

# **Chichester Local Plan 2021 - 2039**

## **Sustainability Appraisal and Habitats Regulation Assessment**

# **Regulation 19 Representations**

(in respondent order)



4644

Comment

**Document Element:** Supporting Documents, Sustainability Appraisal - January 2023**Respondent:** Artemis Land and Agriculture Limited [7943]**Agent:** Mr Jack Allenby [7942]**Summary:**

The Council's Sustainability Appraisal (Appendix LPD5, page 26) assesses growth scenarios in the North of the Plan Area. A growth scenario including Crouchlands Farm for 1,114 homes (or 62 per year) is found to be most sustainable (Appendix LPD5, page 34) but is discounted without clear and robust reasoning, and a blended growth scenario for 720 homes (or 40 per year) is proposed in the Local Plan (Appendix LPD5, page 40). It is wholly unclear how the Council has arrived at its decision.

See attached representation for further details.

**Full text:**

Please see the attached representation.

[See also submission 2756 for supporting documents as per appendices referenced within attached written representation]

**Attachments:**

<https://chichester.oc2.uk/admin/download/attachment/1129> -

<https://chichester.oc2.uk/admin/download/attachment/1129>

5343

Comment

**Document Element:** Supporting Documents, Sustainability Appraisal - January 2023**Respondent:** Mr Paul Bedford [5302]**Summary:****Soundness**

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

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

**Full text:**

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

**Legal Status**

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

**Soundness**

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

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

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

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

The reduction on the Manhood Peninsula appears to be derived because of recent housing approvals on appeal

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

The SA 'Framework 'only addresses 'Water- protection of resources' this is highly appropriate given the problems experienced in the north eastern part of the district in the summer of 2022 and will become more pressing in the south.Resolution of this issue that stopped planning applications seems to be by reducing water usage at least to 110 ltr ppd or lower this is when Southern Water only hope to achieve 125ltr by 2050 . Consideration in the framework should extend to the' Water Cycle' and particularly address the acute problems of sewage system network capacity, polluting WWTW outfalls,nutrient neutrality.These systems are already currently stressed/ completely overloaded with current levels of use without new development coming on stream and discharges of untreated sewage are a significant and growing problem to Chichester, Langston and Pagham Harbours- this situation must be set against Defra- Storm OverflowDischarge Reduction Plan's statement "Protecting the Environment-water companies shall only be permitted to discharge from a storm overflow where they can demonstrate that there is no local ecological impact". Damage to Chichester/ Langstone Harbours is documented by a damning Natural England report and by that expected for Pagham Harbour all the sites of national significance for biodiversity and protected habitats. Whilst para 5.2.34 and Box 5.1of the SA summarise the position no direct statement of intervention is made.Reliance on a 'Statement of Common Ground that is referred to offers no positive programme of future capital investment by Southern Water (SW) especially when set against SW's overall regional programme its cost and priorities as set out in their draft DWMP-the final version of which is due for release in March this year- does the Plan reflect this documents information that is so crucial to supporting the infrastructure need for the scale of development envisaged is challenging to the plan's 'Soundness'

Time scale of the crucial improvements to infrastructure and particularly sewer and IWWTW capacity is of particular concern. SW's Drainage and Wastewater Management Plan v1May 2020 set out in very comprehensive way what needs to achieved and indication of time scale -placing most in AMP8 the next 5 yr business cycle and OFWAT approval would be needed for the scale of expenditure that is many hundred of millions. These time scale constraints should be reflected in the phasing of any housing development that will have to utilise the network.There is no direct indication that such phasing will be actively enforced.

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

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

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

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

#### Duty to cooperate

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

The highly restricted housing numbers in the South Downs National Park Local Plan and the closeness of its boundary to the 'coastal strip' are contributing factors to the area's carrying and overall capacity to support development. Further

constraint is imposed by the Chichester Harbour Area of Outstanding Natural Beauty ( AONB) and the geographical physical restrictions of the Manhood Peninsula creating 'coastal squeeze'.

**Attachments:**

Chichester District Local Plan Reg19 Submission - <https://chichester.oc2.uk/a/sx9>

5345

Comment

**Document Element:** Supporting Documents, Sustainability Appraisal - January 2023

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

**Summary:**

The SA 'Framework 'only addresses 'Water- protection of resources' this is highly appropriate given the problems experienced in the north eastern part of the district in the summer of 2022 and will become more pressing in the south. Resolution of this issue that stopped planning applications seems to be by reducing water usage at least to 110 ltr ppd or lower this is when Southern Water only hope to achieve 125ltr by 2050 . Consideration in the framework should extend to the ' Water Cycle' and particularly address the acute problems of sewage system network capacity, polluting WWTW outfalls,nutrient neutrality.

Whilst para 5.2.34 and Box 5.1of the SA summarise the position no direct statement of intervention is made. Reliance on a 'Statement of Common Ground that is referred to offers no positive programme of future capital investment by Southern Water (SW) especially when set against SW's overall regional programme its cost and priorities as set out in their draft DWMP-the final version of which is due for release in March this year- does the Plan reflect this documents information that is so crucial to supporting the infrastructure need for the scale of development envisaged is challenging to the plan's 'Soundness'

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#### Attachments:

Chichester District Local Plan Reg19 Submission - <https://chichester.oc2.uk/a/sx9>

5772

Comment

**Document Element:** Supporting Documents, Sustainability Appraisal - January 2023**Respondent:** Beechcroft Developments Limited [8188]**Agent:** Genesis Town Planning Ltd (Mr Jeremy Farrelly, Director of Planning) [7504]**Summary:**

See Appendix 1, 2.1 to 2.8 - It will be necessary to prepare a new iteration of the SA which considers delivering a sufficient number of homes to meet housing needs as required by national policy and to provide for sustainable development, which will clearly be significantly greater than the minimum provided by the standard method. The SA will also need to be modified to pay due regard to the need for housing.

**Full text:**

See attachments.

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/sp5>

Appendix 1 - Representations on Housing Requirement and Supply - <https://chichester.oc2.uk/a/sp6>

Appendix 2 - Statement of Representations - A27 Mitigation Contributions - <https://chichester.oc2.uk/a/sp7>

5512

Comment

**Document Element:** Supporting Documents, Sustainability Appraisal - January 2023**Respondent:** Bellway Homes (Wessex) Ltd [1573]**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]**Summary:**

Support prediction plan will have neutral effects for accessibility, air/environmental quality, biodiversity, climate change adaption, historic environment and landscape. Recognise SA predicts climate change mitigation will have negative effect. Some concern over proposed density of Police Field not contributing fully to decarbonisation due to flood risk - will seek to ensure land is used efficiently in accordance with NPPF. Support prediction plan will result in positive effects for communities, health, economy and employment. Concern SA predicting negative effect re; housing. Concur plan's inability to meet local housing need will significantly impact local area. Meeting housing need should not be beholden on A27 capacity. Support positive impacts on transport and water and statement supporting allocating Southern Gateway. Consider SA to be robust.

**Full text:**

See attachment.

**Attachments:**

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

5511

Comment

**Document Element:** Supporting Documents, Habitats Regulation Assessment - January 2023**Respondent:** Bellway Homes (Wessex) Ltd [1573]**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]**Summary:**

Bellway supports outcome of HRA. Some confusion Table 1 which references withdrawn Local Plans and Draft Reg 18 Local Plans. This questions how reliable the dataset used by the HRA is, considering that full weight cannot be attributed to draft Reg 18 Plans. Bellway appreciate that the HRA declares that the pre-submission plan supports a reduction in atmospheric pollution. Within Appendix A of HRA, it is considered that draft Policy H2 (incorporating Policies A4 and A5) has the potential for likely significant effects. Despite this, the HRA explains that the pre-submission plan contains positive measures that aim to mitigate or avoid the likelihood of significant adverse effects from reduced air quality and that policies NE21, T2, T3, NE1 form a protective framework to help reduce atmosphere pollution. Bellway consider the draft HRA to be robust.

**Full text:**

See attachment.

**Attachments:**

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

6095

Comment

**Document Element:** Supporting Documents, Sustainability Appraisal - January 2023**Respondent:** Countryside Properties [7291]**Agent:** Turley (Mr Ryan Johnson, Director) [7887]**Summary:**

The SA asserts it would be unreasonable to test growth scenarios above LHN figure of 638dpa. However, if transport study conclusions are correct, this may not prove to be the case. As a consequence, these matters may need to be revisited through an update or addendum to the SA to ensure the SA process is found to be legally compliant, with further revisions and consultation on Policy H1 as necessary to ensure it meets the 'positively prepared' and 'justified' tests of soundness. This should be progressed prior to formal submission of Local Plan, with outcomes and actions (including any necessary revisions to the Local Plan) discussed with adjoining LPAs as part of Council's legal Duty to Cooperate on strategic matters

**Full text:**

See attachment.

**Attachments:**

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

6507

Comment

**Document Element:** Supporting Documents, Habitats Regulation Assessment - January 2023**Respondent:** CPRE Sussex [6955]**Agent:** CPRE Sussex (Dr Jill Sutcliffe) [6956]**Summary:**

RECEIVED LATE: Lack of coverage of Pagham Harbour issues, likely to have same status as condition of Chichester Harbour; nothing in plan re; Sidlesham WwTW already at capacity; A27 work paused for 3 years according to Government announcement; no substance to water neutrality issue - almost impossible to reduce water consumption below 110 lppd until at least 2050.

**Full text:**

Lack of coverage of the Pagham Harbour issues. Natural England has a draft report on the extant condition within Pagham Harbour but there is a deficit of survey data available and so conclusions and recommendations cannot be made yet. More work is required but it should be noted that the two Harbours are linked by a rife. Pagham Harbour is likely to have the same status as the pollution concerns as found in the Natural England report on the condition of Chichester Harbour has but unlike the proposals at Thornham WWTW where Southern Water accepts immediate work is needed (immediate is still probably 5 years away) with phasing of any development up to 10 years into the plan nothing appears for in the plan for the Sidlesham WSTW which serves much of the Manhood Peninsula and is already working at capacity. Proposed work on the A27 is paused for 3 years according to Government announcement last week and the dropping of junction improvements around Worthing seem to point to abandonment of the western A27. The Water neutrality issue appears to have no substance as it would be almost impossible to reduce water consumption below 110 ltrs ppa day at least until 2050 – Reference: Southern Water's own 'Water 100' plans.

**Attachments:**

Written representation - <https://chichester.oc2.uk/a/tv3>

6136

Comment

**Document Element:** Supporting Documents, Sustainability Appraisal - January 2023**Respondent:** Dandara Southern Limited [8180]**Agent:** Henry Adams LLP (Mrs Rebecca Tier, Senior Planner) [8116]**Summary:**

The SA does not consider a scenario where the Council would meet its local housing need, nor a scenario where it exceeds its local housing need, which is of relevance given scale of development expected for adjoining authorities, including the highly constrained SDNP.

**Full text:**

1 Introduction

1.1 This representation provides a response to the Regulation 19: Local Plan Consultation in relation to the land at Flat Farm, Hambrook, PO18 8FT, as shown on the attached plan HA Appendix 1: Site Location Plan, and hereon referred to as the site.

1.2 This representation will provide a written responses in relation the questions in the Regulation 19 Local Plan

Consultation which directly relate to the promotion of our client's land for future development.

## 2 Comments on Specific Questions/Tests

2.1 In response to the national planning legislation, this Regulation 19 Local Plan Consultation invites comments on three specific questions, and is the final consultation phase, before the Regulation 19 version of the Local Plan is submitted for examination.

2.2 This representation will respond on these specific questions, and then highlight how our client's site could help fulfil the full housing requirement for the District through an appropriate allocation within the Council's Local Plan, or through an allocation of numbers to the Hambrook Parish as set out in policy A12 of the Draft Local Plan, who in turn would select sites through a Neighbourhood Plan allocation.

Is the plan 'sound'?

2.3 Paragraph 35 of the National Planning Policy Framework defines the tests for soundness which requires the plan to be positively prepared, justified, effective and consistent with National Policy. These matters will now be considered in further detail in relation to the current consultation on the Regulation 19 version of the Local Plan.

Is the plan positively prepared and justified?

2.4 Policy S1 of the Draft Local Plan sets out the spatial development strategy for the District and how the Council will achieve sustainable growth over the plan period and Policy H1 sets out the housing target in response to the strategy. Both policies have been informed by the Sustainability Appraisal (SA) dated January 2023 and the Plan objectives, which are set out at paragraph 2.5.2 of the SA and the Council's HEDNA (April 2022).

2.5 The SA then goes on to discuss the potential growth scenarios and confirms two points:

- Standard method housing figure for Chichester (excluding SDNP) is 638 dwellings per annum, or 11,484 in total over the Plan period
- The above figure is capped at 40% above the baseline need and that the uncapped figure is significantly higher than this at 884 dwellings per annum (dpa)

2.6 Of particular note is that point ii. above seeks to cap the overall housing increase by no more than 40% above the previously adopted LP housing figure of 435 dpa. The Local Plan then goes on to constrain housing numbers due to an alleged capacity concern along the A27 strategic road network. The Council therefore result in a constrained housing figure by virtue of the standard method 'steps' and also due to infrastructure capacity. It should be noted that the 435 dpa figure within the 2015 Local Plan was similarly constrained and an early review was the only basis for accepting this reduced housing figure. This early review did not take place.

2.7 In terms of the influence of the A27, this is the key matter that constrains growth within the southern part of the District. This is based on the evidence base documents that state that the road network cannot accommodate an annual housing figure of more than 535 dpa. This is a fundamental point and one that we do not agree and believe there is capacity to accommodate at least the local housing need within the highway network, alongside potential improvements identified for the following reason.

2.8 The Transport Study (January 2023) is the key document on which the Council rely upon to constrain their housing figure to 535 dpa. On review of this document, it is clear that the Council's consultants undertook a sensitivity analysis as to whether the core scenario that supports the 535 dpa position in the local plan could accommodate a higher level of growth. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study appears to be that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa core test, with some additional, and as yet undesigned and not costed, mitigation works beyond those highlighted for the Bognor and Fishbourne roundabouts.

2.9 Accordingly, the Council's own evidence base has undertaken the assessment and concluded that a higher growth figure could be accommodated on the A27, subject to appropriate improvement works. Given the testing of the higher growth figure, which appears to accommodate the higher growth figure, the exceptional circumstances to constrain growth, as set out at paragraph 60 on the NPPF do not exist and the Plan could be considered unsound on this point alone.

2.10 As a result of the above, the SA does not consider a scenario where the Council would meet its local housing need, nor a scenario where it exceeds its local housing need, which is of relevance given scale of development expected for adjoining authorities, including the highly constrained SDNP.

2.11 It should also be noted that the draft Plan does not therefore address any need in relation to unmet need of neighbouring authorities and it does not contain evidence to suggest that these matters have been discussed with the adjoining Authorities. Notably, Arun District Council have confirmed that they will be objecting to the Plan and currently proposed on the basis that they have a significant housing need themselves. This is likely to be further influenced by unmet need from Chichester, who again are seeking to constrain housing requirements, which was the case in 2015 and the subsequent knock on from that was for Arun to address some of that need in their 2018 Local Plan.



2.12 Given that we do not accept that the A27 capacity matters present a ceiling in terms of housing delivery (based on the Council's Transport Study comments and that of its own consultants), it is not accepted that the Plan and associated SA demonstrates reasonable alternatives have been considered and it is not therefore positively prepared, nor is their approach to housing figures justified.

Effective?

2.13 On the basis of the 535 dpa figure, it is considered that the selected areas for growth and figures are deliverable over the Plan period, however, as set out above, the plan area could accommodate a greater level of growth.

2.14 It should also be noted that the plan does rely on the delivery of Neighbourhood Plan and / or small site allocations DPD. This is set out under Policy H3 in the draft document. This states the following in terms of delivery:

If draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress the council will allocate sites for development within a development plan document in order to meet the requirements of this Local Plan.

2.15 The above is not precise and does not provide any clear timetable for delivery within the Plan period. Whilst my comments are noted above that the Plan could be effective, the Local Plan needs to give a clear timescale for completion of the supplementary Development Plan documents in order to give a clear timescale for this to be completed.

Is the plan consistent with National Policy?

2.16 On the basis of the comments above, the approach to selected sites for allocation based on the 535 dpa figure is considered to be consistent, however, due to the lack of evidence to demonstrate that the 535 dpa figure should be capped due to the A27 capacity points raised, the draft Plan does not appear to meet the exceptional circumstances allowed for at paragraph 61 of the NPPF to justify their alternative approach. The Plan as proposed is therefore inconsistent with NPPF when read as a whole.

### 3 Development in Chidham, Hambrook & Nutbourne

3.1 Our client's site is located within the village of Nutbourne and comprises an area of land of 1.3 hectares adjacent to the existing residential development along Broad Road. The site is currently located outside, but directly to the east of the settlement boundary of Nutbourne.

3.2 The Local Plan provides for a moderate level of growth within the parishes of Fishbourne, Chidham & Hambrook and Bosham, known as service villages, where it is acknowledged that there is good / excellent potential to bring forward development with opportunities to support and expand existing facilities and for increased use of public transport options.

3.3 Policy A12 relates to the strategic Chidham and Hambrook allocation and confirms that land will be allocated for development in the revised Chidham and Hambrook Neighbourhood Plan for a minimum of 300 dwellings and supporting facilities and infrastructure.

3.4 The Parish of Nutbourne and Hambrook is a logical position for the strategic expansion of 300 dwellings, given its sustainable transportation links and lack of constraints in comparison to other locations within the southern area of the District. The evidence documents which have informed the Plan also support the quantum of development put forward in the policy allocation.

3.5 As our client's land could deliver up to 40 dwellings, it would be an appropriately sized site, adjacent to the existing settlement boundary of Nutbourne, which would not compromise the spatial development of Nutbourne or Hambrook to the north. We will therefore be looking to promote our client's site with Chidham & Hambrook Parish Council through a Neighbourhood Plan allocation, and will be recommending to the Parish they allocate a number of small to medium sites to meet the Local Plan policy requirement of 300 dwellings. This development strategy will ensure the integrity and current linear spatial pattern of the service villages are maintained.

3.6 Our client's land is ideally situated adjacent to existing residential development which surrounds the site to the north, south and west. This includes the recent development at Hambrook Place and the linear form of dwellings along Broad Road to the west, Hambrook Holiday & Caravan Park to the north and further residential development accessed from Broad Road to the south. The site would not extend further to the east than the built form of development located to the north and south and would not therefore encroach on the wider field pattern to the east. The impact on the wider rural landscape to the east would therefore be limited and the views looking towards the South Downs from the A259 would not be harmed.

3.7 The site sits outside and to the south of the Green Corridor shown in the Interim Version of the Chidham & Hambrook Neighbourhood Plan Strategy published October 2021. The development of this site would not therefore impact on the integrity of the Green Corridor or the gap between the settlement boundaries of Hambrook and Nutbourne as shown in

the Neighbourhood Plan Strategy.

### The Current Appeal

3.8 In addition to the promotion of the site for allocation within the next iteration of the Neighbourhood Plan, the Council will be aware that this site is also currently subject to a pending appeal relating to planning application 20/03378/OUT. This application seeks outline planning permission for thirty dwellings with access, associated works, including the provision of swales.

3.9 The pending planning appeal follows a previous outline application, 20/00412/OUT for an entry level housing scheme of thirty-five affordable dwellings which was dismissed at appeal on 14 January 2022. The main reason for dismissing this appeal was the proposed development was considered to give rise to adverse effects on the integrity of the local Habitats sites. Whilst the Inspector considered adequate mitigation measures in respect of nutrient neutrality had been provided by the Appellant, an appropriate mechanism for securing these measures for the duration of the development had not been provided with any adequate degree of certainty. It should be noted that no other concerns were raised by the Inspector in relation to the suitability of this site for the development.

3.10 The Council have raised two concerns in relation to the current pending appeal for thirty dwellings on the site. The Council raise concern with future occupiers of the discounted market housing (DMS) not being able to obtain mortgages due to properties proximity to electricity pylons which would lead to properties being occupied on a social rented basis. In this scenario, the Council consider in combination with the adjacent social rented scheme, this would result in an unacceptably high concentration of mono tenure properties.

3.11 The Chidham & Hambrook Neighbourhood Plan Strategy also notes the presence of pylons and overhead power lines along the northern edge of Nutbourne and the limitations this might cause to development in relation to the guidance published by National Grid (Design Guidelines for Development near Pylons and High Voltage Overhead Power Lines).

3.12 Taking into account the Inspector's comments on this point in relation to the previous appeal for 35 no. affordable residential dwellings, it should be noted that the Inspector previously considered that the Appellant's evidence demonstrated that there were lenders willing to offer mortgages for DMS properties.

3.13 It should also be noted that as this forms an outline planning application with all matters reserved except for access, the layout of affordable housing is not a matter to be considered under this outline appeal scheme. Nine affordable units would also not lead to an intensive cluster of affordable housing as they have frontages onto different roads.

3.14 The second issue raised by the Council in relation to the appeal could be overcome through the provision of a s106 agreement to provide an appropriate mechanism to secure the mitigation measures relating to nutrient neutrality.

3.15 As the Council have raised no concerns in relation to the principle of residential development on the site with regard to the current planning appeal, the use of the site for residential development is generally considered to be acceptable. This could be delivered through a successful outcome on the current appeal, through a future allocation within the Neighbourhood Plan or via an SPD prepared by the Council.

#### Attachments:

Hambrook Representation - <https://chichester.oc2.uk/a/snk>

Representation Form - H1 - <https://chichester.oc2.uk/a/snz>

Representation Form - S1 - <https://chichester.oc2.uk/a/snm>

Representation Form H3 - <https://chichester.oc2.uk/a/snn>

4891

Comment

**Document Element:** Supporting Documents, Sustainability Appraisal - January 2023**Respondent:** Gleeson Land (Mr Dominick Veasey, Planning Manager) [7915]**Summary:**

The basis of the reasonable alternatives tested within the SA have been infected by a fundamentally flawed starting point conclusion that there is capacity for no more than 535 dpa within the southern planning area. The SA must be revisited given that this factual flaw goes to the heart of the process of selecting and testing reasonable alternative options. Consequentially, the draft CLP decision-making making process will also need to be revisited as this too has been infected by the factually incorrect SA.

**Full text:**

The basis of the reasonable alternatives tested within the SA have been infected by a fundamentally flawed starting point conclusion that there is capacity for no more than 535 dpa within the southern planning area. The SA must be revisited given that this factual flaw goes to the heart of the process of selecting and testing reasonable alternative options. Consequentially, the draft CLP decision-making making process will also need to be revisited as this too has been infected by the factually incorrect SA.

**Attachments:**Sustainability\_Appraisal\_Gleeson\_Land.pdf - <https://chichester.oc2.uk/a/sbm>

5339

Comment

**Document Element:** Supporting Documents, Sustainability Appraisal - January 2023**Respondent:** Gleeson Strategic Land (Mr Peter Rawlinson, Strategic Planner) [855]**Summary:**

The SA must be revisited given that this factual flaw goes to the heart of the process of selecting and testing reasonable alternative options.

**Full text:**

e) Sustainability Appraisal. By way of context to these representations, we note that the Chichester Transport Study, dated January 2023, concludes at paragraphs 5.6.5 and 11.2.3: "5.6.5 It is concluded that in the main, the 700 dpa (southern plan area) demands can generally be accommodated by the mitigation proposed for the 535 dpa core test although at the Portfield roundabout and Oving junction, capacity issues get worse with the 700 dpa demands, with additional mitigation being required. As no schemes have been designed to date, it would be advisable to retain some costs against for future works against Portfield Roundabout as a minimum." "11.2.3 A sensitivity test with 700 dpa has been undertaken. It is concluded that in the main, the 700 dpa demands can generally be accommodated by the mitigation proposed for the 535 dpa core test, although at the Portfield roundabout and Oving junction, capacity issues get worse with the 700 dpa demands and these junctions may need to consider further mitigation. As no schemes have been designed to date, it would be advisable to retain some cost against for future works against Portfield Roundabout as a minimum. It is unlikely there would be significant capacity in the network beyond 700 dpa, considering full mitigation package." Although the Transport Study is dated January 2023, it is noted that the report's Document Control Sheet (page ii) confirms it was first issued back in April 2022, and has since been the subject of revisions prior to finalisation. The Transport Study conclusion that 535 dwellings per annum (dpa) was not an absolute 'cap' to housing development within the southern planning area was therefore well known to the Council during the time that the SA was being prepared to inform draft CLP decision-making process. In view of the above, we are fundamentally concerned that the basis of the reasonable alternatives tested have been infected by a fundamentally flawed starting point conclusion that there is capacity for no more than 535 dpa within the southern planning area: "The southern plan area (i.e. the east west corridor and Manhood Peninsula) is highly constrained by capacity on the A27. Detailed discussions with National Highways and WSCC, over the course of 2019-2022, have led to a resolution that there is capacity for no more than 535 dpa in this area" (paragraph 5.2.11, first bullet). The SA must be revisited given that this factual flaw goes to the heart of the process of selecting and testing reasonable alternative options. Consequentially, the draft CLP decision-making making process will also need to be revisited, as this too has been infected by the factually incorrect SA.

**Attachments:**Written Representation - <https://chichester.oc2.uk/a/syv>

5873

Comment

**Document Element:** Supporting Documents, Sustainability Appraisal - January 2023**Respondent:** Alan and Susan Green [7699]**Summary:**

More action is needed to preserve and improve the quality of life of residents. Recently there has been increased flooding and release of sewage in the Chidham, Hambrook and Bosham areas. Wildlife is also suffering and pollution increasing through high levels of traffic.

Further work needs to make clear to the government the difficulties found by the Council in coping with large new housing developments. Current infrastructure is inadequate in many areas.

**Full text:**

Sustainability Appraisal Comments on Soundness

More action is needed to preserve and improve the quality of life of residents. Recently there has been increased flooding and release of sewage in the Chidham, Hambrook and Bosham areas. Wildlife is also suffering and pollution increasing through high levels of traffic.

Further work needs to make clear to the government the difficulties found by the Council in coping with large new housing developments. Current infrastructure is inadequate in many areas.

A representative of Southern Water recently stated at CDC Overview and Scrutiny committee that it would be able to start on improvements in 2025, a date that they would be available was not given. Southern Water is being put in an impossible position when they are unable to manage the current amount of wastewater but have a statutory duty to treat wastewater from a new development. Tankers should only be used for short periods in emergencies, they increase the carbon footprint, pollution and damage local roads. Water is being extracted from the River Ems to cope with increasing demand.

Roads are in poor condition and becoming overcrowded, with many more cars parking along narrow roads, so that the roads become one way. Closer inspection and management of roads is needed. Priors Leaze Lane in Hambrook and Southbourne is narrow and winds along the Ham Brook. The section running between Inlands Road and the Grain Store should be converted to a footpath and cycle track so that residents from Hambrook and Southbourne can safely travel on foot/cycle.

Any new development should provide 50% of affordable housing. Other districts have managed to make 100% of some developments affordable. The current affordable price should be agreed and statistics published to show that local people, young and old are buying/renting.

The importance of rare chalk streams has recently been mentioned by the WWF, the South Downs National Committee on Chalk Streams and in the West Sussex Wildlife Trust magazine. Care should be taken to protect the Ham Brook and Hairspring Watercress Farm (mentioned in the Doomsday Book).

**Attachments:** None

5025

Comment

**Document Element:** Supporting Documents, Sustainability Appraisal - January 2023**Respondent:** Greenwood Group Ltd [7406]**Agent:** Smith Simmons Partners (Paul White) [7650]

**Summary:**

This forms part of the evidence base for the Local Plan Review. It has updated the SA prepared for the last Preferred Approach 2018 Local Plan. We note from paragraph 5.2.11 of the updated SA that the southern part of the plan area (i.e. the east west corridor and the Manhood Peninsula) is highly constrained by capacity on the A27. Detailed discussions with National Highways and WSCC, over the course of 2019-2022, have led to a resolution that there is capacity for no more than 535 dpa in this area (with a further 40 dpa in the north part of the District outside the National Park). This contrasts with the actual housing need for the area of 638dpa.

The figure of 535dpa has now been adopted for the submission Local Plan in the southern part of the plan area with no standard 10% supply buffer.

Under providing against OAN will be a matter for discussion at Examination but even accepting the 535dpa can be justified in the south part of the district we still have concerns about the housing distribution for the manhood peninsula. For instance, in order to avoid traffic impact issues on the A27, paragraph 5.2.23 of SA says this would need avoid or minimise growth on the Manhood Peninsula and weight growth to the west of Chichester. Paragraph 5.2.29 also states that growth should be limited on the peninsula because of the need to cross or join the problematic Stockbridge and Whyke A27 junctions which is an issue for private car travel and bus connectivity.

We disagree with this analysis however. 1) it does not explain why development to west of Chichester will not cause the same impacts of having to cross the A27 as suggested will occur for the peninsula; and 2) it assumes the direction of travel will always be towards Chichester. However development on the peninsula could help support local facilities already present in the area and looking in the other direction, could help support the vitality of Selsey and East Wittering as settlement hubs. 3) Development could also help the local economy on the peninsula and introduce a younger profile to the area which the SA notes has a very significant older age structure (33% of those living on the Manhood Peninsula are aged 65+).

The table B in in the SA lists the developable 2021 HELAA sites (Housing and Economic Land Availability Assessment). It includes Site Ref HSI0004 at Sidlesham on page 86. Across a range of performance indicators the site scores 13 green, 4 light green, and 3 red points. Red indicates a significant negative effect; light green a positive; and green a significant positive effect.

Despite the very positive scoring of the site, it has been completely overlooked for any development because of the ranking of Sidlesham as within the 'rest of the plan area' category.

**Full text:**

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

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

Our comments concern the Sustainability Appraisal for the Local Plan and the following policies in connection with Sidlesham: S2 - Settlement Hierarchy and Parish Housing Sites - H3. In our view, Sidlesham should be re classified as a service village in the hierarchy and allocated a modest level of development. This would improve the overall plan in terms of it performance against the 'justified' test of soundness.

**Sustainability Appraisal (SA)**

This forms part of the evidence base for the Local Plan Review. It has updated the SA prepared for the last Preferred Approach 2018 Local Plan. We note from paragraph 5.2.11 of the updated SA that the southern part of the plan area (i.e. the east west corridor and the Manhood Peninsula) is highly constrained by capacity on the A27. Detailed discussions with National Highways and WSCC, over the course of 2019-2022, have led to a resolution that there is capacity for no more than 535 dpa in this area (with a further 40 dpa in the north part of the District outside the National Park). This contrasts with the actual housing need for the area of 638dpa.

The figure of 535dpa has now been adopted for the submission Local Plan in the southern part of the plan area with no standard 10% supply buffer.

Under providing against OAN will be a matter for discussion at Examination but even accepting the 535dpa can be justified in the south part of the district we still have concerns about the housing distribution for the manhood peninsula. For instance, in order to avoid traffic impact issues on the A27, paragraph 5.2.23 of SA says this would need avoid or minimise growth on the Manhood Peninsula and weight growth to the west of Chichester. Paragraph 5.2.29 also states that growth should be limited on the peninsula because of the need to cross or join the problematic Stockbridge and Whyke A27 junctions which is an issue for private car travel and bus connectivity.

We disagree with this analysis however. 1) it does not explain why development to west of Chichester will not cause the same impacts of having to cross the A27 as suggested will occur for the peninsula; and 2) it assumes the direction of travel will always be towards Chichester. However development on the peninsula could help support local facilities already present in the area and looking in the other direction, could help support the vitality of Selsey and East Wittering as settlement hubs. 3) Development could also help the local economy on the peninsula and introduce a younger profile to the area which the SA notes has a very significant older age structure (33% of those living on the Manhood Peninsula are aged 65+).

The table B in the SA lists the developable 2021 HELAA sites (Housing and Economic Land Availability Assessment). It includes Site Ref HSI0004 at Sidlesham on page 86. Across a range of performance indicators the site scores 13 green, 4 light green, and 3 red points. Red indicates a significant negative effect; light green a positive; and green a significant positive effect.

Despite the very positive scoring of the site, it has been completely overlooked for any development because of the ranking of Sidlesham as within the 'rest of the plan area' category.

#### Policy S2 – Settlement Hierarchy

The Settlement Hierarchy background paper was prepared for the last Preferred Options Local Plan in Dec 2018. It has not been updated for the Submission Plan but provides justification for the hierarchy in Policy S2 of the Local Plan. It forms the basis for the proposed distribution of growth by distinguishing between those settlements considered to be the most sustainable having the best range of facilities and accessibility from those with the least. Most development is focused on the former and development to meet local needs or no development whatsoever on the latter. Paragraph 4.8 of the background paper includes Sidlesham in the 'rest of the plan area' least suited for development because it does 'not contain the range of facilities and services to be classified as sustainable'.

We therefore disagree with this classification and believe Sidlesham should be included as a 'service village in the hierarchy based on its population and range of available facilities.

The Councils own Settlement Capacity Profile 2013 shows Sidlesham with a population of over 1,100. This historic population is more than Boxgrove, Kirdford and Westhampnett which are all service villages in Policy 2 of this draft Local Plan.

Sidlesham has 4 employment areas at Enbourne Business Park, Walnut Tree Science Park Locks Lane, Jury Lane and the Horticultural Development Area. Community facilities include a petrol filling station with convenience store and off licence, church, recreation ground and football field with licensed bar and hall, primary school with sports hall available for wider community use, 2 other pubs (one a 'gastro pub' at Sidlesham Quay). Access to bus services are available from the B2145, 1 regular daytime bus service (51) linking to Chichester & Selsey (Most frequent daytime service, every 15 minutes). A more irregular daytime bus service (150) is on Mondays, Wednesdays and Fridays (3 daytime services in each direction).

Based on this range of facilities we therefore believe Sidlesham should be re-categorised as a service village and allocated for a modest amount of development. This would support its existing facilities and the settlement hubs of Selsey and West Wittering. A modest amount of development need not lead to critical impacts on the A27 as travel impacts would not necessarily be attracted towards Chichester.

#### Policy H3 – Parish housing Sites

We have already explained our reasons why Sidlesham should be included as a 'service village' in the hierarchy in connection with S2. Based on this revision to the hierarchy, it follows that some housing should be directed to Sidlesham. We believe a parish allocation of the order of 35-70 dwellings would be justified.

Assuming this is accepted we would point out that the 2021 HELAA Site Ref HSI0004 referred to above is still available at Greenwood Nursery Highleigh Road Sidlesham. The Council said the site was deliverable and had an identified capacity of around 35-67 dwellings. A draft layout plan is attached showing a 35 dwelling scheme. The site is outside the designated horticultural development area, within flood zone 1 (least liable to flood) and has no biodiversity or heritage interest. It is located outside the Chichester Harbour Area of Outstanding Natural Beauty. It has a footpath link to the nearby school.

The proposal would generate fewer trips (and no HGV's) compared to the existing nursery business.

#### Attachments:

Greenwood Reg 19 - <https://chichester.oc2.uk/a/sf6>

Greenwood Plan - <https://chichester.oc2.uk/a/sf7>

5793

Comment

**Document Element:** Supporting Documents, Sustainability Appraisal - January 2023

**Respondent:** Kirdford Parish Council [1875]

**Agent:** Troy Planning + Design (Troy Hayes, Managing Director) [7640]

**Summary:**

Extensive representations on SA in attachment covering lack of topic/background paper; local plan areas; data sources and inconsistencies; transport and accessibility of Kirdford; parish scenarios; detailed section on Kirdford Village; and detailed site assessments.

**Full text:**

See attachment.

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/sp8>

5794

Comment

**Document Element:** Supporting Documents, Habitats Regulation Assessment - January 2023

**Respondent:** Kirdford Parish Council [1875]

**Agent:** Troy Planning + Design (Troy Hayes, Managing Director) [7640]

**Summary:**

Extensive representations on HRA in attachment covering Ebernoe Common SAC; Appropriate Assessment - Disturbance of Bat Flight Lines; Appropriate Assessment - Atmospheric Pollution; The Mens SAC and Water Neutrality.

**Full text:**

See attachment.

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/sp8>

5362

Comment

**Document Element:** Supporting Documents, Sustainability Appraisal - January 2023

**Respondent:** Landlink Estates Ltd [1764]

**Agent:** Jackson Planning Ltd (Mrs Lisa Jackson, Managing Director) [8130]

**Summary:**

Does not test spatial land use implications for coastal retreat, deal with relocation of dwellings from vulnerable parts of Manhood Peninsula or consider allocation of climate change management area; 9.6 should plan for production of renewable energy as 3.3.1 states objective was to achieve net zero; no examination of impacts of gap designations in preventing development of critical climate adaptation development or impacts of removing BMV land within proposed wildlife corridors; re; NE14, dismissed linked pathways and impacts of relocating current settlement; not tested growth scenario at Selsey; Selsey site not considered as reasonable alternatives for dealing with coastal change management on MP, no cogent argument supporting its removal; haven't tested significant effects of not improving B2145.

The SA has not examined reasonable alternatives so that the plan reflects the sustainability objectives. It does not recognise the significant role of renewable energy in mitigation of fossil fuels and GHG increasing climate change, and this is not addressed at all under the climate change mitigation section of the SA.

**Full text:**

See attachments.

**Attachments:**

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

1. Redline Site Boundary - <https://chichester.oc2.uk/a/sjs>

3. AL12 Supporting Statement - <https://chichester.oc2.uk/a/sjt>

Email Trail - <https://chichester.oc2.uk/a/sj3>

2. Site Constraints Plan Selsey North - <https://chichester.oc2.uk/a/sj4>

4. Land Use Strategy Plan - <https://chichester.oc2.uk/a/sj5>

5. Framework Master Plan - <https://chichester.oc2.uk/a/sj6>

6. Landscape Statement Part 1 - <https://chichester.oc2.uk/a/sj7>

6a. Landscape Statement Part 2 - <https://chichester.oc2.uk/a/sj8>

8. Archeological DBA - <https://chichester.oc2.uk/a/sj9>

12. Transport Assessment - <https://chichester.oc2.uk/a/sjv>

13a. Tree Survey N - <https://chichester.oc2.uk/a/sjb>

13b. Tree Survey S - <https://chichester.oc2.uk/a/sjc>

13c. Tree Survey Schedule - <https://chichester.oc2.uk/a/sjd>

14. Soil Resource Survey-Jan 22 - <https://chichester.oc2.uk/a/sjw>

7. Built Heritage Statement - <https://chichester.oc2.uk/a/sjf>

11. Flood Risk Assessment - <https://chichester.oc2.uk/a/sjg>

9. Wintering Bird Survey 2021-22 - <https://chichester.oc2.uk/a/sjh>

10. High Level Eco App - <https://chichester.oc2.uk/a/sjx>

Final Selsey Wintering Bird Survey 2022-23 - <https://chichester.oc2.uk/a/t6f>

Changes to rep summaries - <https://chichester.oc2.uk/a/t6j>



5126

Comment

**Document Element:** Supporting Documents, Sustainability Appraisal - January 2023**Respondent:** Levanter Developments Limited (Oliver Tomalin) [8120]**Summary:**

It is not considered that the council has given full consideration to all potential environmental effects nor are the conclusions of the SA in respect of those impacts robust and logical.

It is not considered that the SA has considered adequate reasonable alternatives to growth at Southbourne which would include allocation of sites elsewhere in the village including within the AONB that can deliver in the early part of the plan period.

**Full text:**

I write in response to the regulation 19 consultation version of the Chichester Local Plan 2021-2039 in our capacity as promoters of Ansell's Yard, Kirdford Road, Wisborough Green.

**Conclusions**

There are several concerns on the soundness of the plan in terms of whether it is effective, justified, positively prepared or consistent with national policy in accordance with paragraph 35 of the NPPF.

It is not considered that the Council has justified the extent of the under supply of housing against the established housing need. There are significant concerns over the delivery of housing from the strategic allocations within the unjustified timescales as set out within the trajectory contained in the plan.

Levanter will continue to make further representations on the deliverability of the site as part of the plan making progress.

**Attachments:**

Ansell's yard - local Plan Reps - <https://chichester.oc2.uk/a/sfn>

5731

Comment

**Document Element:** Supporting Documents, Sustainability Appraisal - January 2023**Respondent:** Metis Homes [1602]**Agent:** Nova Planning (Mr Patrick Barry, Director) [1195]**Summary:**

Object to Land at Maudlin Farm, Westhampnett' - did not feature at Regulation 18 stage. SA stated Southbourne development unlikely to be deliverable in first 5 years. Planning Ref. SB/22/01283/FULEIA for 'Land at Harris Scrapyard & Oaks Farm', (discrete land parcel of proposed BLD) would provide delivery of at least 50 dwellings in period to 2026 and 103 dwellings by 2027. Southern Water have confirmed suitable foul drainage can be accommodated for the development. SA therefore incorrect as proposed development can provide early housing delivery as part of BLD.

**Full text:**

See attachments.

**Attachments:**

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

Technical Note - Paul Basham Associates - <https://chichester.oc2.uk/a/sny>

5550

Comment

**Document Element:** Supporting Documents, Sustainability Appraisal - January 2023**Respondent:** Millwood Designer Homes [7063]**Agent:** Savills (Laura Eacott, Graduate Planner) [8144]**Summary:**

**OBJECT:** Additional assessment of the developable HELAA sites is required to consider the likely effects of development.

**SUPPORT:** The SA conclusion for the Land at Anells Yard is supported. The 18 dwellings allocated at the Land at Anells yard in the WGNP should be re-allocated to a more sustainable site, such as the Land East of St Peter's Church.

**SUPPORT:** MDH supports the Sustainability Appraisal's conclusion that Wisborough Green should undergo 'significant growth' in order to meet the strategic need for houses across the district. However, Scenario 3 for the allocation of at least 125 homes is preferred as scenarios 1 and 2 do not provide 'significant growth'.

See full comments in attachment.

**Full text:**

See attachment.

**Attachments:**

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

6009

Comment

**Document Element:** Supporting Documents, Habitats Regulation Assessment - January 2023**Respondent:** Natural England (Luke Hasler, Senior Advisor) [8189]**Summary:**

[RECEIVED LATE]

**Atmospheric Pollution -** Do not agree with many of the arguments currently used to conclude No Adverse Effect on Integrity (AEOI) for the following sites: Ebernoe Common Special Area of Conservation (SAC); The Mens SAC; Butser Hill SAC; Kingley Vale SAC; Duncton to Bignor Escarpment SAC. Not saying conclusion of No AEOI is incorrect but other evidence needs to be provided to support this.

**Water Quality (including Nutrient Neutrality) - Solent sites:** in relation to proposed site allocation at Highgrove Farm and nutrient mitigation land at Chilgrove Farm, local Nutrient Neutrality (NN) lead is satisfied with approach proposed. Happy to have discussion with CDC to understand and hopefully allay any remaining concerns about the Plan's approach to NN;  
**- Pagham Harbour:** evidence still developing in relation to water quality situation at PH, may not be as simple as HRA currently makes it (stating there is no current issue with water quality and no requirement for specific mitigation). However, given Plan allocates limited (if any) development discharging to Pagham Harbour, general protection afforded by policies NE6 and NE16 may be sufficient to conclude No AEOI at this point in time.

**Loss or Degradation of Functionally Linked Habitat**

- Solent sites: functionally-linked land around Solent is well documented through Solent Wader and Brent Goose Strategy. Draft Local Plan proposes new development in four areas which potentially overlap with Solent functionally-linked land although there are no detailed site allocations at this point. Support general policy protection provided through policies NE5, NE6 and NE7 but advise wording in 'Broad Location for Development' policies for Chidham and Hambrook (A12) and Southbourne (A13) be strengthened to better reflect the mitigation hierarchy.

**Full text:**

See attachment.

**Attachments:**

HRA Advice - <https://chichester.oc2.uk/a/t53>

5973

Comment

**Document Element:** Supporting Documents, Sustainability Appraisal - January 2023**Respondent:** Obsidian Strategic [7973]**Agent:** Andrew Black Consulting (Mr Andrew Black, MD) [7597]**Summary:**

The Council has not adequately considered reasonable alternatives to growth at Southbourne through the Sustainability Appraisal as published alongside the plan which should have included consideration to the allocation of sites elsewhere in the village, including within the AONB [and including the South of the Main Road, Hermitage site] in order to deliver housing in the early part of the plan period.

**Full text:**

I write in response to the regulation 19 consultation version of the Chichester Local Plan 20212039 on behalf of my client Obsidian Strategic.

Obsidian Strategic have an interest in a site to the South of Main Road, in Hermitage, within the Southbourne Neighbourhood Plan Area. Further details in relation to the site are set out within the appendices of these representations and referred to throughout.

**Housing Requirement**

The identified housing need for Chichester District Council (CDC) as calculated by the standard method is 638 dwellings per annum (dpa). However, the local plan only seeks to provide 575 dpa or a total supply of 10,350 over the plan period (2021-2039). As result the proposed strategy represents an under supply of 1,134 over the plan period. Furthermore, the undersupply means that CDC is unable to accommodate the unmet arising from the South Downs National Park.

In recent years CDC has not been able to demonstrate a five year housing land supply nor has it delivered housing against the requirements of the Housing Delivery Test. It is therefore important that the unmet need is made up within the early part of the plan period.

Paragraph 5.2 of the plan states that the under supply is due to constraints across the district particularly the capacity of the A27.

Policy H1 (Meeting Housing Needs) sets out the housing target of 10,350 dwellings to be delivered over the plan period 2021-2039. Considering the existing commitments, allocations and permissions this gives a remaining figure without planning permission of 3,056 homes for allocation in the Local Plan.

**Strategic Allocations**

Policy H2 of the reg 19 plan sets out the following strategic site allocations which are carried forward from the 2015 Local Plan:

**\*\*Table\*\***

Table 11 of the latest Annual Monitoring Report (AMR) (produced in November 2022) show the progress of delivery from these allocations:

**\*\*Table\*\***

Table 12 of the AMR sets out the progress of the large sites towards future delivery as follows:

**\*\*Table\*\***

The Housing Trajectory as set out in Appendix E of the Local Plan shows delivery of the existing allocations as set out under policy H2. Given that the Land at Shopwyke (A7) and the Land at Westhampnett/North-East Chichester (A9) already have permission for the number of dwellings in the allocation and construction has already started, there is no objection to the predicted levels of delivery as set out in the trajectory. However, the housing trajectory sets out delivery from the Land West of Chichester (Phase 2) (A6) and Tangmere SDL as follows:

**\*\*Table\*\***

Given that neither of these sites have outline permission then the delivery of units from both sites in a little over 5 years from the adoption of the plan is considered wholly unachievable.

CDC has presented no evidence to justify how this timeframe would be achieved and it is considered that the trajectory is unreliable as a result.

The Local Plan sets out a Broad Location for Development at Southbourne which would be delivered through either the Neighbourhood Plan process or a Site Allocation DPD:

**\*\*Table\*\***

The Housing Trajectory as set out in appendix E of the Local Plan sets out the following delivery from this site:

**\*\*Table\*\***

Given that policy A13 remains as a 'broad area for development' it is not considered that there is adequate justification for the trajectory as set out. Notwithstanding the effectiveness of allocating a site in this way, an exact location for the housing is yet to be defined, nor is delivery through the neighbourhood plan/DPD confirmed (further details on this is set

out within the reps). Until a more detailed site can be defined and delivery confirmed it is not considered that CDC is able to guarantee delivery of dwellings in the housing trajectory as it has done so within the plan.

#### Non-Strategic Parish Housing Requirements

Policy H3 sets out the following housing requirements from individual parishes.

**\*\*Table\*\***

The supporting text of policy H3 sets out that if draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress the council will allocate sites for development within a development plan document in order to meet the requirements of this Local Plan.

Table 13 of AMR identifies that there has been historically poor delivery of net housing completions from parishes:

**\*\*Table\*\***

The overall strategy as set out by CDC in the plan is highly dependent on the delivery of housing from Neighbourhood Plan areas. Whilst this approach is not un-sound in itself, it is considered that the plan in its current form allows for little mitigation or alternatives should delivery not come forward in the neighbourhood plan areas.

In order for the plan to be considered positively prepared and justified it is recommended that additional wording is added to policy H3 to state that individual applications can come forward on sustainable sites outside of existing settlement boundaries in parishes should delivery not come forward within the first five years of the plan period. Priority should be given to any sites already identified within draft versions of Neighbourhood Plans.

on sustainable sites outside of existing settlement boundaries in parishes should delivery not come forward within the first five years of the plan period. Priority should be given to any sites already identified within draft versions of Neighbourhood Plans.

#### Southbourne

As set out, the Local Plan proposes a 'Broad Location for Development' at Southbourne for the delivery of 1,050 dwellings. This approach follows the withdrawal of the previously draft version of Neighbourhood Plan after it was found not to comply with basis conditions following examination in early 2022. Southbourne Parish Council is now pursuing a revised Neighbourhood Plan which has been submitted to CDC for a regulation 16 consultation. Obsidian previously responded to the regulation 14 consultation in late 2022 and these are appended to these representations.

The revised Southbourne Neighbourhood Plan does not seek to allocate any new housing allocations and instead takes a protectionist stance against any new development as an interim position whilst the Local Plan is prepared. However, once the Neighbourhood Plan is made, it would form part of the development plan for CDC. It is highly likely that a made Neighbourhood Plan in the form currently proposed by Southbourne would make the allocation of additional housing in the parish less likely rather than more likely.

The Sustainability Appraisal (SA) as prepared for the regulation 19 of the Local Plan sets out the proposed approach to Southbourne as follows:

3.1. With the decision of Southbourne Parish Council to no longer proceed with the inclusion of a strategic allocation in their neighbourhood plan, the Council considered three options for taking forward development in Southbourne, namely:

- Option 1 - redistribute the housing number elsewhere
- Option 2 - allocate a strategic site
- Option 3 - identify a Broad Location for Development

The SA goes on to set out the reason for option 1, for redistributing the housing number elsewhere, being discounted as follows:

3.2. As set out in the Housing Background Paper, the preferred spatial strategy is to focus the majority of growth at Chichester and the east west corridor, with a focus on the Settlement Hubs within the corridor. To redistribute the housing number to other parts of the plan area would not be consistent with the preferred spatial strategy nor reflective of the role of Southbourne as one of the more sustainable locations in the plan area capable of delivering strategic scale development. The ability to redistribute the number to other locations within the east/west corridor is also severely limited due to infrastructure constraints (impact on A27 junctions) or environmental restrictions (wastewater treatment capacity). For these reasons, Option 1 was discounted.

Whilst it is accepted that the redistribution of the entire requirement of 1,050 homes would be problematic, it is considered that CDC should have tested the allocation of other alternative sites such as that at Main Road, Hermitage and other suitable alternative sites.

The SA goes on to set out consideration of option 2 as follows:

3.3. In order to allocate a site in a Local Plan, it needs to have gone through a rigorous process to ensure that the Council can demonstrate that the allocated site is suitable, given reasonable alternatives, and is based on proportionate evidence. Given there is more than one site or combination of sites that could come forward as an allocation in Southbourne, a clear process setting out for why one site was chosen over another would be needed, informed by site specific technical information.

This is correct and it is therefore not accepted that an approach to allocate a broad area for development would be robust, deliverable or effective. The SA goes on to state:

3.5. The allocation of a strategic site at Southbourne would also be a significant change in approach at a late stage of the Local Plan preparation process. The additional technical evidence that would need to be undertaken to justify a Local

Plan allocation at this stage would impact significantly in terms of delay to the finalisation of the Regulation 19 Local Plan and its subsequent submission to the Secretary of State for examination. For these reasons Option 2 was discounted.

This provides further weight to the position set out within these representations that the expectation of delivery from the 'broad area' at Southbourne is overly ambitious and it is clear there is significant technical work to undertake on the delivery of homes from the allocation as part of the future plan making process.

The SA goes on to set out the justification of option 3 as follows:

3.6. The identification of a BLD is consistent with the National Planning Policy Framework (NPPF). Paragraph 68 states that for years 6 -10 of the plan, local authorities should through their planning policies identify a supply of 'specific, developable sites or broad locations for growth'.

3.7. There is no definition of 'broad locations' in national policy. It is generally taken to be an area within which housebuilding could reasonably be expected to take place based on the availability of land having regard to the Housing and Economic Land Availability Assessment (HELAA). A BLD does not have a specific geographic location or physical boundary. Areas are identified as broad locations because at that stage it is not yet possible to identify the precise boundaries of a site until further detailed site work has been done. By identifying a broad location gives flexibility and may increase the prospect of appropriate and effective growth i.e. where there is some doubt as to the most effective site boundary could prevent growth coming forward or prevent the most sustainable solution. However, a broad location might be expected to accommodate a significant amount of development; in some cases a single site may be of a sufficient size to accommodate all of the potential development or a number of sites that abut other sites may be considered together.

This is not considered a rational approach to take. Whilst there is no definition of 'broad location' within national policy it is considered that the words 'specific' and 'developable' must be taken at their basic meaning and indeed as set out in the glossary of the framework. It is not considered that the allocation of such a large area for a 'broad location' would be specific, effective or justified against the tests of soundness in the NPPF.

The allocation of Southbourne under policy A13 would represent over 10% of the total housing delivery in the plan. This is considered too significant to leave to a broad location for development.

As set out, Southbourne Parish Council is already at advanced stages of a revised Neighbourhood Plan which does not include the allocation of any of the development parcel envisaged under policy A13. In terms of delivery through the Site Allocations DPD, the timetable for this is set out within the most recent Local Development Scheme (January 2023) which sets out the following:

**\*\*Table\*\***

As set out, the housing trajectory assumes delivery of dwellings from the allocation at Southbourne in 2028/29. Given that the Site Allocation DPD would not be delivered until Winter 26/27 at the earliest, and the delivery through the Neighbourhood Plan has been discounted by the progression of a NP without the allocation, then the deliverability of any development at Southbourne remains wholly unjustified within the plan period.

The SA goes on to set out the approach to alternative sites in Southbourne Parish as follows:

4.3. The 2021 HELAA assessed 41 sites in Southbourne Parish (see Appendix 1). Of these, 18 sites were discounted because the site either had planning permission/were under construction (five sites); it was within the Chichester Harbour Area of Outstanding Natural Beauty (AONB) (eight sites); there was insurmountable access issues (two sites); it was in Flood Zone 3 (one site); or there was a legal restriction on the site use (in this case a Section 106 Agreement restricting use to open space) (two sites). These sites were not considered further for inclusion within the BLD.

The land at Main Road was one of the sites discounted due to being located in the AONB. For the reasons set out within subsequent sections of these representation, it is not considered that it was necessary to discount sites within the AONB as other councils have taken the decision to use such sites to meet housing need and not considered the AONB as an absolute constraint.

Specialist Accommodation for Older People

Para 5.41 of the regulation 19 of the Plan sets out the following:

The Housing and Economic Development Needs Assessment (HEDNA) 2022 estimates the greatest population increase in the district by 2039 to be those in age groups 75 and over. To support an ageing population there should be provision of suitable housing options for the differing needs of individuals, including:

- Sufficient adaptable and/or accessible market housing stock so that those wishing to remain in their own homes can do so as their needs change.
- Smaller homes, for those wishing to downsize, and bungalows.
- Extra care housing, for those able to live relatively independently but requiring on-site support.
- Care homes, for those needing additional support.

Table 8.1 of the HEDNA sets out the current population breakdown for separate groups over 65 and demonstrates that CDC has a significantly higher percentage in all age groups over 65 than the average in West Sussex, the South East or England:

**\*\*Table\*\***

Policy 8.12 of the HEDNA goes on to set out the need for different groups as follows:

**\*\*Table\*\***

The HEDNA sets out the following commentary in this regard:

8.41 It can be seen by 2039 there is an estimated need for between 2,131 and 2,872 additional dwellings with support or care across the whole study area. In addition, there is a need for 429-800 additional nursing and residential care bedspaces.

8.42 Typically for bedspaces it is conventional to convert to dwellings using a standard multiplier (1.80 bedspaces per dwelling for older persons accommodation) and this would therefore equate to around 238-445 dwellings.

8.43 In total, the older persons analysis points towards a need for around 2,369-3,317 units over the 2021-39 period (132-184 per annum) – the older person need equates to some 17-24% of all homes needing to be some form of specialist accommodation for older people.

Given the significant need for Specialist Housing Accommodation across the district it is vital that this is planned for adequately within the emerging Local Plan. The Planning Practice Guidance sets out why it is important to plan for housing needs of older people as follows:

The need to provide housing for older people is critical. People are living longer lives and the proportion of older people in the population is increasing. In mid-2016 there were 1.6 million people aged 85 and over; by mid-2041 this is projected to double to 3.2 million. Offering older people a better choice of accommodation to suit their changing needs can help them live independently for longer, feel more connected to their communities and help reduce costs to the social care and health systems. Therefore, an understanding of how the ageing population affects housing needs is something to be considered from the early stages of plan-making through to decision-taking.

Paragraph: 001 Reference ID: 63-001-20190626 Revision date: 26 June 2019

The PPG goes on to state how housing requirements of such groups should be addressed in plans:

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

Paragraph: 006 Reference ID: 63-006-20190626 Revision date: 26 June 2019

Policy H8 states:

All housing sites over 200 units, including those allocated in this plan, will be required to provide specialist accommodation for older people to include a support or care component. The specific type and amount of accommodation required will depend on the size and location of the site.

Proposals for specialist housing, such as homes for older people, student, HMOs or essential worker accommodation, and other groups requiring specifically designed accommodation will be supported where the following criteria are met:

- 1) There is an identified need;
- 2) It will not lead to a concentration of similar uses in an area that would be detrimental to the character or function of an area and / or residential amenity;
- 3) It is in close proximity to everyday services, connecting by safe and suitable walking / cycling routes or public transport for the intended occupier;
- 4) It can be demonstrated that the development is designed to provide the most appropriate types of support for the target resident;
- 5) It can be demonstrated that revenue funding can be secured to maintain the longterm viability of the scheme (if relevant to the type of accommodation proposed); and
- 6) The scheme is supported by the relevant agencies (if relevant to the accommodation type to be provided).

Proposals which may result in the loss of specialist needs accommodation will not be permitted unless it can be demonstrated that there is no longer a need for such accommodation in the plan area, or alternative provision is being made available locally through replacement or new facilities.

Whilst this approach goes some way to addressing the care needs it is felt that the policy lacks effectiveness and should take a far more constructive and positive approach to the provision of housing for older people.

The wide range of different housing typologies is set out within the Planning Practice Guidance as follows:

- Age-restricted general market housing: This type of housing is generally for people aged 55 and over and the active elderly. It may include some shared amenities such as communal gardens, but does not include support or care services.
- Retirement living or sheltered housing: This usually consists of purpose-built flats or bungalows with limited communal facilities such as a lounge, laundry room and guest room. It does not generally provide care services, but provides some support to enable residents to live independently. This can include 24 hour on-site assistance (alarm) and a warden or house manager.
- Extra care housing or housing-with-care: This usually consists of purpose-built or adapted flats or bungalows with a medium to high level of care available if required, through an onsite care agency registered through the Care Quality Commission (CQC). Residents are able to live independently with 24 hour access to support services and staff, and meals are also available. There are often extensive communal areas, such as space to socialise or a wellbeing centre. In some cases, these developments are known as retirement communities or villages - the intention is for residents to benefit from varying levels of care as time progresses.
- Residential care homes and nursing homes: These have individual rooms within a residential building and provide a high level of care meeting all activities of daily living. They do not usually include support services for independent living. This type of housing can also include dementia care homes.

[Paragraph: 010 Reference ID: 63-010-20190626].

It is considered that a residential care home (including housing for dementia needs) could be developed on the Land South of Main Road without causing harm to the AONB and this would provide for a clear need within the village whilst also providing employment to local workers.

#### Development in AONB

The NPPF sets out the following in relation to development in the AONB at paragraph 172 as follows:

Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development<sup>55</sup> other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest.

Consideration of such applications should include an assessment of:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated

Footnote 55 of paragraph 172 is relevant for the consideration of what is considered as major development and states: For the purposes of paragraphs 172 and 173, whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.

No evidence is set out within the Local Plan or supporting evidence base to state what is considered to be a major development site in the district. Neither the Chichester Harbour AONB: State of the AONB Report (May 2018) or the Chichester Harbour AONB Landscape Character Assessment (April 2019) contain any references to what is considered to constitute a major development.

This is a matter which has been considered at length within other Local Plan examinations. As part of the evidence for its Local Plan, the South Downs National Park sought successive legal opinions from James Maurici QC on what should be considered as 'Major Development' in the AONB and have subsequently become widely known as the 'Maurici Opinions' in other Local Plan examinations. The opinions set out the following conclusions:

- It is a matter of planning judgement to be decided by the decision maker.
- Major development is to be given its ordinary meaning, and it would be wrong to apply the definition of major development contained within the Town and Country Planning (Development Management Procedure) (England) Order 2015. It would also be wrong to apply any set or rigid criteria for defining major development, and the definition should not be restricted to development proposals that raise issues of national significance.
- The decision maker may consider whether the proposed development has the potential to cause a significant adverse impact on the purposes for which the area has been designated or defined, rather than whether there will indeed be a significant adverse impact from the proposed development.
- The decision maker may consider the proposed development in its local context as a matter of planning judgement.
- There may be other considerations but which may not determine whether a proposed development is major development. For example, if the proposed development is Environmental Impact Assessment (EIA) development.
- The ordinary sense of the word 'major' is important and the decision maker should take a common sense view as to whether the proposed development could be considered major development.

In the Mid Sussex District Council Site Allocations DPD Evidence Base there is a topic paper setting out consideration of Major Development in the AONB and concludes that several of the allocations, in some cases up to 70 dwellings, would not be classed as major development in the AONB following a detailed review of each of the factors as set out in footnote 55 of the NPPF against each proposed allocation.

It is considered that this approach should have been undertaken for each of the individual sites discounted in the Local Plan (including Main Road, Hermitage), rather than simply discounting on the sole fact that they were in the AONB.

#### Sustainability Appraisal

The legal frameworks for SAs are set out within section 19 of the Planning and Compulsory Purchase Act 2004 which states that the authority must prepare a plan with the objective of contributing to the achievement of sustainable development. Moreover, the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 states that SAs must ensure that the potential environmental effects are given full consideration alongside social and economic issues.

It is not considered that the council has given full consideration to all effects nor are the conclusions of the SA in respect of those impacts robust and logical.

Paragraph 32 of the framework goes on to state that the SA should demonstrate how the plan has addressed relevant economic, social and environmental objectives (including opportunities for net gains). Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered).

The SA sets out whether it was reasonable to explore higher growth scenarios as follows:

5.2.12 As discussed above, the PPG on Housing and Economic Needs Assessment sets out reasons for providing for 'above LHN' through local plans, referring to situations where there are "growth strategies for the area... (e.g. Housing Deals); strategic infrastructure improvements that are likely to drive an increase in [need]; or an authority agreeing to take

on unmet need from neighbouring authorities...” Also, affordable housing needs can serve as a reason for considering setting the housing requirement at a figure above LHN, with the PPG stating: “An increase in the total housing figures included in the plan may need to be considered where it could help deliver the required number of affordable homes.”

5.2.13 However, in the Chichester context there is little or no argument for exploring scenarios whereby the housing requirement is set at a figure above LHN, given the issues discussed above at paragraph 5.2.11. Unmet housing needs are a widespread issue across the sub-region, but there is no realistic potential to provide for unmet housing needs within Chichester. At the time of the Preferred Approach consultation (2018/19), the proposal was to provide for both locally arising housing needs in full and a proportion of the unmet needs arising from the SDNP (41 dpa). Also, it is noted that the SA report published as part of the consultation considered scenarios – considered to be ‘reasonable’ at that point in time – that would see the housing requirement set at figures significantly above LHN (800 dpa and 1,000 dpa were tested). However, at the current time, in light of the latest available evidence, scenarios involving setting the housing requirement at a figure above LHN can be safely ruled out as unreasonable.

It is not considered that a figure at or above the LHN would be considered unreasonable and that this matter has not been given full consideration (as per the requirements of the SA regulations), particularly in regard to the social impacts of not meeting housing need in full.

Appendix V of the SA sets out commentary in regard to Parish Scenarios. This sets out the following in relation to Southbourne (with emphasis added):

With regards to the extent of the broad location, this matter is considered fairly uncontentious (for the current purposes of arriving at reasonable growth scenarios). Specifically, the proposal is to identify an area of search that includes developable HELAA sites that relate relatively well to the Southbourne settlement edge and avoid the Strategic Wildlife Corridor associated with the Ham Brook, also naturally mindful of the need to maintain a landscape gap to settlements within Chidham and Hambrook Parish, to the east. It is important to note that the total theoretical capacity of developable HELAA sites within this broad area is far in excess of the number of homes that would need delivered under any reasonably foreseeable scenario.

The broad location provides flexibility to identify a detailed allocation either through a Site Allocations Plan or, should the Parish Council wish to do so, a revised Southbourne Parish Neighbourhood Plan. Site selection considerations will likely include: transport and access (including mindful of links to the train station and by car to Portsmouth); accessibility and community infrastructure (mindful of the secondary school, recreation ground and employment area at the western edge of the village); heritage (e.g. there is a historic rural lane to the east, associated with two listed buildings), topography and landscape (including any visual links to the SDNP and/or the AONB) and the potential to secure a strategic scheme that delivers more than just new market homes, and potentially significant ‘planning gain’ for the local community.

With regards to the number of homes that should be supported, there is logic to further exploring the scale of growth that was previously considered through the now withdrawn Southbourne NP, and it is not clear that there is an argument for considering lower growth. Additionally, there is a clear argument for exploring the possibility of higher growth, to ensure a suitably comprehensive scheme, with a high level of ‘planning gain’.

In conclusion, there are two scenarios for Southbourne Parish, namely completions, commitments and windfall plus either: 1) a broad location for 1,050 homes; or 2) a broad location for ~1,500 homes.

As set out, it is not considered that the SA has considered adequate reasonable alternatives to growth at Southbourne which would include allocation of sites elsewhere in the village including within the AONB that can deliver in the early part of the plan period.

#### Conclusions

There are significant concerns on the soundness of the plan in terms of whether it is effective, justified, positively prepared or consistent with national policy in accordance with paragraph 35 of the NPPF.

It is not considered that the Council has justified the extent of the under supply of housing against the established housing need. There are significant concerns over the delivery of housing from the strategic allocations within the unjustified timescales as set out within the trajectory contained in the plan.

The Council has not adequately considered reasonable alternatives through the Sustainability Appraisal as published alongside the plan which should have included consideration to the allocation of the site in order to deliver housing in the early part of the plan period.

The plan fails to adequately consider the need for housing for older people, given that the population over 65 across CDC is significantly in excess of the average in the county, south east and county as a whole.

CDC discounted all sites within the AONB, including the site at Main Road, Hermitage, at an early stage of the plan making process. This is not considered effective or consistent with national policy which does not class such sites as an absolute constraint. Other local authorities have allocated such sites in order to deliver the full objectively assessed needs.

ABC will continue to make further representations on the deliverability of the site as part of the plan making progress.

#### Attachments:

CDC Regulation 19 - Andrew Black Consulting - obo Obsidian - redacted - <https://chichester.oc2.uk/a/trf>



5980

Comment

**Document Element:** Supporting Documents, Sustainability Appraisal - January 2023**Respondent:** Plaistow and Ifold Parish Council (Mrs Catherine Nutting, Clerk & RFO) [7910]**Summary:**

We endorse the strategic approach to housing allocation and the proposal that Plaistow and Ifold should accommodate a maximum of 25 new dwellings on sites to be identified in a neighbourhood planning exercise. We consider this number to be properly assessed, given the capacity of this isolated rural community to support new development.

References to the evidence and conclusions of the Sustainability Appraisal, including in relation to the proposed Crouchlands Farm site within the parish, are within the attached representation document.

**Full text:**

We endorse the strategic approach to housing allocation and the proposal that Plaistow and Ifold should accommodate a maximum of 25 new dwellings on sites to be identified in a neighbourhood planning exercise. We consider this number to be properly assessed, given the capacity of this isolated rural community. In anticipation that responses to the Regulation 19 consultation may raise alternatives to the strategy, we wish to make further points to explain why we consider its approach to be justified.

THIS IS A SUMMARY OF THE PARISH COUNCIL'S COMMENT - PLEASE REFER TO THE SUPPORTING DOCUMENTS FOR FULL DETAILS THANKYOU

**Attachments:**

Plaistow and Ifold Parish Council\_CLP Reg 19\_Appendix \_Prestige Alternative Finance Impairment document.pdf - <https://chichester.oc2.uk/a/s5t>

Local Plan Reg 19 Consultation Response\_Plaistow and Ifold Parish Council \_Redacted - <https://chichester.oc2.uk/a/trg>

4637

Comment

**Document Element:** Supporting Documents, Sustainability Appraisal - January 2023**Respondent:** Premier Marinas Limited [7981]**Agent:** CBRE Limited (Mr Andy Pearce, Senior Planner) [7980]**Summary:**

Premier have no specific comment but highlight the importance of CDC demonstrating that the various Sustainability Appraisals prepared at each consultation stage have directly informed the Local Plan and spatial development strategies, addressed relevant economic, social and environmental objectives (including opportunities for net gains) and avoided adverse impacts where possible and satisfies the relevant legal requirements in accordance with paragraph 32 of the NPPF. Premier note the Sustainability Appraisal (SA) of the Chichester Local Plan: SA Report (January 2023) appears to avoid adverse impacts at this Regulation 19 plan-making stage.

**Full text:**

Premier have no specific comment but highlight the importance of CDC demonstrating that the various Sustainability Appraisals prepared at each consultation stage have directly informed the Local Plan and spatial development strategies, addressed relevant economic, social and environmental objectives (including opportunities for net gains) and avoided adverse impacts where possible and satisfies the relevant legal requirements in accordance with paragraph 32 of the NPPF. Premier note the Sustainability Appraisal (SA) of the Chichester Local Plan: SA Report (January 2023) appears to avoid adverse impacts at this Regulation 19 plan-making stage.

**Attachments:**

Chichester\_Local\_Plan\_2021-2039\_Representations\_Final 16.03.2023 redacted - <https://chichester.oc2.uk/a/sgk>

5386

Comment

**Document Element:** Supporting Documents, Sustainability Appraisal - January 2023**Respondent:** Reside Developments Ltd [8133]**Agent:** Henry Adams LLP (Peter Cleveland, Head of Planning) [6827]**Summary:**

The SA does not demonstrate that reasonable alternatives have been considered, nor any scenarios where CDC would meet its own need, or where it would exceed need (which is relevant given unmet need arising across boundaries).

**Full text:**

1 Introduction

1.1 This representation provides a response to the Regulation 19: Local Plan Consultation on behalf of our client Reside Developments Ltd. The submission covers the general principles of the Local Plan, but has a focus on Land at Herons

Farm, Kirdford, which is in our clients control. The land is shown on the attached location plan included at Appendix 1 and hereon referred to as the site.

1.2 This representation will provide a written responses in relation to the Regulation 19 Local Plan Consultation which directly relate to the promotion of our client's land for future development.

## 2 Comments on Specific Questions/Tests

2.1 In response to the national planning legislation, this Regulation 19 Local Plan Consultation invites comments on three specific questions, and is the final consultation phase, before the Regulation 19 version of the Local Plan is submitted for Examination.

2.2 This representation will respond on these specific questions, and then highlight how our client's site could help fulfil the full housing requirement for the District. This could be through an allocation within the Council's Local Plan, or as currently proposed, through a Neighbourhood Plan allocation.

Is the plan 'sound'?

2.3 Paragraph 35 of the National Planning Policy Framework defines the tests for soundness which requires the plan to be positively prepared, justified, effective and consistent with National Policy. These matters will now be considered in further detail in relation to the current consultation on the Regulation 19 version of the Local Plan.

Is the plan positively prepared and justified?

2.4 Policy S1 of the Draft Local Plan sets out the spatial development strategy for the District and how the Council will achieve sustainable growth over the plan period and Policy H1 sets out the housing target in response to the strategy. Both policies have been informed by the Sustainability Appraisal (SA) dated January 2023 and the Plan objectives, which are set out at paragraph 2.5.2 of the SA and the Council's HEDNA (April 2022).

2.5 The SA then goes on to discuss the potential growth scenarios and confirms two points:

- i. Standard method housing figure for Chichester (excluding SDNP) is 638 dwellings per annum, or 11,484 in total over the Plan period
- ii. The above figure is capped at 40% above the baseline need and that the uncapped figure is significantly higher than this at 884 dwellings per annum (dpa)

2.6 Of particular note is that point ii. above seeks to cap the overall housing increase by no more than 40% above the previously adopted LP housing figure of 435 dpa. The Local Plan then goes on to constrain housing numbers due to an alleged capacity concern along the A27 strategic road network. The Council therefore result in a constrained housing figure by virtue of the standard method 'steps' and also due to infrastructure capacity. It should be noted that the 435 dpa figure within the 2015 Local Plan was similarly constrained and an early review was the only basis for accepting this reduced housing figure. This early review did not take place.

2.7 In terms of the influence of the A27, this is the key matter that constrains growth within the southern part of the District. This is based on the evidence base documents that state that the road network cannot accommodate an annual housing figure of more than 535 dpa. This is a fundamental point and one that is not agreeable as we believe there is capacity to accommodate at least the local housing need within the highway network, alongside potential improvements identified for the following reason.

2.8 The Transport Study (January 2023) is the key document on which the Council rely upon to constrain their housing figure to 535 dpa. On review of this document, it is clear that the Council's consultants undertook a sensitivity analysis as to whether the core scenario that supports the 535 dpa position in the local plan could accommodate a higher level of growth. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study appears to be that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa core test, with some additional, and as yet undesigned and not costed, mitigation works beyond those highlighted for the Bognor and Fishbourne roundabouts.

2.9 Accordingly, the Council's own evidence base has undertaken the assessment and concluded that a higher growth figure could be accommodated on the A27, subject to appropriate improvement works. Given the testing of the higher growth figure, which appears to accommodate the higher growth figure, the exceptional circumstances to constrain growth, as set out at paragraph 60 on the NPPF do not exist and the Plan could be considered unsound on this point alone.

2.10 As a result of the above, the SA does not consider a scenario where the Council would meet its local housing need, nor a scenario where it exceeds its local housing need, which is of relevance given the scale of development expected for adjoining authorities, including the highly constrained SDNP area.

2.11 It should also be noted that the draft Plan does not therefore address any need in relation to unmet need of neighbouring authorities and it does not contain evidence to suggest that these matters have been discussed with the adjoining Authorities. Notably, Arun District Council have confirmed that they will be objecting to the Plan and currently proposed on the basis that they have a significant housing need themselves. This is likely to be further influenced by unmet need from Chichester, who again are seeking to constrain housing requirements, which was the case in 2015 and the subsequent knock on from that was for Arun to address some of that need in their 2018 Local Plan.

2.12 Given that we do not accept that the A27 capacity matters present a ceiling in terms of housing delivery (based on the Council's Transport Study comments and that of its own consultants), it is not accepted that the Plan and associated SA demonstrates reasonable alternatives have been considered and it is not therefore positively prepared, nor is their approach to housing figures justified.

Effective?

2.13 On the basis of the 535 dpa figure, it is considered that the selected areas for growth and figures are deliverable over the Plan period, however, as set out above, the plan area could accommodate a greater level of growth.

2.14 It should also be noted that the Plan relies on the delivery of Neighbourhood Plan and / or small site allocations DPD. This is set out under Policy H3 in the draft document. This states the following in terms of delivery: 'If draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress the council will allocate sites for development within a development plan document in order to meet the requirements of this Local Plan.'

2.15 The above is not precise and does not provide any clear timetable for delivery within the Plan period. Whilst the strategy in the comments above could be effective, the Local Plan needs to give a clear timescale for completion of the supplementary Development Plan documents in order to give a clear timescale for this to be completed.

Is the plan consistent with National Policy?

2.16 On the basis of the comments above, the approach to selected sites for allocation based on the 535 dpa figure is considered to be consistent. However, due to the lack of evidence to demonstrate this, the 535 dpa figure should be capped. Given the A27 capacity points raised, the draft Plan does not appear to meet the exceptional circumstances allowed for at paragraph 61 of the NPPF to justify their alternative approach. The Plan as proposed is therefore inconsistent with NPPF when read as a whole.

### 3 Approach to development in Kirdford

#### Overview

3.1 The Draft Local Plan defined Kirdford as a service village, which benefits from some local facilities and services including a village hall, a local shop and two pubs. The village has been allocated 50 units within the draft local plan and is therefore suitable for a quantum of growth. The Sustainability Appraisal (SA) identifies Kirdford as a village with some facilities, albeit that due to the absence of a school, these are limited. The SA notes that the delivery of community infrastructure would be required to accommodate any quantum of housing, our client's land provides ample opportunities to provide this infrastructure alongside housing. The HELAA identifies a number of sites which could come forward through the Neighbourhood Plan process.

#### Sustainability Appraisal

3.2 Section 5.4 of the SA states that it is important to consider each of the settlements within the plan area, and explore reasonable growth scenarios. 5.4.2 continues this, stating that there is a clear need to explore a wide range of growth quantum scenarios in the northeast plan area.

3.3 The Sustainability Appraisal addresses the constraints of this area in terms of its rural locality, unsustainable travel patterns and achieving water neutrality. 5.4.7 sets out that there are three reasonable growth scenarios for each of the four Parishes in the Northeast plan area, if the option of a new settlement at Crouchlands Farm is ruled out as unreasonable. 5.4.8 states there is a strong argument to suggest that this option is unreasonable, nevertheless, it has been deemed appropriate to take the option forward to consideration. Within the SA, the Council justifies their approach which comprises a blend between Scenario 1 and Scenario 2 as described below:

- ☒ Scenario 1 – Lower growth scenario across all parishes – This would relate to an allocation of 50 units to Kirdford.
- ☒ Scenario 2 – Higher growth scenario across all parishes – This would relate to an allocation of 150 units to Kirdford.

3.4 The SA sets out that it is fair to rule-out the lowest growth scenario for Kirdford (growth at committed sites only). The SA also sets out there is an argument for ruling out the highest growth scenario (300 homes) as unreasonable, as Kirdford is poorly connected and does not benefit from a primary school. The SA sets out three growth scenarios

following the above. These scenarios relate to 50 homes, 150 homes, and 300 homes.

3.5 A blended approach for Parishes within the Northeast plan area has been supported within the SA, attributing the Scenario 1 model (lower growth) to Kirdford.

3.6 The reasoning given by the Council for attributing the lower growth figure to Kirdford relates to the unsuitability of the northeast plan area as a whole, including unsustainable travel patterns, risks to achieving water neutrality and settlement specific concerns relating to the potential impacts of growth of Kirdford.

3.7 Whilst these concerns raised within the SA and those regarding the existing infrastructure of the village are noted, we believe that the need to support the growth of existing villages, and the ability of development to create and enhance infrastructure should be afforded weight when considering the housing numbers attributed to the village.

3.8 The SA raises concerns surrounding the HELAA options towards the North of the village. This is mainly due to the connectivity to the village and road network, and environmental concerns. These concerns will be addressed later in this representation.

3.9 It should be noted more broadly that higher growth scenarios can provide more significant community infrastructure enhancements to the area.

#### 4 Suitability of Site

##### Site Description

4.1 Our client's land is located to the North of the main settlement of Kirdford, which is situated in the northeast of the District. The plan submitted alongside this statement includes land edged in red, to be considered for housing/community uses, and land in blue for biodiversity enhancements. For ease of reference, the red area has been split into Area A, Area B and Area C, which correspond to the split of the site in the HELAA. The site is connected to Kirdford by Footpath 610 and 606. As mentioned previously, the site was previously submitted to the Council's call for sites and is included in the most recent HELAA.

4.2 The Southernmost part of our client's land is annotated as Area A on the drawing included at Appendix 1 (HELAA reference HKD0007). The site was considered to be potentially suitable, subject to detailed consideration of access, and heritage impact. We believe that through well considered design, there is clear potential for development on this parcel as the site is well connected to the P.R.O.W and local transport network. Footpath 606 runs along the Northern boundary of the site, and Footpath 610 runs along the Western boundary of the site which provide access to the main settlement of the Kirdford. The access track to Heron's Farm is adjacent to the Eastern boundary of the site. Whilst the concerns relating to connectivity are noted, we believe there is strong evidence to suggest the site is well connected to the settlement, and there are achievable technical solutions to access.

4.3 The central parcel of our client's ownership is annotated as Area B on the drawing included at Appendix 1 (HELAA reference HKD0009). The site has been considered potentially suitable subject to consideration of access and landscape matters. The site is immediately adjacent to the established residential development at Bramley Close, and an allocated site with planning permission (HELAA reference HKD0002). We are of the view that there are technical solutions to access at the site, which can be explored as part of our 'next steps'. Footpath 610 provides pedestrian links to the main settlement. Further to this, we are of the view that development of this site to the North of the settlement appears as a natural continuation of Kirdford. This is due to the presence of the adjacent site to the West, the sports pitches to the North, and the shaping of the existing woodland. Initial landscaping works have been completed, and it has been concluded that appropriate landscape-led masterplanning, and green infrastructure plans can be provided as part of any prospective development, which would allow the landscape characteristics of the site and its locality to be retained and enhanced. The site provides an opportunity to introduce a new landscape framework within the parcels and enables any proposed development to sit within a treed landscape. Further works for the site would look to come forward following liaison with the Parish Council, which could include further landscaping evidence.

4.4 The Northernmost parcel is annotated as Area C on the drawing included at Appendix 1 (HELAA reference HKD0011). The site was deemed to be potentially suitable for residential development subject to considerations of access. As set out previously within this statement, the site has potential vehicular and pedestrian links to the settlement, and the wider transport network. We feel there are multiple technical solutions to achieving access to the site.

4.5 Whilst noted that in order to ease the consideration of the site, it is necessary to divide the site into sections, we are of the view that our clients land should be looked at more strategically. The SA sets out that the delivery of community infrastructure would be required to accommodate any quantum of housing and we would look to provide this within our clients ownership. The

provision of this infrastructure will be subject to consultation with the Parish Council and local occupiers to understand what community infrastructure would be sought for the area. Further, the parcels provide an opportunity to introduce a new landscape framework and enables any development to sit within a treed landscape. The land within our client's control is considered to have potential to accommodate a quantum of up to 200 dwellings, including provision for selfbuild units.

4.6 The area outlined in blue is put forward as land for biodiversity enhancement, which could be delivered as part of any application.

#### Sustainability

4.7 The site is suitably located to deliver a host of benefits to the local area and help achieve objectives of the northeast of the District, without harm to the key attractions for visitors, the setting of the National Park, or the rural character of the locality.

#### Water Neutrality

4.8 One of the constraints of the north-east of the District is the requirement is for all new development to meet water neutrality, to ensure that any new it does not impact further on the habitat site comprising the Arun Valley Special Area of Conservation (SAC) or the Arun Valley Special Protection Area (SPA) & Ramsar site, in terms of groundwater abstraction within the Sussex North Water Supply Zone. It is anticipated that further advice and a mitigation strategy will be created by the Council and its partners to demonstrate how developments can achieve water neutrality. However, at present applicants are required to provide a water neutrality strategy to demonstrate how the development can achieve water neutrality.

4.9 To provide the Council with reassurance that the site is deliverable despite this constraint, it should be noted that our client has worked on other sites with this constraint, and has developed approved strategies in this instance to mitigate development.

#### 5 Conclusion

5.1 Whilst we understand the approach the Council has taken in terms of the selection of sites to meet the 535 dpa figures, we consider that the Plan area is capable of accommodating a greater housing quantum. This will facilitate development and help villages in particular to flourish and meet the objectives of the Local Plan. The Council have failed to provide sufficient justification for not meeting its housing need in full and have not suitably considered unmet need from adjoining authorities. The latter is particularly relevant given constraints of the SDNP. The Council's position of growth is predicated on the basis of the A27 not having sufficient capacity to accommodate a higher growth of 535 dpa. Its own evidence base (Transport Study 2023) contradicts this position and therefore the Council should at least be meeting their local housing need and also considering what part it can play with meeting unmet needs for the adjoining authorities.

5.2 Our clients land is well placed to assist in the delivery of a sustainable expansion of Kirdford, and deliver both much needed housing within the north-eastern plan area, but also provide highquality infrastructure within the area. The allocation of a greater quantum of housing to the village will support the vitality, and viability of services and facilities within the Northern villages.

5.3 At present, the Plan fails to be positively prepared and is inconsistent with the NPPF. On the basis that the Council don't reconsider their position, we wish to be present at the relevant Examination hearings to represent our clients' interests and further discuss the views set out in this submission. Our next steps will include liaison with the Parish Council in order to best understand what they would like to see from development proposals within the area.

#### Attachments:

Reside Dev., Kirdford - Representation - March 2023 - Final.pdf - <https://chichester.oc2.uk/a/sjz>

4838

Comment

**Document Element:** Supporting Documents, Sustainability Appraisal - January 2023**Respondent:** Rydon Homes Limited [1499]**Agent:** DMH Stallard LLP (Mr Mark Walker, Planner) [7918]**Summary:**

The Sustainability Assessment (SA) assessed the 9 suitable HELAA sites but only tested one scenario of 50 homes for Boxgrove Parish. We think that this is inadequate. The SA states that there are 'broad strategic arguments for directing a proportion of growth to this area (e.g nutrient neutrality and waste water treatment). However, the SA also states that there are limitations to potential residential growth in Boxgrove, outlining how the village is 'distanced from a railway station and there is an extensive Conservation Area, including the ruins of Boxgrove Priory, alongside a Grade 1 Listed Parish Church'.

**Full text:**

The Sustainability Assessment (SA) assessed the 9 suitable HELAA sites but only tested one scenario of 50 homes for Boxgrove Parish. We think that this is inadequate. The SA states that there are 'broad strategic arguments for directing a proportion of growth to this area (e.g nutrient neutrality and waste water treatment). However, the SA also states that there are limitations to potential residential growth in Boxgrove, outlining how the village is 'distanced from a railway station and there is an extensive Conservation Area, including the ruins of Boxgrove Priory, alongside a Grade 1 Listed Parish Church'.

Overall, we feel that the broad strategic arguments identified in the SA for directing growth to Boxgrove Parish can be accommodated for a greater number of homes than the 50 homes proposed. The 9 HELAA sites, already identified earlier on in this Consultation response, have a combined total of 610 residential plots and are:

- Located outside the Nutrient Neutrality Requirement Zone.
- Located outside the Water Neutrality Zone.
- Located outside the proposed Strategic Wildlife Corridors.
- Located outside Strategic Flood Zones.
- Located outside Groundwater Source Protection Zones.
- Well served by principal Highway Networks.
- Well served with proposed additional educational capacity.
- Well served with adequate wastewater capacity (please see below for details).
- Lastly, the landscape capacity of Boxgrove Parish has potential to accommodate additional housing growth.

Overall, we feel that the Plan has the potential to accommodate a strategic level of growth within Boxgrove Parish of between 200 – 600 new homes. This is significantly more than the 50 new homes proposed within the current Reg 19 Submission Draft.

**Attachments:**

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

5976

Comment

**Document Element:** Supporting Documents, Sustainability Appraisal - January 2023**Respondent:** Tanglewood Residences Limited [7976]**Agent:** Andrew Black Consulting (Mr Andrew Black, MD) [7597]**Summary:**

It is not considered that the SA has considered adequate reasonable alternatives to growth at Southbourne which would include allocation of sites elsewhere in the village including within the AONB that can deliver in the early part of the plan period

**Full text:**

See attached representation.

**Attachments:**

CDC Regulation 19 - Andrew Black Consulting - obo Tanglewood Residences - March 2023 - Final redacted - <https://chichester.oc2.uk/a/sxb>

6266

Comment

**Document Element:** Supporting Documents, Sustainability Appraisal - January 2023**Respondent:** The Brooks Family [8117]**Agent:** Henry Adams LLP (Mrs Dawn Appleton, Senior Planner) [8118]**Summary:**

SA does not consider a scenario where the Council would meet its local housing need, nor a scenario where it exceeds its local housing need, which is of relevance given scale of development expected for adjoining authorities, including the highly constrained SDNP.

**Full text:**

See attached representation.

**Attachments:**

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

4790

Comment

**Document Element:** Supporting Documents, Sustainability Appraisal - January 2023**Respondent:** Wates Developments and Seaward Properties [8052]**Agent:** Barton Willmore now Stantec (Mr Oli Haydon) [8051]**Summary:**

The consortium maintains that the proposals for Southbourne should allow for c1,250 dwellings to be constructed, in line with the position accepted by the Neighbourhood Planning group and, in principle, the plan Examiner.

**Full text:**

We broadly support the assessment within the SA regarding the strategic argument for directing a good proportion of growth to Southbourne through the local plan, i.e., a good proportion of ~2,450 home target figure that is arrived at by deducting supply from completions (658 homes), commitments (5,476 homes), windfall (595 homes) and new supply from Chichester Parish (450 homes) from the 9,630 target figure for the southern plan area.

The consortium maintains that the proposals for Southbourne should allow for c1,250 dwellings to be constructed, in line with the position accepted by the Neighbourhood Planning group and, in principle, the plan Examiner. The SA reiterates this point, stating that:

“with regards to the number of homes that should be supported, there is logic to further exploring the scale of growth that was previously considered through the now withdrawn Southbourne NP, and it is not clear that there is an argument for considering lower growth. Additionally, there is a clear argument for exploring the possibility of higher growth, to ensure a suitably comprehensive scheme, with a high level of ‘planning gain”.

The SA explores a number of growth scenarios for Southbourne, either with a base of 1,050 homes or 1,500 homes. The SA scored scenario 5 (Scenario 5 – Scenario 1 plus higher growth at Southbourne, 1500 homes) highest under most topic headings including accessibility, environmental quality, climate change mitigation, community, health, historic environment and landscape.

In terms of the assessment of a scheme to the west of Southbourne, the SA rightly acknowledges the lack of the same level of masterplanning effort. A scheme of a similar size to that proposed in the emerging plan would highly likely lead to a consolidation of the village of Southbourne and Emsworth due to the limited dimensions of the land and constraints from the A27 to the north. The SA advises that a split of growth to the east and to the west would potentially result in sub-optimal outcomes in terms of securing community infrastructure benefits / planning gain to the benefit of the village as a whole, a key element of the scheme to the east. The masterplan prepared for land to the east of Southbourne seeks to deliver the visionary green ring around Southbourne, protecting it from cohesion with the two settlements of Nutbourne and Hambrook further to the east.

In terms of community building, higher growth at Southbourne feasibly leads to related benefits over-and-above those already discussed within the SA. We feel that the SA doesn't go far enough to explore the potential for genuine community building and the more abstract side of the proposed strategic developments. Development east of Southbourne would contribute a significant benefit to the community and village through the delivery of a community hub, primary school and shared, co-working office space which could support both new and existing residents, therefore having benefit for the village as a whole. The central location of this facility, which could be delivered with relationship to the Green Ring, would ensure the accessibility for all within the community.

**Attachments:**

27783 A5 Regulation 19 Repls Final w Appendices.pdf - <https://chichester.oc2.uk/a/s96>

6078

Comment

**Document Element:** Supporting Documents, Sustainability Appraisal - January 2023

**Respondent:** Welbeck Strategic Land IV LLP [7970]

**Agent:** Mrs Sarah Hufford [7969]

**Summary:**

It is acknowledged within the Sustainability Appraisal (January 2023) that there is clear support for development on the Manhood Peninsular, because there is not a requirement for nutrient neutrality (affecting much of the East-West corridor). As noted under Policy S1, it is also considered that the data underpinning the SFRA (December 2022) is believed to be flawed and that there is capacity for development at the settlement of East Wittering accordingly. For the SA to exclude one of the most sustainable settlements in the District is considered 'unjustified' particularly when based on this flawed data.

**Full text:**

Whilst we acknowledge that Chichester District Council is positively attempting to address housing need within the District, we object to proposed plan area total of 10,359 dwellings and point out that this figure is too low when compared to the data provided within the HEDNA (April 2020). The objectively assessed housing need (OAHN) of 638 dwellings per annum should be met in full, particularly given the significantly higher medium house prices in Chichester, also set out within the HEDNA. Failing to meet the OAHN will lead to heightened problems of affordability and over-occupation within the District. It is therefore considered that the policy is not 'positively prepared'.

It is also objected to on the basis that there is no firm allowance made for meeting the requirements of the South Downs National Park, which would be an additional 125 dwellings per annum in line with the HEDNA. It is therefore considered that the housing provision for 2021 – 2029 should be based on 763 dwellings per annum or a total of 13,734 dwellings. The Policy is therefore not 'positively prepared' in this regard unless such provision is made.

The supporting text for Policy H1 reads:

'constraints, particularly the capacity of the A27 has led to the council planning for a housing requirement below the need derived from the standard method of 525 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'

Whilst acknowledging the ongoing delays to plans to upgrade the A27, objection also arises from the unbalanced nature of the strategy, which places 84% of housing growth within the east-west corridor, thereby focusing housing on the area of greatest transport infrastructure constraint. A more balanced spatial approach should be adopted with more land allocated within the South of the District, adjacent to Settlement Hubs, which would put less pressure on the A27.

The Preferred Approach version of the Local Plan included moderate growth for the Manhood Peninsula for 600 dwellings, including at the Settlement Hub of East Wittering for 350 dwellings (but within the Parish of West Wittering). As noted under objections to Policy S1, it is considered that the Manhood Peninsula, and the settlement of East Wittering in particular, can accommodate future, modest growth.

It is also acknowledged within the Sustainability Appraisal (January 2023) that there is clear support for development on the Manhood Peninsular, because there is not a requirement for nutrient neutrality (affecting much of the East-West corridor). Development would also support services which need to be bolstered in view of the significantly more elderly population here.

As noted under Policy S1, it is also considered that the data underpinning the SFRA (December 2022) is believed to be flawed and that there is capacity for development at the settlement of East Wittering accordingly. For the SA to exclude one of the most sustainable settlements in the District is considered 'unjustified' particularly when based on this flawed data.

Currently, the housing figure for the Manhood Peninsula is 963 dwellings and relies on existing commitments and windfalls only (apart from 50 dwellings at North Mundham). When annualised this provides only 53 additional dwellings per annum over the plan period which is not sufficient to meet the housing needs of this area. The reason for allocating North Mundham over more sustainable settlements in the Peninsular appears to be the incorrect assumptions on flood risk noted above.

Therefore, in terms of future growth it is considered for the reasons set out under Policy S1 that growth should be included within the Manhood Peninsular, at the previous level of 600 dwellings. Accordingly, this means that the broad spatial distribution of housing within the Manhood Peninsular should be at least 1,563 dwellings and not 963 dwellings as indicated.

We argue that to prepare a 'justified', 'effective' and 'consistent' Local Plan, the District needs to increase the housing provision within the Manhood Peninsular (in particular at the Settlement Hub of East Wittering) and provide for new allocations in addition to existing commitments.

**Attachments:**

P2020 Regulation 19 Repls Land West of Church Road FINAL 231603.pdf -

<https://chichester.oc2.uk/a/s7h>

P2020 Appendix B Appeal Southern Portion.pdf - <https://chichester.oc2.uk/a/s7x>



4932

Comment

**Document Element:** Supporting Documents, Sustainability Appraisal - January 2023**Respondent:** Willowfield Farm (Mr Thomas Procter, Director) [8063]**Summary:**

There are significant errors with pages 96-97 of this document not least the incorrectly coloured map which shows HBO0003 as discounted when it has been identified as developable in the HELAA. This and other incorrect data have been carried forward elsewhere and led to the incorrect (unsound) singular allocation to Highgrove which should have been split over the two sites. HBO0023 is also incorrect

**Full text:**

There are significant errors with pages 96-97 of this document not least the incorrectly coloured map which shows HBO0003 as discounted when it has been identified as developable in the HELAA. This and other incorrect data have been carried forward elsewhere and led to the incorrect (unsound) singular allocation to Highgrove which should have been split over the two sites. HBO0023 is also incorrect

**Attachments:** None

6189

Comment

**Document Element:** Supporting Documents, Sustainability Appraisal - January 2023**Respondent:** Willowfield Farm (Mr Thomas Procter, Director) [8063]**Summary:**

The SA's that have been undertaken appear to be have been done to fit the proposed site allocations not vice versa. Sites that seem to have a better sustainability appraisal seem to have been ignored/modified/rejected for no apparent reasons or weighting has not been given to sustainable items such as distance from transport hubs and ability and propensity to offset/mitigate environmental factors have been ignored. I refer specifically to the HighGrove and French Gardens sites in the Bosham section.

**Full text:**

The SA's that have been undertaken appear to be have been done to fit the proposed site allocations not vice versa. Sites that seem to have a better sustainability appraisal seem to have been ignored/modified/rejected for no apparent reasons or weighting has not been given to sustainable items such as distance from transport hubs and ability and propensity to offset/mitigate environmental factors have been ignored. I refer specifically to the HighGrove and French Gardens sites in the Bosham section.

**Attachments:** None