

# **Chichester Local Plan 2021 - 2039**

## **Schedule of Proposed Changes to the Policies Map**

# **Regulation 19 Representations**

(in document order)



**3860****Object****Document Element:** Schedule of Proposed Changes to the Policies Map**Respondent:** Mr Michael Wright [7848]**Summary:**

SB1. The new large development west of Centurian Way should be included in the Settlement Boundary  
NE4b. The Lavant Valley (flood plain) south of East Lavant should be a Strategic Wildlife Corridor  
A16a. Noted that the Goodwood Circuit Buffer has unfortunately been encroached by recent residential development for unknown reasons.

**Full text:**

SB1. The new large development west of Centurian Way should be included in the Settlement Boundary  
NE4b. The Lavant Valley (flood plain) south of East Lavant should be a Strategic Wildlife Corridor  
A16a. Noted that the Goodwood Circuit Buffer has unfortunately been encroached by recent residential development for unknown reasons.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** None**3867****Object****Document Element:** Schedule of Proposed Changes to the Policies Map**Respondent:** Mr Michael Wright [7848]**Summary:**

Several of the plans used to illustrate the proposed strategic sites show that the planned developments have already commenced. It is impossible for the reader to understand what is existing, planned or already constructed. Why are you asking for consultation on sites already given consent and construction ongoing?

**Full text:**

Several of the plans used to illustrate the proposed strategic sites show that the planned developments have already commenced. It is impossible for the reader to understand what is existing, planned or already constructed. Why are you asking for consultation on sites already given consent and construction ongoing?

**Change suggested by respondent:**

-

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** None

4221

Object

**Document Element:** Schedule of Proposed Changes to the Policies Map**Respondent:** The Goodwood Estates Company Limited [7922]**Agent:** HMPC Ltd (Mr Haydn Morris) [112]**Summary:**

MapA9a Supported It represents a sound planning response to material considerations affecting the land and justification to restrict further development within the former allocation.

Map 10.6 Land fronting Dairy Lane could be an extension to the Maudlin Farm allocation.

MapA16a Supported in both forms subject to any change made in response to our comments made to Policy A16 and A17 of the Local Plan. A different numbering sequence will ease future reference.

**Full text:**

MapA9a Supported It represents a sound planning response to material considerations affecting the land and justification to restrict further development within the former allocation.

The title "Land removed from existing site allocation" should be given a specific policy identification, to reflect its importance as an area to remain free from inappropriate development.

Map 10.6 Land fronting Dairy Lane could be an extension to the Maudlin Farm allocation.

MapA16a Supported in both forms subject to any change made in response to our comments made to Policy A16 and A17 of the Local Plan. A different numbering sequence will ease future reference.

**Change suggested by respondent:**

The title "Land removed from existing site allocation" should be given a specific policy identification, to reflect its importance as an area to remain free from inappropriate development.

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** None

4636

Object

**Document Element:** Schedule of Proposed Changes to the Policies Map**Respondent:** Premier Marinas Limited [7981]**Agent:** CBRE Limited (Mr Andy Pearce, Senior Planner) [7980]**Summary:**

Chichester Marina has no specific policy allocation. Premier acknowledges that there have been no proposed amendments by CDC to the draft Policies Map relating to Chichester Marina.

Premier feel strongly that Chichester Marina should be allocated as mixed-use development site to cover the entire marina landownership in the interests of protecting a key local employment and tourism/leisure site for the long term.

**Full text:**

Chichester Marina has no specific policy allocation. Premier acknowledges that there have been no proposed amendments by CDC to the draft Policies Map relating to Chichester Marina.

Premier feel strongly that Chichester Marina should be allocated as mixed-use development site to cover the entire marina landownership in the interests of protecting a key local employment and tourism/leisure site for the long term.

**Change suggested by respondent:**

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**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:**

Chichester\_Local\_Plan.2021-2039\_Representations\_Final 16.03.2023 redacted - <https://chichester.oc2.uk/a/t9f>

4652

Object

**Document Element:** Schedule of Proposed Changes to the Policies Map**Respondent:** Dr Hema Borde [7999]**Summary:**

1. Severe lack of infrastructure and services to accommodate new homes
2. Village character will be lost and surrounding environment will be severely affected.
3. Lack of capacity for vital amenities such as water, sewage, electric grid.
4. Lack of transparency over the plan.

**Full text:**

I am concerned there was a lack of transparency on this plan, as a resident of Loxwood I was unaware until the day before deadline. Plan shows Loxwood will significantly increase in size, merging with other surrounding villages such as Ifold, Alfold and Dunsfold to end up being a town and will lose its village character. There is severe lack of infrastructure. The A281 is a single lane road and is constantly jammed at the Bramley and Shalford junctions, due to high traffic and roadworks. It is 12 miles to Guilford and Horsham stations, so difficult is anyone needs to commute, the only option is to drive. There is only one shop and that is closing. The post office has already closed. There is only one surgery and it is near on impossible to get a doctors appointment in 1-2 days. Water, and sewage and electricity capacity is a major concern. There is only one primary school with limited places so children will have to travel away to go to school.

**Change suggested by respondent:**

I do not agree with the plan. There are enough new houses for the time being.

**Legally compliant:** No**Sound:** No**Comply with duty:** No**Attachments:** None

4663

Object

**Document Element:** Schedule of Proposed Changes to the Policies Map**Respondent:** Mr Tom Broughton [7077]**Summary:**

The policy map for NE4 Strategic Wildlife Corridors is illegal as it infringes section 40 subsection (3a) of the Natural Environment & Rural Communities (NERC) Act 2006; it omits habitat where a section 41 species, Barbastelle Bat, has been recorded.

It is unsound as it renders the Pagham to Westhampnett SWC ineffective.

It didn't consult on change to SWC as was consulted on in July 2021.

**Full text:**

The policy map for NE4 Strategic Wildlife Corridors is illegal as it infringes section 40 subsection (3a) of the Natural Environment & Rural Communities (NERC) Act 2006; it omits habitat where a section 41 species, Barbastelle Bat, has been recorded.

It is unsound as it renders the Pagham to Westhampnett SWC ineffective.

It didn't consult on change to SWC as was consulted on in July 2021.

**Change suggested by respondent:**

Reinstate Pagham to Westhampnett Strategic Wildlife Corridor that was consulted on in July 2021.

**Legally compliant:** No**Sound:** No**Comply with duty:** No**Attachments:**

Affect of proposed change to Strategic Wildlife Corridor east of Chichester - 1.pdf - <https://chichester.oc2.uk/a/s75>

4708

Object

**Document Element:** Schedule of Proposed Changes to the Policies Map**Respondent:** Rolls-Royce Motor Cars Limited [8018]**Agent:** David Lock Associates (Rukaiya Umaru, Senior Planner/Surveyor) [8016]**Summary:**

R-RMC objects to the omission of the existing R-RMC Goodwood site as an existing employment site as covered by Policy E2. Whilst R-RMC supports the proposed addition of expansion land (Policy A21), it is also important the existing key employment site is reflected properly in the Plan.

R-RMC suggests that the Policies Map is updated to delineate the existing R-RMC Goodwood site as an 'Existing Employment Site' to reflect its historic, existing and continued operations. This would be consistent with NPPF paragraph 81, which seeks to create conditions in which businesses can invest, expand and adapt.

**Full text:**

Rolls-Royce Motor Cars (R-RMC) objects to the omission of the existing R-RMC Goodwood site as an existing employment site as covered by Policy E2. Whilst R-RMC supports the proposed addition of expansion land: Land East of Rolls-Royce (Policy A21), it is also important the existing key employment site is reflected properly in the Plan.

The existing R-RMC Goodwood site first opened in 2003 after R-RMC received planning consent (ref: 00/03103/FUL) to establish its headquarters on the site. Since then, production has increased, and the site has been subject to further planning applications and permissions to facilitate additional employment development and alterations.

Through the original and subsequent planning applications and consents, the R-RMC Goodwood has established itself as an employment site which positively contributes to the district and wider economy. Indeed, planning applications at the site have historically made reference to it as an Existing Employment Site, and it is considered that the Council already views the site in this context for decision-making and therefore the Local plan should recognise this.

Given the existing employment development on the site and the proposed expansion to the east (which further demonstrates R-RMC's commitment to manufacturing activities at the site), R-RMC suggests that there is an opportunity to regularise the categorisation of the existing R-RMC Goodwood site as an 'Existing Employment Site'. This would be consistent with NPPF paragraph 81 where it is stated: "Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development."

Therefore, R-RMC suggests that the Policies Map is updated to delineate the existing R-RMC Goodwood site as an 'Existing Employment Site' to reflect its historic, existing and continued operations.

**Change suggested by respondent:**

R-RMC suggests that the Policies Map is updated to delineate the existing R-RMC Goodwood site as an 'Existing Employment Site' to reflect its historic, existing and continued operations. This would be consistent with NPPF paragraph 81, which seeks to create conditions in which businesses can invest, expand and adapt.

**Legally compliant:** No**Sound:** No**Comply with duty:** Yes**Attachments:** None

4929

Object

**Document Element:** Schedule of Proposed Changes to the Policies Map**Respondent:** Willowfield Farm (Mr Thomas Procter, Director) [8063]**Summary:**

objection to sole allocation of sole allocation of highgrove farm at Bosham. HBO003 should be included in settlement boundary modification

**Full text:**

objection to sole allocation of sole allocation of highgrove farm at Bosham. HBO003 should be included in settlement boundary modification

**Change suggested by respondent:**

As above. HBO003 should be included in settlement boundary change

**Legally compliant:** Yes**Sound:** No**Comply with duty:** Yes**Attachments:** None

5080

Object

**Document Element:** Schedule of Proposed Changes to the Policies Map**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]**Summary:**

We wish to highlight to CDC a matter of formatting, in that on page 26 of the supporting document the legend for map 9A9 is not legible.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:**

SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

5268

Object

**Document Element:** Schedule of Proposed Changes to the Policies Map**Respondent:** Mr Matthew Rees [7841]**Summary:**

Not legally compliant because it contains fundamental errors and signals the potentially unlawful use of CPO powers against residents of Saxon Meadow, deprives them of amenity value, access, rights of way, parking, and creates a nuisance.

Not sound, as there seems to be the possibility of an irreconcilable conflict of interest between the role of the council seeking to use CPO powers not in the public interest, with a clear intention of approving a private developer's application for planning permission.

Two specific parcels of land the entire meadow owned by Saxon Meadow Tangmere Ltd, and the access road leading from Saxon Meadow to Church Lane should be marked as outside of the masterplan development area because they are not required for building houses and there is no public interest grounds or reasonable basis for CPC).

**Full text:**

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

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

Appendix 1: list of policies that I support

1. P14, 1.23, 1.24: Duty to cooperate
2. P24, para 2.30 "the council declared a climate emergency in July 2019"
3. P24, para 2.32 – "all proposal for new development should be considered in the context of a climate emergency"
4. P30: Objective 2: natural environment: "development will achieve net gains in biodiversity"
5. P43, 4.1 "National policy promotes increasing energy efficiency, the minimisation of energy consumption and the development of renewable energy sources"
6. P43, 4.3: "Some renewable energy projects provide significant opportunities to enhance biodiversity"
7. P53, Policy NE5: Biodiversity and Biodiversity Net Gain
8. P62, Para 4.42: Hedgerows and some types of woodlands are identified as a priority habitat
9. P62, Policy NE8: Proposals should have a minimum buffer zone of 15 metres from the boundary of ancient woodland or veteran trees to avoid root damage (known as the root protection area)
10. P68, Policy NE10: Criteria for Development in the Countryside - Does not prejudice viable agricultural operations or other viable uses
11. P80, Para 4.91: There are serious concerns about the impact of flooding, both in respect of current properties at risk but also the long-term management of the area.
12. 4.92: any development in the plan area must therefore have regard to flood and erosion risk.
13. 4.94: built development can lead to increased surface water run-off; therefore, new development should include SuDS to help cope with intense rainfall events
14. P81, Para 4.96: Environment Agency consent is required for any works within 16 m of tidal waters and 8m of fluvial watercourses in line with the Environmental Permitting Regulations 2016. This strip is required for access. The policy includes a setback requirement to ensure this access strip is not obstructed.
15. P80, 4.92, Any development in the plan area must therefore have regard to flood and erosion risk, now and in the future, by way of location and specific measures, such as additional flood alleviation, which will protect people, properties and vulnerable habitats from flooding. Recent changes to national guidance highlight the importance of considering flood risk from all sources, and this is particularly significant for the plan area as large parts of it are at risk from groundwater flooding, which needs to be recognised in development decisions alongside the well-established risks in relation to tidal, fluvial and surface water flooding. Appropriate mapping of all sources of flood risks is still evolving, and is likely to develop further over the plan period
16. P93, Policy NE20 Pollution: Development proposals must be designed to protect, and where possible, improve upon the amenities of existing and future residents, occupiers of buildings and the environment generally. Development proposals will need to address the criteria contained in, but not limited to, the policies concerning water quality; flood risk and water management; nutrient mitigation; lighting; air quality; noise; and contaminated land. Where development is likely to generate significant adverse impacts by reason of pollution, the council will require that the impacts are minimised and/or mitigated to an acceptable level within appropriate local/national standards, guidance, legislation and/or objectives.
17. P94, 4.127, Light pollution caused by excessive brightness can lead to annoyance, disturbance and impact wildlife, notably nocturnal animals. The design of lighting schemes should be carefully considered in development proposals to prevent light spillage and glare.
18. P94, 4.128, Dark skies are important for the conservation of natural habitats, cultural heritage and astronomy. The plan area includes three 'Dark Sky Discovery Site' designations, all located within the Chichester Harbour AONB; Eames Farm on Thorney Island, Maybush Copse in Chidham; and north of the John Q Davis footpath in West Itchenor. Development within or directly impacting these areas will be subject to particular scrutiny in terms of their impact on dark skies. The entire SDNPA area is also declared as an International Dark Sky Reserve. Development directly impacting this area will be subject to similar scrutiny.
19. P96, Policy NE22 Air Quality
20. P97, Policy NE-23 Noise
21. P142, Para 6.29, Amenity: Private space, shared space and the design quality and construction of communal spaces all contribute to amenity
22. P155-6, Policy P11: Conservation Areas "protecting the setting (including views into and out of the area)"
23. P55, Para 4.26 - The council is under a legal duty to protect designated habitats, by ensuring that new development does not have an adverse impact on important areas of nature conservation, and by requiring mitigation to negate the harm caused.
24. P58, Para 4.33 The council is under a legal duty to protect their designated bird populations and supporting habitats
25. P95, Para 4.129 The council has a duty to review and assess air quality within the district
26. P301, Conservation Area: An area of special architectural or historic interest, designated under the Planning (Listed Buildings & Conservation Areas) Act 1990. There is a statutory duty to preserve or enhance the character, appearance, or setting of these areas.

#### Change suggested by respondent:

The map must be corrected and the masterplan / local plan changed.

The whole meadow owned by Saxon Meadow Tangmere Ltd should be excluded from the master plan completely as it is not necessary for the scheme. The access road linking Saxon Meadow to Church Lane should be excluded from the master plan.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

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

Para-1.17 - <https://chichester.oc2.uk/a/stk>  
 Para-1.25 - <https://chichester.oc2.uk/a/stz>  
 Para-2.54 - <https://chichester.oc2.uk/a/stm>  
 Para-3.14 - <https://chichester.oc2.uk/a/stn>  
 Para-4.16 - <https://chichester.oc2.uk/a/sty>  
 Para-4.32 - <https://chichester.oc2.uk/a/stp>  
 Para-4.92 - <https://chichester.oc2.uk/a/stq>  
 Para-7.21 - <https://chichester.oc2.uk/a/s3r>  
 Para-8.12 - <https://chichester.oc2.uk/a/s3s>  
 Para-8.17 - <https://chichester.oc2.uk/a/s3t>  
 Para-10.59 - <https://chichester.oc2.uk/a/s33>  
 Para-10.60 - <https://chichester.oc2.uk/a/s34>  
 Para-10.61 - <https://chichester.oc2.uk/a/s35>  
 Para-10.62-5-PGS - <https://chichester.oc2.uk/a/s36>  
 Para-10.63 - <https://chichester.oc2.uk/a/s37>  
 Para-10.64 - <https://chichester.oc2.uk/a/s38>  
 Para-10.65 - <https://chichester.oc2.uk/a/s39>  
 Policies-Map-10.8 - <https://chichester.oc2.uk/a/s3v>  
 Policy-10.6 - <https://chichester.oc2.uk/a/s3b>  
 Policy-A14 - <https://chichester.oc2.uk/a/s3c>  
 Policy-I1 - <https://chichester.oc2.uk/a/s3d>  
 Policy-T1 - <https://chichester.oc2.uk/a/s3w>

5389

Object

**Document Element:** Schedule of Proposed Changes to the Policies Map

**Respondent:** Elivia Homes [7817]

**Agent:** Genesis Town Planning Ltd (Mr Jeremy Farrelly, Director of Planning) [7504]

**Summary:**

An increased dwelling requirement (as suggested in the context of Policy H1 above) could be accommodated without the need to significantly alter the proposed spatial strategy of the Reg 19 Plan.

In addition to Chichester city and the east-west corridor being the primary focus of growth, additional development could be accommodated through the re-appraisal of the settlement boundaries, particularly those around Chichester City.

In this respect the inclusion of additional land would make a significant contribution towards the delivery of the required housing need for Chichester, providing a flexible approach to housing delivery in a planned and progressive way.

**Full text:**

1.1 These representations to the Chichester Local Plan 2021-2039: Proposed Submission (Regulation 19) Consultation (hereafter referred to as the "Reg 19 Plan") have been prepared by Genesis Town Planning, on behalf of Elivia Homes Southern Ltd.

1.2 The representations also include at Appendix 1 a plan indicating the proposed settlement boundary extension at Clay Lane, which should be adopted to take account of the existing strategic allocation to the north, and the recent grant of planning permissions to the south. The inclusion of the land, which extends to approximately 2ha, is a logical extension of the boundary at this location and will provide the opportunity to deliver new housing in a way which is compatible with the character of the surrounding area. Such an approach complies with sustainability objectives and ensures that sites adjacent to the primary settlement of Chichester are appropriately considered as suitable sites to accommodate further housing.

1.3 Accompanying these representations are the appropriate representation forms in respect of Settlement Map A6a and SB1, Policy S1 and paragraph 3.7, and policy H1. These forms are to be read in conjunction with this submission.

**2 LEGAL COMPLIANCE**

2.1 One of the requirements for the preparation of a Local Plan as set in the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012, (as amended) is the publication of a Sustainability Appraisal (SA) that shows how the SA has been carried out, the information that is used as part of the process and what the outcomes were. The SA is a tool for assessing how the plan, when judged against other reasonable options will help achieve environmental, economic and social objectives.

2.2 The SA suggests that there is little or no argument for setting a housing requirement above the minimum local housing need of the 638 dwellings per annum (dpa) as set by the standard method (763dpa minus 125dpa for South Downs National Park area). This approach is contrary to paragraph 11a) of the National Planning Policy Framework (NPPF) in that it requires all plans to promote a sustainable pattern of development that seeks to meet the development needs of their area.



2.3 It is noted that paragraph 11b) confirms that strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas unless this is demonstrated to be unsustainable. The background evidence base for the Reg 19 Plan does not clearly demonstrate the reasons for restricting the overall scale, type and distribution of development in the plan area or that the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

2.4 It is noted that the standard method requirement of 638dpa for the plan area is arrived at by removing 125dpa for the part of the district that falls within the South Downs National Park. The lack of any meaningful assessment for providing sufficient housing to meet the standard method figure is a significant error. Without such an assessment, the SA disregards the possibility of providing for sustainable development at the outset and does not therefore accord with the regulatory requirements referred to above.

2.5 Table 5.3 of the SA identifies a range of development scenarios with dwelling requirements for the plan area ranging from 567dpa to 606 dpa. These figures result in a shortfall of between 32dpa and 71dpa when compared to the standard method requirement of 638 dpa. As neither of these figures is significantly above the standard method figure, it is not unreasonable to expect the SA to also test a housing requirement/scenario of 638dpa, so that it reflects the confirmed minimum housing need of the plan area. This would be a reasonable alternative and should be tested. Only when this has been carried will it be possible to fully understand the likely implications of meeting housing needs in full. In doing this, the Plan will then comply with the Legal and Procedural Requirements.

### 3 SOUNDNESS

3.1 As set in paragraph 35 of the NPPF when local plans and spatial development strategies are examined they should be prepared in accordance with legal and procedural requirements to ensure that they are sound. It goes on to state that: "Plans are sound if they are:

- a) Positively prepared – providing a strategy which, as 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;
- b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- c) Effective – deliverable over the plan period, and based on effective joint working on crossboundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant."

3.2 As set out above, the Reg 19 Plan does not provide a strategy that seeks to meet the area's objectively assessed housing need, and the SA does not test all the reasonable alternatives. On this basis the plan has not been positively prepared and is not justified. As a result it is contrary to paragraphs 35a) and 35b) of the NPPF.

3.3 In addition to this, there is no clear evidence of effective and on-going working with neighbouring authorities as part of the statutory duty to cooperate. The SoCG should be made publicly available throughout the plan making process to provide transparency. Based on paragraph 1.25 of the Reg 19 Plan this requirement has not been carried out. This confirms that a SoCG is currently being prepared and will be made available for review on the council's website. As a result, the SoCG should have been made available on the LPA's website at the time the Reg 19 Plan was published for consultation. This does not appear to have been the case, which means that this part of the plan making process does not meet the requirements set out in paragraphs 27 and 35c) of the NPPF. As such the effectiveness test has not been complied with in full. The lack of a fully detailed SoCG on the Duty to Cooperate is particularly important in Chichester District as there is a substantial unmet need for housing arising in neighbouring authorities and other nearby authorities across the same sub-region. As yet the evidence base of the Reg19 Plan does not explain or demonstrate how the unmet housing need will be met.

3.4 This is an important omission as it does not accord with the procedural requirements. Until the outcome of this process is known and fully understood it is difficult to know if or how the strategy in the Reg 19 Plan is appropriate or needs modification.

### 4 COMMENTS ON THE REG 19 DRAFT PLAN

#### Policy H1 – Meeting Housing Needs

4.1 No exceptional circumstances exist in Chichester District to justify an alternative approach that deviates from the standard method figure of 763dpa. Taking account of the South Downs National Park requirement of 125dpa results in a minimum need of 638dpa for Chichester District.

4.2 Furthermore, the housing needs of particular groups are not reflected in the current standard method requirement of 638dpa. These include the following groups:

- Students – which creates a need for an additional 29dpa;
- people who require affordable housing - which generates a need of 433 affordable dpa (based on this figure and the thresholds set out in draft Policy H4: Affordable Housing it would be necessary to deliver 1,083 homes per annum to

meet affordable housing need in full); and

- the unmet housing needs of neighbouring authorities and/or authorities in the same subregion, which at best are between 10,141 and 10,620 homes.

4.3 When the needs of students are added to the standard method figure the minimum need dwelling requirement would be 666dpa or 11,988 dwellings over the 18-year plan period 2021-2039.

4.4 When the full affordable need of 1,083dpa is factored in this results in a need for at least 19,494 dwellings over the plan period.

4.5 In addition to the above figures, there is also an unmet need for over 10,000 homes in related authorities over the plan period.

4.6 Based on the above there is clearly a need for significantly more homes than is suggested by the minimum standard method figure.

#### Infrastructure Capacity

4.7 Whilst it is noted that there are long-standing highway capacity issues on the A27 Chichester Bypass and more intermittent capacity problems with Wastewater Treatment facilities in the southern part of the district, these could be resolved if the emerging Reg 19 Plan made provisions to improve their capacity through proper long-term planning.

4.8 This approach is supported by paragraph 22 of the NPPF which confirms that plan-making should respond to long-term infrastructure requirements; and by paragraph 059 Ref ID 61-059 of the Planning Practice Guidance (PPG) which requires local planning authorities and policies that set out infrastructure deficiencies and how these will be addressed.

4.9 Existing capacity problems on the A27 are referred to throughout the Reg 19 Plan and its evidence base. Paragraph 5.2.11 of the SA refers to the southern plan area (i.e. the east-west corridor and Manhood Peninsula) as being highly constrained by capacity on the A27 and to detailed discussions with National Highways and West Sussex County Council (WSCC) over the course of 2019-2022 that led to a resolution that there is capacity for no more than 535dpa in this area. The background evidence does not, however, make it clear as to how the 535dpa figure was arrived at or the implications/infrastructure improvements that would be required to accommodate a higher dwelling provision in this part of the plan area.

4.10 It is important to note the "Chichester Transport Study - Local Plan Review Transport Assessment" (January 2023) prepared by Stantec is mainly focused on testing a single Local Plan spatial scenario for the period to 2039. Section 5.6 confirms that in addition to testing the 535 dpa in the south of the plan area that a sensitivity test for the delivery of 700 dpa in this part of the plan area was also carried out. Paragraph 5.6.1 confirms that higher levels of Local Plan development would enable higher levels of developer contributions to be raised towards funding the required Local Plan mitigation; and paragraph 5.6.3 comments that generally the proposed Strategic Road Network (SRN) mitigation can accommodate, in the most part, additional increase in development to 700 dpa. This is reiterated in paragraph 5.6.5 where it concludes "that in the main, the 700dpa (southern plan area) demands can generally be accommodated by the mitigation proposed for the 535dpa core test although at the Portfield roundabout and Oving junction, capacity issues get worse with the 700 dpa demands, with additional mitigation being required".

4.11 Paragraph 8.5 of the Reg 19 Plan comments that in 2021 National Highways confirmed that the A27 Chichester Bypass major improvement scheme is included in the Road Investment Strategy Pipeline for the period 2025-30 (RIS3), but at this stage funding is not guaranteed. This situation is not uncommon as are many infrastructure projects which are considered necessary to support the emerging Local Plan. This is demonstrated by Table 3 of the Infrastructure Delivery Plan (January 2023). The fact that the funding has not yet been secured towards certain types of infrastructure, such as healthcare, should not be used as a reason to constrain the level of housing proposed in the emerging Local Plan. This approach also applies to transport infrastructure.

4.12 The approach of the Reg 19 Plan to impose limits on the amount of development over the Plan period because of existing infrastructure capacity issues is inconsistent with the objectives of national policy and could undermine the prospects of securing the funding necessary to improve infrastructure capacity. The approach of the emerging plan is therefore negative worded as it has the effect of constraining the level of housing below the minimum level needed and does not accord with the PPG or the objectives of national policy. A better, and more positive approach would be to plan for the necessary infrastructure, which in turn will maximise the prospects of securing the required infrastructure instead of deferring it.

4.13 The emerging Local Plan advocates a "monitor and manage" approach such that the funding for the necessary improvements to the A27 will be monitored, which itself will jeopardise that funding, and if the funding is secured then presumably the corresponding level of housing will be released to address some of the housing need. Instead of this approach, the emerging plan should pursue a "plan, monitor and manage" approach to meeting housing needs in full by committing to the delivery of the infrastructure improvements and if necessary, phasing the housing requirements towards the end of the plan period.

#### The Proposed Housing Requirement

4.14 These submissions confirm that the housing needs of the plan area will not be met by the proposed 10,350 dwelling

requirement set out in Policy H1 of the Reg 19 Plan.

4.15 According to the standard method the minimum housing need is 11,484 dwellings (638 x 18). When the growth of the student population (28dpa) is factored in the minimum housing need increases to 11,988 homes, and when the full affordable housing needs (433dpa) are taken into account the overall need increases to at least 19,485 dwellings. Finally, there is a need for excess of 10,000 more homes to address the unmet needs of the sub-region.

#### Suggested Modification

4.16 Based on the above it is clear that the Policy H1 requirement needs to be reconsidered and increased. This can be achieved if the Local Plan seeks to address infrastructure requirements including the capacity constraints on the A27 as required by paragraph 22 of NPPF.

4.17 In setting a revised housing requirement, the District Council must take into account the needs of particular groups (i.e. students and persons in need of affordable homes) and complete the Duty to Cooperate process by preparing a SoCG in respect of the unmet needs of the sub-region and then consider how/whether the Local Plan can provide for some of these unmet needs.

#### Policy S1 - Spatial Development Strategy

4.18 Chapter 3 and Policy S1 of the Reg 19 Plan sets out the spatial strategy of the emerging plan.

These seek to disperse development across the plan area by:

1. Focusing the majority of planned sustainable growth at Chichester city and within the eastwest corridor;
2. Reinforcing the role of the Manhood Peninsula as home to existing communities, tourism and agricultural enterprise; and
3. Where opportunities arise, supporting the villages and rural communities in the North of the Plan Area.

4.19 An increased dwelling requirement (as suggested in the context of Policy H1 above) could be accommodated without the need to significantly alter the proposed spatial strategy of the Reg 19 Plan.

4.20 In addition to Chichester city and the east-west corridor being the primary focus of growth, additional development could be accommodated through the re-appraisal of the settlement boundaries, particularly those around Chichester City.

4.21 In this respect the inclusion of additional land would make a significant contribution towards the delivery of the required housing need for Chichester, providing a flexible approach to housing delivery in a planned and progressive way.

#### Suggested Modification

4.22 The inclusion of land north of Clay Lane, as set out in Appendix 1 to these submissions, through an amendment to the settlement boundary on plans A6a and SB1, should comprise the area denoted in yellow.

4.23 This is a logical extension of the settlement boundary and aligns with the strategic allocation land to the west of Chichester, and the recently developed land to the south of Clay Lane. The enlarged settlement area comprises mostly commercial, and residential land (PDL) and is well-contained by existing trees and vegetation to its boundaries. To the west, the site is also contained by the A27 which provides a clear defensible boundary, significantly screened by existing planting. As such, the site makes no meaningful contribution to wider open countryside, being as it is, contained by development or infrastructure features on all boundaries.

4.24 Providing a contiguous boundary to include the proposed settlement extension will not impact on the wider countryside, will result in no adverse impact on the landscape setting of the settlement of Chichester, and will ensure that a developable parcel of land makes a meaningful contribution to the district's housing need. Being located on the edge of Chichester City and its settlement boundary and to the south of the strategic allocation suggests that the site is sustainably located and therefore appropriate to accommodate further development.

#### Change suggested by respondent:

The inclusion of land north of Clay Lane, as set out in Appendix 1 to these submissions, through an amendment to the settlement boundary on plans A6a and SB1, should comprise the area denoted in yellow.

This is a logical extension of the settlement boundary and aligns with the strategic allocation land to the west of Chichester, and the recently developed land to the south of Clay Lane.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:**

Reg 19 Reps Final Doc V3 160323 redacted - <https://chichester.oc2.uk/a/sk5>

5510

Support

**Document Element:** Schedule of Proposed Changes to the Policies Map**Respondent:** Bellway Homes (Wessex) Ltd [1573]**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]**Summary:**

Bellway agree with the proposed changes to the policy maps, including alterations to the Chichester City settlement Boundary, the strategic wildlife corridors added on map NE4a and NE4b. Bellway welcome the inclusion of the Southern Gateway Regeneration Area, and the Southern Gateway Police Field, Kingsham Road on to map A3 – A5. As set out in the body of the representation, there might be some advantage in identifying areas of open space, playing pitches, existing allotments etc.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Yes**Sound:** Not specified**Comply with duty:** Not specified**Attachments:**

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

5649

Object

**Document Element:** Schedule of Proposed Changes to the Policies Map**Respondent:** DG Phillips (Bosham) Ltd and Phillips Build Ltd [1743]**Agent:** Genesis Town Planning Ltd (Kris Mitra, Managing Director) [6993]**Summary:**

The inclusion of land to the north of Brandy Hole Lane and west of Plainwood Close, as set out in Appendix 1 to these submissions, should be secured through an amendment to the settlement boundary on Plan SB1. Further, the site should be allocated as a suitable housing site for up to 300 dwelling units to meet the required housing need for the district.

**Full text:**

## 1 INTRODUCTION

1.1 These representations are to the Chichester Local Plan 2021-2039: Proposed Submission (Regulation 19) Consultation (hereafter referred to as the "Reg 19 Plan"). These representations have been prepared by Genesis Town Planning, on behalf of D G Phillips (Bosham) Ltd and Phillips Build Ltd as owners of the site comprising approximately 9ha of agricultural land north of Brandy Hole Lane and to the west of Plainwood Close, Chichester.

1.2 The representations also include at Appendix 1 a plan indicating the proposed amendment to the settlement boundary and the inclusion of the site as a suitable housing allocation for up to 300 dwellings. Such an allocation is proposed to address the Council's failure to adequately deliver sufficient housing through the Reg 19 Plan. The site is suitable, available and deliverable and complies with the sustainability objectives set out in the Reg 19 Plan and national policy and ensures that sites, adjacent to the primary settlement of Chichester, are appropriately considered as suitable sites to accommodate further housing.

1.3 These representations, in addition to seeking the inclusion of the site as a housing allocation and an amendment to the settlement policy boundary, also seeks to remove the proposed inclusion of the site within a strategic wildlife corridor. The inclusion of the land in such a corridor has no bearing on the characteristics of the site, its agricultural form, the fact that it is separated from the wildlife corridor to the south by Brandy Hole Lane and extensive housing development. This is an illogically thought through designation, which has paid no regard to the site character or its location and has been deliberately imposed to prevent housing development coming forward on the site. There is no wildlife, ecological or environmental features on the site, with the exception of boundary trees and vegetation, that would justify such a designation washing over the site and neighbouring land, which includes a former landfill site and a solar farm.

1.4 Accompanying these representations are the appropriate representation forms in respect of Settlement Map SB1, Map NE4b, Policy S1 and paragraph 3.7, policy H1, and Policy NE4. These forms are to be read in conjunction with this submission.

## 2 LEGAL COMPLIANCE

2.1 One of the requirements for the preparation of a Local Plan as set in the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012, (as amended) is the publication of a Sustainability Appraisal (SA) that shows how the SA has been carried out, the information that is used as part of the process and what the outcomes were. The SA is a tool for assessing how the plan, when judged against other reasonable options will help achieve environmental, economic and social objectives.

2.2 The SA suggests that there is little or no argument for setting a housing requirement above the minimum local housing need of the 638 dwellings per annum (dpa) as set by the standard method (763dpa minus 125dpa for South Downs National Park area). This approach is contrary to paragraph 11a) of the National Planning Policy Framework (NPPF) in that it requires all plans to promote a sustainable pattern of development that seeks to meet the development needs of their area.

2.3 It is noted that paragraph 11b) confirms that strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas unless this is demonstrated to be unsustainable. The background evidence base for the Reg 19 Plan does not clearly demonstrate the reasons for restricting the overall scale, type and distribution of development in the plan area or that the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

2.4 It is noted that the standard method requirement of 638dpa for the plan area is arrived at by removing 125dpa for the part of the district that falls within the South Downs National Park. The lack of any meaningful assessment for providing sufficient housing to meet the standard method figure is a significant error. Without such an assessment, the SA disregards the possibility of providing for sustainable development at the outset and does not therefore accord with the regulatory requirements referred to above.

2.5 Table 5.3 of the SA identifies a range of development scenarios with dwelling requirements for the plan area ranging from 567dpa to 606dpa. These figures result in a shortfall of between 32dpa and 71dpa when compared to the standard method requirement of 638 dpa. As neither of these figures is significantly above the standard method figure, it is not unreasonable to expect the SA to also test a housing requirement/scenario of 638dpa, so that it reflects the confirmed minimum housing need of the plan area. This would be a reasonable alternative and should be tested. Only when this has been carried will it be possible to fully understand the likely implications of meeting housing needs in full. In doing this, the Plan will then comply with the Legal and Procedural Requirements.

### 3 SOUNDNESS

3.1 As set in paragraph 35 of the NPPF when local plans and spatial development strategies are examined they should be prepared in accordance with legal and procedural requirements to ensure that they are sound. It goes on to state that: "Plans are sound if they are:

- a) Positively prepared – providing a strategy which, as 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;
- b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- c) Effective – deliverable over the plan period, and based on effective joint working on crossboundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant."

3.2 As set out above, the Reg 19 Plan does not provide a strategy that seeks to meet the area's objectively assessed housing need, and the SA does not test all the reasonable alternatives. On this basis the plan has not been positively prepared and is not justified. As a result it is contrary to paragraphs 35a) and 35b) of the NPPF.

3.3 In addition to this, there is no clear evidence of effective and on-going working with neighbouring authorities as part of the statutory duty to cooperate. The SoCG should be made publicly available throughout the plan making process to provide transparency. Based on paragraph 1.25 of the Reg 19 Plan this requirement has not been carried out. This confirms that a SoCG is currently being prepared and will be made available for review on the council's website. As a result, the SoCG should have been made available on the LPA's website at the time the Reg 19 Plan was published for consultation. This does not appear to have been the case, which means that this part of the plan making process does not meet the requirements set out in paragraphs 27 and 35c) of the NPPF. As such the effectiveness test has not been complied with in full. The lack of a fully detailed SoCG on the Duty to Cooperate is particularly important in Chichester District as there is a substantial unmet need for housing arising in neighbouring authorities and other nearby authorities across the same sub-region. As yet the evidence base of the Reg19 Plan does not explain or demonstrate how the unmet housing need will be met.

3.4 This is an important omission as it does not accord with the procedural requirements. Until the outcome of this process is known and fully understood it is difficult to know if or how the strategy in the Reg 19 Plan is appropriate or needs modification.

## 4 COMMENTS ON THE REG 19 DRAFT PLAN

## Policy H1 – Meeting Housing Needs

4.1 No exceptional circumstances exist in Chichester District to justify an alternative approach that deviates from the standard method figure of 763dpa. Taking account of the South Downs National Park requirement of 125dpa results in a minimum need of 638dpa for Chichester District.

4.2 Furthermore, the housing needs of particular groups are not reflected in the current standard method requirement of 638dpa. These include the following groups:

- Students – which creates a need for an additional 29dpa;
- people who require affordable housing- which generates a need of 433 affordable pa (based on this figure and the thresholds set out in draft Policy H4: Affordable Housing it would be necessary to deliver 1,083 homes per annum to meet affordable housing need in full); and
- the unmet housing needs of neighbouring authorities and/or authorities in the same subregion, which at best are between 10,141 and 10,620 homes.

4.3 When the needs of students are added to the standard method figure the minimum need dwelling requirement would be 666dpa or 11,988 dwellings over the 18-year plan period 20212039.

4.4 When the full affordable need of 1,083 dpa is factored in this results in a need for at least 19,494 dwellings over the plan period.

4.5 In addition to the above figures, there is also an unmet need for over 10,000 homes in related authorities over the plan period.

4.6 Based on the above there is clearly a need for significantly more homes than is suggested by the minimum standard method figure.

## Infrastructure Capacity

4.7 Whilst it is noted that there are long-standing highway capacity issues on the A27 Chichester Bypass and more intermittent capacity problems with Wastewater Treatment facilities in the southern part of the district, these could be resolved if the emerging Reg 19 Plan made provisions to improve their capacity through proper long-term planning.

4.8 This approach is supported by paragraph 22 of the NPPF which confirms that plan-making should respond to long-term infrastructure requirements; and by paragraph 059 Ref ID 61-059 of the Planning Practice Guidance (PPG) which requires local planning authorities and policies that set out infrastructure deficiencies and how these will be addressed.

4.9 Existing capacity problems on the A27 are referred to throughout the Reg 19 Plan and its evidence base. Paragraph 5.2.11 of the SA refers to the southern plan area (i.e. the east-west corridor and Manhood Peninsula) as being highly constrained by capacity on the A27 and to detailed discussions with National Highways and West Sussex County Council (WSCC) over the course of 2019-2022 that led to a resolution that there is capacity for no more than 535dpa in this area. The background evidence does not, however, make it clear as to how the 535dpa figure was arrived at or the implications/infrastructure improvements that would be required to accommodate a higher dwelling provision in this part of the plan area.

4.10 It is important to note the “Chichester Transport Study - Local Plan Review Transport Assessment” (January 2023) prepared by Stantec is mainly focused on testing a single Local Plan spatial scenario for the period to 2039. Section 5.6 confirms that in addition to testing the 535 dpa in the south of the plan area that a sensitivity test for the delivery of 700 dpa in this part of the plan area was also carried out. Paragraph 5.6.1 confirms that higher levels of Local Plan development would enable higher levels of developer contributions to be raised towards funding the required Local Plan mitigation; and paragraph 5.6.3 comments that generally the proposed Strategic Road Network (SRN) mitigation can accommodate, in the most part, additional increase in development to 700dpa. This is reiterated in paragraph 5.6.5 where it concludes “that in the main, the 70dpa (southern plan area) demands can generally be accommodated by the mitigation proposed for the 535dpa core test although at the Portfield roundabout and Oving junction, capacity issues get worse with the 700dpa demands, with additional mitigation being required”.

4.11 Paragraph 8.5 of the Reg 19 Plan comments that in 2021 National Highways confirmed that the A27 Chichester Bypass major improvement scheme is included in the Road Investment Strategy Pipeline for the period 2025-30 (RIS3), but at this stage funding is not guaranteed. This situation is not uncommon as are many infrastructure projects which are considered necessary to support the emerging Local Plan. This is demonstrated by Table 3 of the Infrastructure Delivery Plan (January 2023). The fact that the funding has not yet been secured towards certain types of infrastructure, such as healthcare, should not be used as a reason to constrain the level of housing proposed in the emerging Local Plan. This approach also applies to transport infrastructure.

4.12 The approach of the Reg 19 Plan to impose limits on the amount of development over the Plan period because of existing infrastructure capacity issues is inconsistent with the objectives of national policy and could undermine the prospects of securing the funding necessary to improve infrastructure capacity. The approach of the emerging plan is therefore negative worded as it has the effect of constraining the level of housing below the minimum level needed and does not accord with the PPG or the objectives of national policy. A better, and more positive approach would be to plan

for the necessary infrastructure, which in turn will maximise the prospects of securing the required infrastructure instead of deferring it.

4.13 The emerging Local Plan advocates a “monitor and manage” approach such that the funding for the necessary improvements to the A27 will be monitored, which itself will jeopardise that funding, and if the funding is secured then presumably the corresponding level of housing will be released to address some of the housing need. Instead of this approach, the emerging plan should pursue a “plan, monitor and manage” approach to meeting housing needs in full by committing to the delivery of the infrastructure improvements and if necessary, phasing the housing requirements towards the end of the plan period.

#### The Proposed Housing Requirement

4.14 These submissions confirm that the housing needs of the plan area will not be met by the proposed 10,350 dwelling requirement set out in Policy H1 of the Reg 19 Plan.

4.15 According to the standard method the minimum housing need is 11,484 dwellings (638 x 18). When the growth of the student population (28dpa) is factored in the minimum housing need increases to 11,988 homes, and when the full affordable housing needs (433 dpa) are taken into account the overall need increases to at least 19,485 dwellings. Finally, there is a need for excess of 10,000 more homes to address the unmet needs of the sub-region.

#### Suggested Modification

4.16 Based on the above it is clear that the Policy H1 requirement needs to be reconsidered and increased. This can be achieved if the Local Plan seeks to address infrastructure requirements including the capacity constraints on the A27 as required by paragraph 22 of NPPF.

4.17 In setting a revised housing requirement, the District Council must take into account the needs of particular groups (i.e., students and persons in need of affordable homes) and complete the Duty to Cooperate process by preparing a SoCG in respect of the unmet needs of the sub-region and then consider how/whether the Local Plan can provide for some of these unmet needs. In addition, the Reg 19 Plan should seek to allocate the land the subject of these representations for up to 300 dwellings to make up the shortfall identified.

#### Policy S1 - Spatial Development Strategy

4.18 Chapter 3 and Policy S1 of the Reg 19 Plan sets out the spatial strategy of the emerging plan.

These seek to disperse development across the plan area by:

1. Focusing the majority of planned sustainable growth at Chichester city and within the eastwest corridor;
2. Reinforcing the role of the Manhood Peninsula as home to existing communities, tourism and agricultural enterprise; and
3. Where opportunities arise, supporting the villages and rural communities in the North of the Plan Area.

4.19 An increased dwelling requirement (as suggested in the context of Policy H1 above) could be accommodated without the need to significantly alter the proposed spatial strategy of the Reg 19 Plan.

4.20 In addition to Chichester city and the east-west corridor being the primary focus of growth, additional development could be accommodated through the re-appraisal of the settlement boundaries, particularly those around Chichester City to include the site subject of these representations.

4.21 In this respect the inclusion of additional land would make a significant contribution towards the delivery of the required housing need for Chichester, providing a flexible approach to housing delivery in a sustainable, planned and progressive way.

#### Suggested Modification

4.22 The inclusion of land to the north of Brandy Hole Lane and west of Plainwood Close, as set out in Appendix 1 to these submissions, should be secured through an amendment to the settlement boundary on Plan SB1. Further, the site should be allocated as a suitable housing site for up to 300 dwelling units to meet the required housing need for the district.

4.23 In support of this approach the Council undertook an assessment of the site’s suitability for development as part of the HELAA process in 2021. A copy of the HELAA Assessment and associated plan is contained at Appendices 2 and 3. This confirms that the site is in agricultural/ pasture use and is suitable for development subject to consideration of matters such as access, landscape and trees. The assessment goes on to confirm that there are no known constraints that would make the development unachievable in principle.

#### Policy NE4

4.24 Despite the above assessment, the subject site has been included within proposed Policy NE4 of the Reg 19 Plan as a Wildlife Corridor to function in conjunction with the designation of the land to the west of the strategic allocation which lies to the south of Brandy Hole Lane and the B2178. The site the subject of these representations is fundamentally distinct in character from the wooded areas to the south of the B2178 and to the west of the strategic allocation. These comprise compartmentalised fields and clusters of woodland which frame the field boundaries. In contrast, the subject site comprises agricultural land with a modest treed boundary and is largely open in character, but visually contained.

The remainder of the proposed Wildlife Corridor in this location comprises open agricultural fields with limited landscape boundaries, the former landfill site at Hunters Race and the solar farm to the north. None of these areas possess the qualities of the land further to the south to justify being designated a Wildlife Corridor. Such a designation has been imposed merely as a tool to prevent further development of what would otherwise be deemed suitable land for housing.

#### Suggested Modification

4.25 The proposed Wildlife Corridor to the north of Brandy Hole Lane should be deleted from the Reg 19 Plan and removed from the settlement map NE4b. Furthermore, Policy NE4 requires any development within the designated Wildlife Corridor to be subject to a sequential test which places a significantly higher bar than that set out within the NPPF. The does not comprise a designated landscape, and proposed Policy NE4 fails to identify any special qualities that apply to the designated area in this location.

#### Change suggested by respondent:

-

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

#### Attachments:

Reg 19 Final Representations Doc v2 170323 - <https://chichester.oc2.uk/a/sm7>

## 5650

## Object

**Document Element:** Schedule of Proposed Changes to the Policies Map

**Respondent:** DG Phillips (Bosham) Ltd and Phillips Build Ltd [1743]

**Agent:** Genesis Town Planning Ltd (Kris Mitra, Managing Director) [6993]

#### Summary:

the subject site has been included within proposed Policy NE4 of the Reg 19 Plan as a Wildlife Corridor to function in conjunction with the designation of the land to the west of the strategic allocation which lies to the south of Brandy Hole Lane and the B2178. The site the subject of these representations is fundamentally distinct in character from the wooded areas to the south of the B2178 and to the west of the strategic allocation.

#### Full text:

### 1 INTRODUCTION

1.1 These representations are to the Chichester Local Plan 2021-2039: Proposed Submission (Regulation 19) Consultation (hereafter referred to as the "Reg 19 Plan"). These representations have been prepared by Genesis Town Planning, on behalf of D G Phillips (Bosham) Ltd and Phillips Build Ltd as owners of the site comprising approximately 9ha of agricultural land north of Brandy Hole Lane and to the west of Plainwood Close, Chichester.

1.2 The representations also include at Appendix 1 a plan indicating the proposed amendment to the settlement boundary and the inclusion of the site as a suitable housing allocation for up to 300 dwellings. Such an allocation is proposed to address the Council's failure to adequately deliver sufficient housing through the Reg 19 Plan. The site is suitable, available and deliverable and complies with the sustainability objectives set out in the Reg 19 Plan and national policy and ensures that sites, adjacent to the primary settlement of Chichester, are appropriately considered as suitable sites to accommodate further housing.

1.3 These representations, in addition to seeking the inclusion of the site as a housing allocation and an amendment to the settlement policy boundary, also seeks to remove the proposed inclusion of the site within a strategic wildlife corridor. The inclusion of the land in such a corridor has no bearing on the characteristics of the site, its agricultural form, the fact that it is separated from the wildlife corridor to the south by Brandy Hole Lane and extensive housing development. This is an illogically thought through designation, which has paid no regard to the site character or its location and has been deliberately imposed to prevent housing development coming forward on the site. There is no wildlife, ecological or environmental features on the site, with the exception of boundary trees and vegetation, that would justify such a designation washing over the site and neighbouring land, which includes a former landfill site and a solar farm.

1.4 Accompanying these representations are the appropriate representation forms in respect of Settlement Map SB1, Map NE4b, Policy S1 and paragraph 3.7, policy H1, and Policy NE4. These forms are to be read in conjunction with this submission.

### 2 LEGAL COMPLIANCE

2.1 One of the requirements for the preparation of a Local Plan as set in the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012, (as amended) is the publication of a Sustainability Appraisal (SA) that shows how the SA has been carried out, the information that is used as part of the



process and what the outcomes were. The SA is a tool for assessing how the plan, when judged against other reasonable options will help achieve environmental, economic and social objectives.

2.2 The SA suggests that there is little or no argument for setting a housing requirement above the minimum local housing need of the 638 dwellings per annum (dpa) as set by the standard method (763dpa minus 125dpa for South Downs National Park area). This approach is contrary to paragraph 11a) of the National Planning Policy Framework (NPPF) in that it requires all plans to promote a sustainable pattern of development that seeks to meet the development needs of their area.

2.3 It is noted that paragraph 11b) confirms that strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas unless this is demonstrated to be unsustainable. The background evidence base for the Reg 19 Plan does not clearly demonstrate the reasons for restricting the overall scale, type and distribution of development in the plan area or that the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

2.4 It is noted that the standard method requirement of 638dpa for the plan area is arrived at by removing 125dpa for the part of the district that falls within the South Downs National Park. The lack of any meaningful assessment for providing sufficient housing to meet the standard method figure is a significant error. Without such an assessment, the SA disregards the possibility of providing for sustainable development at the outset and does not therefore accord with the regulatory requirements referred to above.

2.5 Table 5.3 of the SA identifies a range of development scenarios with dwelling requirements for the plan area ranging from 567dpa to 606dpa. These figures result in a shortfall of between 32dpa and 71dpa when compared to the standard method requirement of 638 dpa. As neither of these figures is significantly above the standard method figure, it is not unreasonable to expect the SA to also test a housing requirement/scenario of 638dpa, so that it reflects the confirmed minimum housing need of the plan area. This would be a reasonable alternative and should be tested. Only when this has been carried will it be possible to fully understand the likely implications of meeting housing needs in full. In doing this, the Plan will then comply with the Legal and Procedural Requirements.

### 3 SOUNDNESS

3.1 As set in paragraph 35 of the NPPF when local plans and spatial development strategies are examined they should be prepared in accordance with legal and procedural requirements to ensure that they are sound. It goes on to state that: "Plans are sound if they are:

- a) Positively prepared – providing a strategy which, as 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;
- b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- c) Effective – deliverable over the plan period, and based on effective joint working on crossboundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant."

3.2 As set out above, the Reg 19 Plan does not provide a strategy that seeks to meet the area's objectively assessed housing need, and the SA does not test all the reasonable alternatives. On this basis the plan has not been positively prepared and is not justified. As a result it is contrary to paragraphs 35a) and 35b) of the NPPF.

3.3 In addition to this, there is no clear evidence of effective and on-going working with neighbouring authorities as part of the statutory duty to cooperate. The SoCG should be made publicly available throughout the plan making process to provide transparency. Based on paragraph 1.25 of the Reg 19 Plan this requirement has not been carried out. This confirms that a SoCG is currently being prepared and will be made available for review on the council's website. As a result, the SoCG should have been made available on the LPA's website at the time the Reg 19 Plan was published for consultation. This does not appear to have been the case, which means that this part of the plan making process does not meet the requirements set out in paragraphs 27 and 35c) of the NPPF. As such the effectiveness test has not been complied with in full. The lack of a fully detailed SoCG on the Duty to Cooperate is particularly important in Chichester District as there is a substantial unmet need for housing arising in neighbouring authorities and other nearby authorities across the same sub-region. As yet the evidence base of the Reg19 Plan does not explain or demonstrate how the unmet housing need will be met.

3.4 This is an important omission as it does not accord with the procedural requirements. Until the outcome of this process is known and fully understood it is difficult to know if or how the strategy in the Reg 19 Plan is appropriate or needs modification.

### 4 COMMENTS ON THE REG 19 DRAFT PLAN

#### Policy H1 – Meeting Housing Needs

4.1 No exceptional circumstances exist in Chichester District to justify an alternative approach that deviates from the standard method figure of 763dpa. Taking account of the South Downs National Park requirement of 125dpa results in a minimum need of 638dpa for Chichester District.

4.2 Furthermore, the housing needs of particular groups are not reflected in the current standard method requirement of 638dpa. These include the following groups:

- Students – which creates a need for an additional 29dpa;
- people who require affordable housing- which generates a need of 433 affordable pa (based on this figure and the thresholds set out in draft Policy H4: Affordable Housing it would be necessary to deliver 1,083 homes per annum to meet affordable housing need in full); and
- the unmet housing needs of neighbouring authorities and/or authorities in the same subregion, which at best are between 10,141 and 10,620 homes.

4.3 When the needs of students are added to the standard method figure the minimum need dwelling requirement would be 666dpa or 11,988 dwellings over the 18-year plan period 20212039.

4.4 When the full affordable need of 1,083 dpa is factored in this results in a need for at least 19,494 dwellings over the plan period.

4.5 In addition to the above figures, there is also an unmet need for over 10,000 homes in related authorities over the plan period.

4.6 Based on the above there is clearly a need for significantly more homes than is suggested by the minimum standard method figure.

#### Infrastructure Capacity

4.7 Whilst it is noted that there are long-standing highway capacity issues on the A27 Chichester Bypass and more intermittent capacity problems with Wastewater Treatment facilities in the southern part of the district, these could be resolved if the emerging Reg 19 Plan made provisions to improve their capacity through proper long-term planning.

4.8 This approach is supported by paragraph 22 of the NPPF which confirms that plan-making should respond to long-term infrastructure requirements; and by paragraph 059 Ref ID 61-059 of the Planning Practice Guidance (PPG) which requires local planning authorities and policies that set out infrastructure deficiencies and how these will be addressed.

4.9 Existing capacity problems on the A27 are referred to throughout the Reg 19 Plan and its evidence base. Paragraph 5.2.11 of the SA refers to the southern plan area (i.e. the east-west corridor and Manhood Peninsula) as being highly constrained by capacity on the A27 and to detailed discussions with National Highways and West Sussex County Council (WSCC) over the course of 2019-2022 that led to a resolution that there is capacity for no more than 535dpa in this area. The background evidence does not, however, make it clear as to how the 535dpa figure was arrived at or the implications/infrastructure improvements that would be required to accommodate a higher dwelling provision in this part of the plan area.

4.10 It is important to note the “Chichester Transport Study - Local Plan Review Transport Assessment” (January 2023) prepared by Stantec is mainly focused on testing a single Local Plan spatial scenario for the period to 2039. Section 5.6 confirms that in addition to testing the 535 dpa in the south of the plan area that a sensitivity test for the delivery of 700 dpa in this part of the plan area was also carried out. Paragraph 5.6.1 confirms that higher levels of Local Plan development would enable higher levels of developer contributions to be raised towards funding the required Local Plan mitigation; and paragraph 5.6.3 comments that generally the proposed Strategic Road Network (SRN) mitigation can accommodate, in the most part, additional increase in development to 700dpa. This is reiterated in paragraph 5.6.5 where it concludes “that in the main, the 70dpa (southern plan area) demands can generally be accommodated by the mitigation proposed for the 535dpa core test although at the Portfield roundabout and Oving junction, capacity issues get worse with the 700dpa demands, with additional mitigation being required”.

4.11 Paragraph 8.5 of the Reg 19 Plan comments that in 2021 National Highways confirmed that the A27 Chichester Bypass major improvement scheme is included in the Road Investment Strategy Pipeline for the period 2025-30 (RIS3), but at this stage funding is not guaranteed. This situation is not uncommon as are many infrastructure projects which are considered necessary to support the emerging Local Plan. This is demonstrated by Table 3 of the Infrastructure Delivery Plan (January 2023). The fact that the funding has not yet been secured towards certain types of infrastructure, such as healthcare, should not be used as a reason to constrain the level of housing proposed in the emerging Local Plan. This approach also applies to transport infrastructure.

4.12 The approach of the Reg 19 Plan to impose limits on the amount of development over the Plan period because of existing infrastructure capacity issues is inconsistent with the objectives of national policy and could undermine the prospects of securing the funding necessary to improve infrastructure capacity. The approach of the emerging plan is therefore negative worded as it has the effect of constraining the level of housing below the minimum level needed and does not accord with the PPG or the objectives of national policy. A better, and more positive approach would be to plan for the necessary infrastructure, which in turn will maximise the prospects of securing the required infrastructure instead of deferring it.

4.13 The emerging Local Plan advocates a “monitor and manage” approach such that the funding for the necessary improvements to the A27 will be monitored, which itself will jeopardise that funding, and if the funding is secured then presumably the corresponding level of housing will be released to address some of the housing need. Instead of this approach, the emerging plan should pursue a “plan, monitor and manage” approach to meeting housing needs in full by committing to the delivery of the infrastructure improvements and if necessary, phasing the housing requirements towards the end of the plan period.

#### The Proposed Housing Requirement

4.14 These submissions confirm that the housing needs of the plan area will not be met by the proposed 10,350 dwelling requirement set out in Policy H1 of the Reg 19 Plan.

4.15 According to the standard method the minimum housing need is 11,484 dwellings (638 x 18). When the growth of the student population (28dpa) is factored in the minimum housing need increases to 11,988 homes, and when the full affordable housing needs (433 dpa) are taken into account the overall need increases to at least 19,485 dwellings. Finally, there is a need for excess of 10,000 more homes to address the unmet needs of the sub-region.

#### Suggested Modification

4.16 Based on the above it is clear that the Policy H1 requirement needs to be reconsidered and increased. This can be achieved if the Local Plan seeks to address infrastructure requirements including the capacity constraints on the A27 as required by paragraph 22 of NPPF.

4.17 In setting a revised housing requirement, the District Council must take into account the needs of particular groups (i.e., students and persons in need of affordable homes) and complete the Duty to Cooperate process by preparing a SoCG in respect of the unmet needs of the sub-region and then consider how/whether the Local Plan can provide for some of these unmet needs. In addition, the Reg 19 Plan should seek to allocate the land the subject of these representations for up to 300 dwellings to make up the shortfall identified.

#### Policy S1 - Spatial Development Strategy

4.18 Chapter 3 and Policy S1 of the Reg 19 Plan sets out the spatial strategy of the emerging plan.

These seek to disperse development across the plan area by:

1. Focusing the majority of planned sustainable growth at Chichester city and within the eastwest corridor;
2. Reinforcing the role of the Manhood Peninsula as home to existing communities, tourism and agricultural enterprise; and
3. Where opportunities arise, supporting the villages and rural communities in the North of the Plan Area.

4.19 An increased dwelling requirement (as suggested in the context of Policy H1 above) could be accommodated without the need to significantly alter the proposed spatial strategy of the Reg 19 Plan.

4.20 In addition to Chichester city and the east-west corridor being the primary focus of growth, additional development could be accommodated through the re-appraisal of the settlement boundaries, particularly those around Chichester City to include the site subject of these representations.

4.21 In this respect the inclusion of additional land would make a significant contribution towards the delivery of the required housing need for Chichester, providing a flexible approach to housing delivery in a sustainable, planned and progressive way.

#### Suggested Modification

4.22 The inclusion of land to the north of Brandy Hole Lane and west of Plainwood Close, as set out in Appendix 1 to these submissions, should be secured through an amendment to the settlement boundary on Plan SB1. Further, the site should be allocated as a suitable housing site for up to 300 dwelling units to meet the required housing need for the district.

4.23 In support of this approach the Council undertook an assessment of the site’s suitability for development as part of the HELAA process in 2021. A copy of the HELAA Assessment and associated plan is contained at Appendices 2 and 3. This confirms that the site is in agricultural/ pasture use and is suitable for development subject to consideration of matters such as access, landscape and trees. The assessment goes on to confirm that there are no known constraints that would make the development unachievable in principle.

#### Policy NE4

4.24 Despite the above assessment, the subject site has been included within proposed Policy NE4 of the Reg 19 Plan as a Wildlife Corridor to function in conjunction with the designation of the land to the west of the strategic allocation which lies to the south of Brandy Hole Lane and the B2178. The site the subject of these representations is fundamentally distinct in character from the wooded areas to the south of the B2178 and to the west of the strategic allocation. These comprise compartmentalised fields and clusters of woodland which frame the field boundaries. In contrast, the subject site comprises agricultural land with a modest treed boundary and is largely open in character, but visually contained. The remainder of the proposed Wildlife Corridor in this location comprises open agricultural fields with limited landscape boundaries, the former landfill site at Hunters Race and the solar farm to the north. None of these areas possess the qualities of the land further to the south to justify being designated a Wildlife Corridor. Such a designation has been

imposed merely as a tool to prevent further development of what would otherwise be deemed suitable land for housing.

#### Suggested Modification

4.25 The proposed Wildlife Corridor to the north of Brandy Hole Lane should be deleted from the Reg 19 Plan and removed from the settlement map NE4b. Furthermore, Policy NE4 requires any development within the designated Wildlife Corridor to be subject to a sequential test which places a significantly higher bar than that set out within the NPPF. The does not comprise a designated landscape, and proposed Policy NE4 fails to identify any special qualities that apply to the designated area in this location.

#### Change suggested by respondent:

The proposed Wildlife Corridor to the north of Brandy Hole Lane should be deleted from the Reg 19 Plan and removed from the settlement map NE4b.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:**

Reg 19 Final Representations Doc v2 170323 - <https://chichester.oc2.uk/a/sm7>

## 5695

## Object

**Document Element:** Schedule of Proposed Changes to the Policies Map

**Respondent:** Church Commissioners for England [1858]

**Agent:** Lichfields (Tara Johnston, Planner) [7506]

#### Summary:

Policy A14 continues to allocate Land West of Tangmere for 1,300 dwellings. CCE questions the Council's decision to not amend the existing settlement boundary of Tangmere to include the land subject to the allocation. Without amending the settlement boundary, the future growth of Tangmere may be hindered. As such, the settlement boundary of Tangmere should be amended to include the allocated site to ensure that the plan is justified.

#### Full text:

We write in response to the above consultation on behalf of our client, the Church Commissioners for England (CCE). CCE owns a large amount of land in the area largely to the south, west and east of Chichester.

We welcome the opportunity to further engage with the Local Plan process. Whilst we support some aspects of the Local Plan, we consider that some changes are likely to be necessary to ensure that the Plan can be found sound.

By way of background, CCE submitted several sites for consideration as part of the Housing Economic Land Availability Assessment (HELAA) in 2021. These sites were previously promoted as part of the Preferred Approach Local Plan Regulation 18 Consultation in 2019.

As part of these representations, we take the opportunity to re-promote a number of CCE's sites, which could assist the Council in delivering much needed housing for the district. CCE has updated its technical work and provide Vision Documents in relation to its landholdings in Southbourne, Oving, and Hunston Parishes to demonstrate how additional housing can be delivered. These Vision Documents are enclosed.

We consider this and other aspects of the emerging Local Plan below.

#### Chapter 2: Vision & Strategic Objectives

The Local Plan Vision details a positive approach to supporting sustainable development in the context of the climate emergency. CCE welcomes the Vision for Chichester, particularly the importance placed on the delivery of new homes in 'Objective 3' and the delivery of new infrastructure to support the new development in 'Objective 7'.

#### Chapter 3: Spatial Strategy and Settlement Hierarchy

The Spatial Strategy builds on the previous Local Plan by focussing growth on Chichester city as the main sub-regional centre. Outside Chichester city and its closest settlements, development will focus on the two settlement hubs within the east-west corridor at Tangmere and Southbourne. This approach is supported by CCE.

#### Policy S1 Spatial Development Strategy

Draft Policy S1 (Spatial Development Strategy) identifies the broad approach to providing sustainable development in the plan area, which includes ensuring that new residential development is distributed in line with the settlement hierarchy, with a greater proportion of development in the larger and more sustainable settlements. We support this strategy, with particular support for development at the settlement hubs of Southbourne (Policy A13) and Tangmere (Policy A14). We also support that provision is made for extant Site Allocations and the Tangmere strategic site remains allocated under draft Policy A14.

Policy A14 continues to allocate Land West of Tangmere for 1,300 dwellings. CCE questions the Council's decision to not amend the existing settlement boundary of Tangmere to include the land subject to the allocation. Without amending the

settlement boundary, the future growth of Tangmere may be hindered. As such, the settlement boundary of Tangmere should be amended to include the allocated site to ensure that the plan is justified.

Draft Policy S1 also refers to development in service villages such as Bosham, Hambrook and Loxwood. Hunston is excluded from the Spatial Strategy but is identified as a Service Village within the Settlement Hierarchy in draft Policy SP2 (Settlement Hierarchy). The draft Local Plan suggests that the allocation of homes in Hunston has been removed as a result of growth in the Manhood Peninsula. CCE acknowledges that the overall housing numbers across the district have been reduced as a result of local constraints but reiterate that their landholding in Hunston remains a suitable site for housing should the Council need to identify more land for housing. This is discussed further below.

#### Policy S2 Settlement Hierarchy

As stated in paragraph 3.31 of the draft local plan, 'The NPPF encourages housing delivery where it will enhance or maintain the vitality of rural communities'. Paragraph 79 of the NPPF (2021) states that 'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby'.

CCE owns substantial land holdings in South Mundham, which is in close proximity to North Mundham/Runcton which is defined as a Service Village. As such, whilst South Mundham does not contain any services, development in the hamlet would enable sustainable growth to support facilities in North Mundham and Runcton. To ensure that the draft plan is consistent with national policy, South Mundham should be considered as part of North Mundham as a Service Village when considering the future pairing/grouping of some settlements where the facilities and services could be shared to capitalise on the close connections some settlements have.

Development outside the settlements listed in the hierarchy in SP2 is restricted to proposals which require a countryside location or meet an essential local rural local need or supports rural diversification in accordance with Policy NE10. To this end, CCE has smaller land holdings in Tangmere, Oving, South Mundham, Birdham, Chidham and Sidlesham, which may be suitable for conversion for residential use or via windfall housing. Location plans for each of the sites can be found in Appendices 1-8.

### Chapter 4: Climate Change and the Natural Environment

#### Policy NE4 Strategic Wildlife Corridors

The East of City strategic wildlife corridor has been relocated to the eastern side of proposed Site Allocation A8 (Land to the East of Chichester). The relocation of this wildlife corridor follows additional evidence that shows that the commuting route for Barbastelle Bats is along Drayton Lane.

CCE owns land to the east of Drayton Lane (immediately adjacent to the wildlife corridor and to the east of draft allocation A8) and surrounding the village of Oving. Its land has been identified in the HELAA (2021) as being developable, including site HOV0017 (Drayton Lane). The land east of Drayton Lane is sustainably located being close to Chichester and its amenities. The site provides an opportunity to sensitively and sustainably provide additional homes for the District. In accordance with Draft Policy NE4, the proposals for the Land East of Drayton Lane will not have an adverse impact on the integrity and function of the wildlife corridor and will not undermine the connectivity and ecological value of the corridor. This Vision Document will be shared under separate cover.

The eastern edge of the relocated wildlife corridor encroaches into CCE land. Any proposal on this land would be required to take the statutory protection for bats and other protected species into consideration and managed as part of a sensitive masterplan for development and on this basis, it is considered unnecessary to extend the wildlife corridor to encroach into the CCE site.

It is also considered that the detail of policy NE4 goes beyond the purpose of the policy, which should be to safeguard wildlife rich habitats and wider ecological networks. The policy is clear that development should only be permitted where it would not create an adverse effect upon the ecological value, function, integrity and connectivity of the corridors. It does not resist development in principle. This therefore makes redundant policy text 1, which seeks to introduce a sequential test for preferable sites outside of a wildlife corridor. It is considered that this test conflicts with the underlying purpose of the policy, which is to safeguard wildlife corridors from harmful impacts that cannot be mitigated, and should therefore be deleted.

#### Policy NE7 Development and Disturbance of Birds

CCE is broadly supportive of Policy NE7. However, they would like to note that the situation regarding the national guidance on nutrient neutrality is still evolving and therefore, this policy is only relevant to current legislation. Policy NE7 may therefore not be relevant throughout the entirety of the plan period. As such, CCE considers that it is necessary in this instance to ensure that an appropriate reference to changing legislation is included within the policy to prevent it from becoming out of date and would also ensure that the policy remains effective once adopted.

## Policy NE10 The Countryside

CCE is supportive of the inclusion of a policy referencing the conversion of existing buildings in the countryside, however, we believe that Policy NE10 is not consistent with national policy. Policy NE10 criteria B states that proposals for the conversion of buildings in the countryside will be permitted where 'it has been demonstrated that economic and community uses have been considered before residential, with residential uses only permitted if economic and community uses are shown to be inappropriate and unviable'. This policy is not in accordance with Paragraph 152 of the NPPF (2021) which states that the reuse of existing resources should be encouraged, including 'the conversion of existing buildings'. Under paragraph 152, there is no prerequisite to adopt a sequential approach, or to give preference to other uses. As such, criteria B should be omitted from Policy NE10. Reference to criteria B should also be removed from criteria C.

## Chapter 5: Housing

### Policy H1 Meeting Housing Needs

The Preferred Approach Local Plan was based on meeting the identified objectively assessed housing needs of the plan area of 638 dwellings per annum. However, due to constraints, particularly the capacity of the A27, the Submission Version of the Local Plan has planned for a housing requirement below the need derived from the standard method. The Plan proposes to deliver 535 dpa in the southern plan area and a further 40 dpa in the northern plan area, a total supply of 10,350 dwellings over the plan period from 2021 – 2039 (575 dpa).

The Planning Inspectorate has previously asked the Council to determine what level of housing could be achieved based on deliverable improvements to the A27 and to consider whether the full housing needs could be met another way. It is acknowledged that the Council has carried out the additional work required and the local constraints have resulted in a proposed lower housing requirement.

The NPPF (2021) confirms that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach (para. 61). CCE acknowledges that that housing numbers have been reduced as a result of local constraints and it will be down to the Inspector to determine whether the Council's exceptional circumstances justify this. Should the Planning Inspector find that the Council requires additional land to meet the housing need using the standard method, CCE's land at Southbourne, Oving, Drayton Land and Hunston are suitable, available and developable for housing. In addition, CCE's rural development sites could also contribute to meeting the housing need.

### Policy H2 Strategic Allocations

Draft Policy H2 confirms that the Tangmere Strategic Development Location is carried forward from the 2015 Local Plan and this is supported by CCE. Strong support is also given for the Broad Location of Development in Southbourne (Policy A13) for up to 1,050 dwellings.

### Policy H5 Housing Mix

Draft Policy H5 confirms that the housing mix for a development will be based on the most up to date HEDNA to address identified local needs and market demands. We suggest that the Council considers a range of criteria, including site characteristics, when determining the housing mix for individual sites and this should be reflected in wording of Policy H5.

### Policy H7 Rural and First Homes Exception Sites

Draft Policy H7 relates to rural and first homes exception sites. CCE is supportive of the principle of the inclusion of a rural exceptions policy. However, we have concerns over criteria contained within the policy which limits the amount of development that can be delivered under it.

The NPPF (2021) at paragraph 78 states that planning policies and decisions should be responsive to local circumstances and support housing development that reflect local needs. Furthermore it also states that 'local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs'.

The key aspect of the policy is to enable the delivery of rural exception sites which would address an identified local need. Within the policy, there is no limit on the amount of development that can be delivered and therefore, it is considered that if Policy H7 is limited to a maximum of 30 dwellings it could serve to hinder development (especially on slightly larger sites), which would otherwise be sustainable. As such, we consider that the amount of development should not be limited and rather should be dictated on a site and need specific basis. CCE considers that for Policy H7 to be positively prepared and in accordance with National Policy, criteria 2 should be removed.

In addition, criteria 6 states that proposals for affordable housing on rural exception sites will only be supported where

'the site is located adjacent or as close as possible to the existing settlement boundary and does not result in scattered or isolated development in rural areas'. The NPPF (2021) does not specify the location of rural exception sites. As such, to be consistent with national policy, criteria 6 should also be omitted.

Furthermore, Policy H7 states that 'applications for first homes exception sites that propose the inclusion of a small proportion of market housing will be expected to provide robust evidence...'

However, in the policy there is no allowance for the provision of market housing on rural exception sites in addition to first homes exception sites. As a result of this, the requirements of the policy are again not consistent with national policy. Paragraph 78 of the NPPF (2021) is supportive of 'some market housing' where it would facilitate the delivery of rural exception sites. As such, CCE considers that Policy H7 should be amended as follows:

'Applications for rural and first homes exceptions sites that propose the inclusion of a small proportion of market housing will be expected to provide robust evidence that the site would be unviable without such housing being included'.

#### Policy H8 Specialist Accommodation

Draft Policy H8 confirms that all housing sites over 200 units, including those allocated in this plan, will be required to provide specialist accommodation for older people with a support or care component. We request that this policy is amended to add 'where appropriate and viable', acknowledging that viability and site-specific factors need to be taken into consideration.

#### Chapter 6: Place-making

##### Policy P3 Density

We support the objective of Draft Policy P3 (Density) to make the most efficient use of land and follow a design led approach to achieve the optimum density for a site. The Policy does not prescribe an appropriate density for the District and this is supported. However, we consider that reference should be made to the fact that density may vary depending upon site specific circumstances and could be higher where transport links and access to services is good.

#### Chapter 7: Employment and Economy

##### Policy E3 and E4 Horticultural Development

Chapter 7 of the draft Local Plan confirms that 67 hectares of land is identified to meet the future horticultural land need within four Horticultural Development Areas (HDAs) over the plan period. It is confirmed that an additional 137 hectares of horticultural land is also forecast to be required outside of HDAs to meet future need.

CCE has significant landholdings which could assist the Council in addressing the insufficient availability within the current HDAs. The CCE sites which are considered suitable for horticulture development are listed below and location plans for each of the sites can be found in Appendices 9-13.

- Somerley Farm, NE East Wittering, PO20 7JB
- Fisher Farm, South Mundham, PO20 1ND
- Church & Haise Farm, Sidlesham
- Cowdry Farm, Birdham
- Groves Farm, nr Merston, PO20 2DX / Colworth Manor Farm PO20 2DU.

CCE supports draft Policy E3 which confirms that "approximately 137 hectares of land is also needed outside of HDAs to meet anticipated horticultural and ancillary development land need for the plan period." Support is also given for draft Policy E4 in relation to land outside HDAs. This Policy confirms that proposals for horticultural development can come forward outside the HDAs, subject to a set of criteria. We would welcome continued discussion with the Council on how these sites could help meet the districts horticultural needs in the future.

#### Chapter 10: Strategic and Area Based Policies

CCE supports Chichester District Council's proposal to allocate additional land for housing at Southbourne and to maintain the existing allocation at Tangmere. We also consider that CCE's land at Hunston and Oving could assist the Council in meeting its housing needs, should additional housing be required. We consider these opportunities in turn below.

##### Policy A13 Southbourne Broad Location for Development

CCE supports draft Policy A13 and the allocation of a Broad Location for Development in Southbourne for a mixed-use form of development including 1,050 dwellings.

CCE has significant landholdings around Southbourne which is suitable, available and developable. The land to the north and west of Southbourne measures 70ha and is wholly within CCE's control. The land adjoins the existing settlement and provides an opportunity for a sustainable extension to Southbourne with the potential to deliver c. 1,200 homes for the

village, as well as employment, community uses and a significant amount of new public space and green open space. A new Vision Document is enclosed which explains one way in which this opportunity could be realised. Importantly, it is considered that there are no technical impediments that would prevent development from coming forward on this site.

This site has been promoted throughout the Southbourne Neighbourhood Plan process, most recently in the December 2022 consultation. The new Vision Document demonstrates that the CCE site presents the opportunity to provide a comprehensive development that would contain strategic housing growth, significant areas of green infrastructure and open space in a sustainable location. The key access strategy for the site is to provide two new access points from the south A259 Main Road and the east Stein Road. These access points would connect to a spine road which would form a continuous vehicle route around the north-western edge of Southbourne.

The site almost entirely comprises a Secondary Support Area under the Solent Waders and Brent Goose Strategy (SWBGS), which aims to protect the network of non-designated terrestrial wader and brent goose sites that support the Solent Special Protection Areas (SPA) from land take and recreational pressure associated with new development. Due to the designation of the site, discussion was undertaken with the Hampshire and Isle of Wight Wildlife Trust with a view to determine a suitable approach for the scheme and an appropriate survey effort to establish the use of the site by designated birds. As a result of these discussions, wintering bird surveys are taking place. The aim of these surveys is to explore opportunities for mitigation for this SWBGS support area such that development within the red line can proceed without adverse impacts to the bird populations noted within this strategy. Following the survey, the results and approach will be presented to Natural England for further discussion.

In relation to viability, we note that Policy A13 sets several policy objectives for development at Southbourne. The NPPF (2021) notes that where there are up-to-date policies which have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable (para. 58). With this in mind the policy objectives outlined within Policy A13 will require viability testing to be undertaken to ensure a policy compliant scheme is both viable and deliverable. This is necessary to ensure that the policy is sound.

The Policy suggests that employment opportunities are required to be delivered as part of the allocation but there is no specific reference to the amount of use required. CCE supports this proposed approach as it is sufficiently flexible to enable an amount of employment land to be proposed in response to market conditions at the appropriate time and this will help to support delivery of the allocation.

The scale of development proposed has been reduced from 1,250 to 1,050 dwellings to reflect the proportionate reduction in housing numbers across the parishes in the east west corridor as a consequence of the limit on numbers in the southern plan area. If the Inspector finds that additional housing is required, the Vision Document submitted demonstrates that the CCE site in Southbourne could deliver c. 1,200 homes and so could increase housing without needing to identify additional land for development elsewhere.

To summarise, the site could accommodate approximately 1,200 homes which could be delivered on a phased basis early in the plan period. There are no overriding physical or technical constraints that would act as an impediment to development. There is also a clear access arrangement proposed.

#### Policy A14 Land West of Tangmere

CCE supports that Policy A14 is carried forward into this Local Plan to facilitate the delivery of a residential-led development of at least 1,300 dwellings.

#### Additional sites

##### Hunston

CCE further promotes land (15.31ha) located east of the B2145 Selsey Road in Hunston for 240 new homes. The land is deliverable and is fully within CCE's control. The site is highly accessible, located within a maximum of 5-6 minutes walking distance to Selsey Road, where several bus routes connect the village to Chichester.

CCE notes that the Council assessed the HELAA site (ref. HHN0016) as 'developable'. A Vision Document has previously been prepared and submitted to demonstrate the commitment to it being brought forward for residential development within the plan period. This document is enclosed.

To address the Council's concerns in relation to flooding, following publication of the Chichester Strategic Flood Risk Assessment (SFRA), we have prepared an updated Flood Risk Scoping Study which provides an overview of flood risk constraints across the site from a range of sources. Various mitigation measures are recommended in line with recommendations of the Chichester SFRA and prevailing local and national guidance and best practice. With these measures in place, it is likely that the flood risk could be managed effectively in accordance with the requirements of the NPPF. Detailed data has also been requested from the Environment Agency, which will feed into further technical work that is being carried out.

Should the Inspector conclude that additional housing is required, CCE considers that their site is the most appropriate



and sustainable location for development in Hunston. The site provides an opportunity to sensitively and sustainably extend the existing village boundary to provide additional homes to meet an identified housing need.

#### Land East of Drayton Lane

CCE owns land to the east of Drayton Lane which is bound by Tangmere Road to the north and crosses Oving Road and the railway line to the south. The site is c.1km from the centre of Chichester and comprises 49ha. The site was assessed in the HELAA 2021 as developable 'HOV0017'. A Vision Document has been prepared and was presented to the Council in 2022. This includes a detailed analysis of the site and its surroundings and provided justification as to why the site is suitable for development. This technical review of the site concludes there are no technical impediments to development.

The Vision Document demonstrates how the proposals for the land east of Drayton Lane could be developed as an extension to the draft allocation A8 (Land to the east of Chichester) for up to 700 new homes. The land east of Drayton Lane is fully within the CCE's control, is available for development now and is deliverable with some development achievable within the first five years of the plan period. It represents an opportunity to provide new homes, facilities and significant community benefits, through a sensitively designed development that integrates into the surrounding landscape.

The Vision for this site is a landscape and ecology led masterplan which would celebrate the rich wildlife characters of the different surrounding landscapes and uses the connection between countryside and community to generate its character and identity. The Vision Document demonstrates that this is a suitable location for development.

Should the Inspector conclude that additional housing is required, CCE considers that the land east of Drayton Lane would form a natural extension to allocation A8 and is an appropriate and sustainable location for new development.

#### Appendix C Additional Guidance

Appendix C provides additional guidance on evidence which needs to be submitted in support of certain planning applications related mainly to development in the countryside. As mentioned in the comments above provided in response to Policy NE10, there is no prerequisite contained within the NPPF (2021) that requires an applicant to demonstrate that previous uses were proven unviable prior to the conversion of a building in the countryside to residential use. As such, to be in accordance with national policy, reference to Policy NE10 should be omitted from Appendix C.

#### Conclusion

CCE welcomes the opportunity to comment on the Local Plan and is keen to continue to engage with the Council, especially in relation to the Broad Location for Development in Southbourne. CCE is supportive of the Council's aspirations in the Local Plan. However, the changes set out above are considered likely to be necessary to ensure the plan is sound.

CCE is a considerable landowner in Chichester with land largely to the south, west and east of Chichester which could assist the Council in meeting their housing and development needs throughout the plan period.

See attachments for site information.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

#### Attachments:

Chichester Local Plan Regulation 19 Representations -redacted - <https://chichester.oc2.uk/a/snh>

D2654\_R001\_Southbourne\_Vision Document REV F (LR, Spread) - <https://chichester.oc2.uk/a/t6r>

East of Drayton Lane Vision Document - <https://chichester.oc2.uk/a/t6s>

Hunston - Flood Risk Scoping Study - <https://chichester.oc2.uk/a/t6t>

Hunston Vision Document - <https://chichester.oc2.uk/a/t63>

Land at Oving Vision Document - <https://chichester.oc2.uk/a/t64>

5958

Object

**Document Element:** Schedule of Proposed Changes to the Policies Map

**Respondent:** The Bramley Family [8087]

**Agent:** PowerHaus Consultancy (Ms Harriet Young, Planner) [8083]

**Summary:**

The proposed site (Land to the East of Taylors Copse and Knott Garden, Clay Lane) is not included as a potential housing site on the draft Policies Map. This representation promotes the inclusion of the site to help met the identified need for housing in Chichester and Fishbourne.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester Local Plan Reg 19 Consultation Response - <https://chichester.oc2.uk/a/spk>

Clay Lane Motivational Document - <https://chichester.oc2.uk/a/spz>

Transport Site Accessibility Review - <https://chichester.oc2.uk/a/spm>

6175

Object

**Document Element:** Schedule of Proposed Changes to the Policies Map

**Respondent:** Runnymede Homes Ltd [8122]

**Agent:** Henry Adams LLP (Peter Cleveland, Head of Planning) [6827]

**Summary:**

Runnymede Homes Ltd have noted that the Schedule of Proposed Changes to the Policies Map does not include amendments to the Wisborough Green Settlement Boundary in order to account for the Neighbourhood Plan Allocations (2016) that have now been completed.

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

1.1 Henry Adams LLP act on behalf of Runnymede Homes Ltd (Client) in respect of Land at Winterfold Garden, Durbans Road (the Site).

1.2 These representations respond to the Regulation 19 Consultation version of the Chichester Local Plan 2021-2039 (Feb 2023) and more specifically those policies relating to Wisborough Green and the North East of Plan Area. Our Client is also mindful of the Neighbourhood Plan Review which is currently on going and for which the Site benefits from a draft allocation.

1.3 Runnymede Homes Ltd are generally supportive of the approach taken to new residential development in the North East of Plan Area but respectfully request that the Wisborough Green Settlement boundary be amended to reflect Neighbourhood Plan Allocations that have now been completed.

**2 Chapter 3: Spatial Strategy**

2.1 The Client is supportive of the Settlement Hierarchy and the approach taken to new residential development being relative to, and directed in order of the most sustainable settlements. They are also supportive of Wisborough Green being categorised as a Service Village.

2.2 However, they have noted that the Schedule of Proposed Changes to the Policies Map does not include amendments to the Wisborough Green Settlement Boundary in order to account for the Neighbourhood Plan Allocations (2016) that have now been completed.

2.3 The Wisborough Green Neighbourhood Plan (2016), Policy OA3 and paragraph 5 state that 'The village boundary will only be enlarged to include sites SS1 and SS4 following the development of these sites when the final balance of built area to open space is known'. Site Allocation SS4, now known as Songhurst Meadow, has been built out. In accordance with the adopted Neighbourhood Plan Policy OA3 and supporting text at paragraph 5, the settlement boundary should be amended through the Revised Neighbourhood Plan.

2.4 Representations have been made to the Neighbourhood Plan Regulation 14 Consultation outlining the above but the progress going forward on this is unclear given the Local Plan requirement for an increase in housing provision.

2.5 In terms of the Local Plan Schedule of Proposed Changes to the Policies Maps, we have been unable to locate a Settlement Boundary Methodology post that published in 2013 to support the Settlement Boundary Review as part of the 2019 Local Plan. We have therefore referenced the 'Key Requirements' as set out within this document;

'Settlement boundaries should include new development adjacent to the settlement boundary. This includes sites that have been developed following allocation in the Adopted Local Plan 1999, sites that have planning permission, built exception site housing, minor extensions and other areas

adjacent to but outside the current settlement policy area that relate more to the built environment than to the surrounding countryside.'

2.1 It is normal practice for consented sites, that are not rural exception sites and that are well related to the existing settlement, to be included within the settlement boundary, as confirmed by the above Key Requirement. Regardless of the size of settlement, all amendments at Neighbourhood Plan level should be reflected within any updates at Local Plan level.

2.2 We therefore request that careful consideration be given to all settlements with settlement boundaries that have been subject to Neighbourhood Plan Allocations or recent planning consents and that settlement boundaries be updated accordingly.

**Change suggested by respondent:**

Request that careful consideration be given to all settlements with settlement boundaries that have been subject to Neighbourhood Plan Allocations or recent planning consents and that settlement boundaries be updated accordingly.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** No

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/sg3>

6260

Object

**Document Element:** Schedule of Proposed Changes to the Policies Map**Respondent:** Bellway Homes (Wessex) Ltd [1573]**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]**Summary:**

[DUPLICATION OF 6259]

It is respectfully suggested that policy NE6 be accompanied by an inset map showing the respective zones of influence.

**Full text:**

See attachment.

**Change suggested by respondent:**

Policy NE6 to be accompanied by inset map showing zone of influence of designated habitats.

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:**Written representation letter - <https://chichester.oc2.uk/a/sqt>

6270

Support

**Document Element:** Schedule of Proposed Changes to the Policies Map**Respondent:** The Goodwood Estates Company Limited [7922]**Agent:** HMPC Ltd (Mr Haydn Morris) [112]**Summary:**

Map A9a supported.

**Full text:**

MapA9a Supported It represents a sound planning response to material considerations affecting the land and justification to restrict further development within the former allocation.

The title "Land removed from existing site allocation" should be given a specific policy identification, to reflect its importance as an area to remain free from inappropriate development.

Map 10.6 Land fronting Dairy Lane could be an extension to the Maudlin Farm allocation.

MapA16a Supported in both forms subject to any change made in response to our comments made to Policy A16 and A17 of the Local Plan. A different numbering sequence will ease future reference.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** None

6291

Object

**Document Element:** Schedule of Proposed Changes to the Policies Map

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

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

**Summary:**

The Plan Map accompanying this Policy (A16a) should be amended to ensure the policy boundary includes protection of land used in conjunction with the operation of the Circuit and airfield. The boundary to be defined in discussion with the Estate.

**Full text:**

The importance of recognising the operation of Goodwood Motor Circuit and Aerodrome is supported, but operations are reliant upon the land around it. Use of that land for other purposes presents a potential constraint to operations. The Estate is keen to ensure the land remains open where required and requests the Map accompanying this Policy (A16a) should be amended to ensure the policy boundary includes protection of this land

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None