible and is it clear if and how they are to be used in decision making?** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score: +1.** The Local Plan meets this requirement but some improvements to maps have been suggested following the Regulation 19 consultation.  Policy NE5 designates seven strategic wildlife corridors within the south of the plan area. These are identified on the Policies Map.  Policy NE6 (Chichester’s Internationally and European Designated Habitats) requires development proposals within defined ranges of bat species’ foraging habitats and commuting routes to incorporate surveys, retain key features and maintain buffers. Policy NE6 refers to SAC buffer zones to safeguard bat species against disturbance. These areas (identified as a Key Conservation Area and a Wider Conservation area) are proposed to be clearly defined within the Policies Map and are determined from published data which informed the joint Natural England / SDNPA draft Sussex Bat SAC Protocol, referenced in both the policy and the supporting text.  Policy NE7 (Development and Disturbance of Birds) requires that net increases in residential development within the 5.6km zone of influence of Chichester and Langstone Harbours SPA, and/or within the 3.5km zone of influence of Pagham Harbour SPA, are subject to the provisions of Regulation 63 of the Conservation of Habitats and Species Regulations 2017, requiring appropriate avoidance or mitigation of adverse impacts. These requirements (including the zone of influence parameters) are justified by evidence from the Solent Disturbance and Mitigation Project and Natural England, as described within supporting text.  Policy E5 Retail Strategy and New Development defines the network and hierarchy of centres which are defined on the Policies Map. Policy E6 refers to shopping area and primary and secondary frontages which are defined on the Policies Map.  Site allocations in Chapter 10 are clearly defined on the Policies Map, with small maps to show their location following each relevant policy. Gypsy and Traveller intensification sites (Policy H12) are also defined on the Policies Map.  The Horticultural Development Areas are clearly defined on the Policies Map.  A new Map is proposed to support the suggested modifications to Policy T1, in order to illustrate the ‘Charging Sectors by Ward’. These will also be on the Policies map. | | | | | | | | | |
| **Implications of taking no further action:** Action taken set out below. | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** Improvements have been made to the Key Diagram to make sure that acronyms are set out in full and settlement names are clearly identified. Map A1 (East-West Corridor) and A3 (North of the Plan area) have also been updated. The Policies map will also be updated to amend the boundary of the Tangmere site allocation following the CPO Inquiry. | | | | | | | | | |
| **Reviewer Comments:** I agree. | | | | | | | | | |
|  | **Does each local plan policies update policy: (i) make clear the type of development it will promote; (ii) use positive rather than negative wording?** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score: +2.** Policies have been audited internally and this has confirmed that the majority of policies are positively worded or neutral and that the Local Plan is clear regarding the type of development it will promote. Policy A17 Development within the vicinity of Goodwood Motor Circuit is worded as a ‘general presumption against noise sensitive development’. | | | | | | | | | |
| **Implications of taking no further action:** None | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** None | | | | | | | | | |
| **Reviewer Comments:** I agree. | | | | | | | | | |
|  | **Do policies make clear where they are intended to be applied differently for the purposes of decision-making dependent on (i) scale; (ii) use; or (iii) location of development proposed.**  **[Note: If you have said ‘all development’ this implies equal application irrespective of the development scale/use/location and this may not be either justified or deliverable]** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score: +2.** Where policies apply to specific thresholds, uses, scale of development or locations this is clearly set out in the policy**.** Policies that apply to all development have been carefully considered and supported by evidence. | | | | | | | | | |
| **Implications of taking no further action:** None | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** None | | | | | | | | | |
| **Reviewer Comments:** I agree. | | | | | | | | | |
| **I** | ***State how many policies are in your local plan update?***  ***Can you list any policies within the local plan update that: (i) repeat parts of other policies within the plan; (ii) replicate or repeat paragraphs in the NPPF (iii) cross reference other policies.*** | There are 93 policies in the Local Plan.  i) NE15 repeats NE12 requirement; NE16 duplicates some of NE17 detail; E8 duplicates some of NE6 and NE7 detail  ii) NE5 refers to NPPF mitigation hierarchy but does not replicate detail; NE7 refers to NPPF presumption but does not replicate detail; NE13 refers to NPPF-defined exceptional circumstances but does not replicate detail; NE15 refers to NPPF flood risk assessment but does not replicate detail.  iii)   * S1 cross references H3; * S2 cross references NE10; * NE2 cross references NE3, NE4, NE5, NE7, NE8, NE12, E10 and pollution policies; * NE6 cross references NE7, NE12, NE17, and NE19; * NE15 cross references NE12; * NE16 cross references NE17; * NE23 cross references A17; * H4 cross references H5; * H11 cross references NE6, NE7, H12, H13 and H14; * P16 cross references P14, P15 and T3; * E1 cross references E2 and A1; * E3 cross references E4; * E8 cross references NE6 and NE7; * E10 cross references NE5; * T2 cross references T4; * T3 cross references T4; * A6 cross references T1 and T2; * A7 cross references T1 and T2; * A8 cross references P15; * A9 cross references T1 and T2; * A10 cross references T1 and T2; * A11 cross references T1 and T2; * A12 cross references T1 and T2; * A13 cross references H11, T1 and T2; * A14 cross references T1 and T2; * A18 cross references NE13; * A20 cross references H14.   Where relevant, policies in Chapter 10 refer to the West Sussex Joint Minerals Local Plan and West Sussex Waste Local Plan. | | | | | | | | | |
|  | **Based on the above, have you tried to avoid unnecessary repetition (of the NPPF or other policies within the local plan policies update) and cross referencing in policies?**  **If you find duplication or repetition you may want to take minute to consider whether this is appropriate.** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score:** Yes, but some cross referencing is necessary to highlight the importance of and/or linkages between particular issues so the plan is read a whole. | | | | | | | | | |
| **Implications of taking no further action:** None | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** None | | | | | | | | | |
| **Reviewer Comments:** I agree. | | | | | | | | | |
|  | **Do policies avoid duplicating other regulatory requirements (for example, building regulations)?** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score: +2.** The Plan does not duplicate the energy performance requirements set out in Building Regulations.  Policy NE15 Flood Risk and Water Management includes a setback requirement to ensure access to tidal and fluvial waters, which supports but does not duplicate the Environmental Permitting Regulations.  Part G of the Building Regulations require daily water usage per person not to exceed 125 litres with an optional tighter target of 110 litres where there is a clear local need. Policy NE16 Water Management and Water Quality requires that new residential development must demonstrate a maximum water consumption of 110 litres per person per day. This is to make it clear that the tighter target applies.  A tighter target of 85 litres per person per day applies to the development in the Southern Water’s Water Resource Zone Sussex North as set out in Policy NE17 Water Neutrality.  Policy P6 (Amenity) requires new dwellings to meet as a minimum the Nationally Described Space Standards (NDSS). The adoption of NDSS is justified by the findings of the Residential Space Standards Evidence Study. The study is not referenced within the supporting text, however, having been concluded post Regulation 19 consultation. | | | | | | | | | |
| **Implications of taking no further action:** None | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** None | | | | | | | | | |
| **Reviewer Comments:** I agree. | | | | | | | | | |
|  | **Does the wording of plan policies avoid ambiguity? Are requirements clear to the decision-maker?**  **[For instance, policies should avoid using overly subjective terms such as “to the Council’s satisfaction”, “considered necessary by the Council” or “appropriate” without associated clarification.]** | -2 | -1 | | 0 | | +1 | | | +2 | |
| No, we do not meet this requirement | No, we may not fully meet this requirement | | Unclear whether our plan meets this requirement or not | | Yes, we are likely to meet this requirement | | | Yes, we are confident our plan will meet this requirement | |
| **Reason for score: +2.** The policies in the Local Plan have been considered by the Development Management Team and assessed for clarity and implementation. The supporting text provides clarification, and the Local Plan should be read as a whole. | | | | | | | | | |
| **Implications of taking no further action:** None | | | | | | | | | |
| **Mitigation / Action required (if necessary) to move scale to right:** None | | | | | | | | | |
| **Reviewer Comments:** I agree and have also reviewed the Local Plan for this purpose. | | | | | | | | | |

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| **Date of assessment:** | 29/04/24 |
| **Assessed by:** | Claire Potts, Planning Policy Team Manager |
| **Checked by:** | Peter Home, Local Plan Consultant |
| **Overall Score:** | 86 |
| **Comments:** | The council believes the Chichester Local Plan 2021 – 2039 is the sound and legally compliant plan for the plan area over the plan period. |