

Examination of the Chichester Local Plan 2021-2039

Inspectors: P Lewis BA(Hons) MA MRTPI, J Ayres BA Hons, Solicitor

Programme Officer: Kerry Trueman, Programme Officer Solutions Ltd

Email: [programmeofficer@chichester.gov.uk](mailto:programmeofficer@chichester.gov.uk) Phone: 07582 310364

Examination web pages: <https://www.chichester.gov.uk/localplanexaminationtimeline>

---

## **INSPECTORS' MATTERS, ISSUES AND QUESTIONS**

1. We are P Lewis and J Ayres, Inspectors appointed by the Secretary of State on 24 May 2024 to examine the soundness of the Chichester Local Plan 2021-2039: Proposed Submission (Regulation 19) (the Plan), which was published for consultation in February 2023, and whether it meets the requirements of the Planning and Compulsory Purchase Act 2004 (the Act) and associated Regulations.
2. Our examination of the Plan commenced with our appointment and to date we have undertaken initial reading of the Plan, and the evidence base documents and representations, following which we posed a number of initial questions to the Council. Our correspondence and the Council's responses are published on the examination website.
3. In drafting this document, we have had regard to the Council's responses to our initial questions. We also draw attention to the updated evidence base documents provided by the Council on submission of the Plan. We advise you to read these and the Council's further submissions in preparing responses to our questions.
4. We have now identified the matters and issues and pose our questions in this document upon which we invite your response.
5. Please read and be familiar with the accompanying Inspectors Guidance Note which sets out important details of the organisation and conduct of the examination and the hearings, and regarding the preparation of hearing statements. We shall assume that the Guidance Note has been read by participants at the hearings.
6. It may be that some of the questions set out in this document will be answered in written statements. Consequently, we will not need to consider them further at the hearings as we would have sufficient information. The scope of specific hearing sessions will be confirmed in the agendas published on the examination website. It is important to note that written representations and oral representations carry the same weight, and we will have equal regard to views put at a hearing or in writing. Representors

should only address those matters, issues and questions relevant to their original representations.

7. Any reply to our questions should be in accordance with the guidelines set out in the Guidance Note and should be sent electronically to the Programme Officer by **5.00 pm on Friday 13 September 2024**. It is expected that hearing statements will only be submitted electronically.
8. Only those who have made representations seeking to change the Plan have a right to appear before, and be heard by, the Inspectors. If you have a right to be heard, and you wish to exercise that right, you should contact the Programme Officer by **5.00 pm on Friday 30 August 2024** indicating the appropriate Matter and the session you wish to attend (see the draft Programme). You need to do this regardless of what you may have indicated on the representation form. Please note that if you do not contact the Programme Officer by that date, it will be assumed that you do not wish to appear and be heard, and you will not be listed as a participant.
9. In this document we present our MIQs as follows.

Page 3 Matter 1: Procedural/legal requirements

Page 4 Matter 2: Strategic Policies

Page 4 Matter 3: The Spatial Strategy

Matter 4: The presumption in favour of sustainable development

Page 5 Matter 4A: Transport

Page 7 Matter 4B: Employment and economy

Page 10 Matter 4C: Housing

Page 14 Matter 5: Other policies

Page 22 Matter 6: Area Policies and Allocations

## **Matter 1: Procedural/legal requirements**

### **Issue: Whether all Statutory and Regulatory requirements have been met?**

#### **Duty to Cooperate**

- Q.1 Is there clear evidence that the Council has engaged constructively, actively and on an ongoing basis with neighbouring authorities and prescribed bodies in accordance with section 33A of the 2004 Act in respect of strategic matters with cross-boundary impacts considered through the preparation of the Plan?

#### **Sustainability Appraisal**

- Q.2 Is the Sustainability Appraisal (SA) adequate and have the legal requirements of the 2004 Act and the Town and Country Planning (Local Planning) (England) Regulations 2012 (2012 Regulations) been met?
- Q.3 Is the SA sufficiently clear as to how reasonable alternatives have been considered and compared through the various stages in plan making?

#### **Habitats Regulations Assessment**

- Q.4 Has the Habitats Regulations Assessment (HRA) been undertaken in accordance with the Conservation of Habitats and Species Regulations 2017?
- Q.5 Natural England disagree with the HRA's conclusion that adverse effects on the integrity of the Mens SAC can be ruled out through the impact pathway of increased ammonia. What, if any measures would be sufficiently certain to be used as mitigation in this regard?
- Q.6 What implications, if any, would any such mitigation measures have for the Plan?

#### **Local Development Scheme**

- Q.7 Is the Plan compliant with the Council's Local Development Scheme (LDS) in terms of its form, scope and timing?

#### **Community Involvement**

- Q.8 Has the Council complied with the requirements of section 19(3) of the 2004 Act with regard to conducting consultation in accordance with the Statement of Community Involvement?

#### **Climate Change**

- Q.9 Are the policies of the Plan designed to secure that the development and use of land contribute to the mitigation of, and adaptation to, climate change in accordance with Section 19(1A) of the 2004 Act?

#### **Equalities**

- Q.10 In what way does the Plan seek to ensure that due regard is had to the three aims expressed in s149 of the Equality Act 2010 in relation to those who have a relevant protected characteristic?

## **Superseded Policies**

- Q.11 Is the Plan clear in identifying the policies of the existing development plan which would be superseded by the Plan consistent with Regulation 8(5) of the 2012 Regulations?

## **Matter 2: Strategic Policies**

**Issue: Whether the strategic policies of the Plan would look ahead over a minimum of 15 years from adoption as per paragraph 22 of the National Planning Policy Framework (NPPF)?**

- Q.12 The strategic policies of the Plan would cover the period 2021 to 2039. Given the anticipated adoption date of the Plan as set out in the LDS, the strategic policies would not look ahead over a minimum of 15 years from adoption as per NPPF paragraph 22. What is the justification for this, and is the Plan positively prepared in this regard?

## **Matter 3: The Spatial Strategy**

**Issue: Is the spatial strategy positively prepared, justified, effective, and consistent with national policy?**

### **Policy S1 Spatial Development Strategy**

- Q.13 What is the justification for the proposed distribution of development in the plan area?
- Q.14 In assessing the transport impacts of housing growth, what reasonable alternative levels of housing growth were considered for the southern plan area and why were they discounted? (see also Matter 4A transport)
- Q.15 The final paragraph of the Policy says 'To ensure that the council delivers its housing target, the distribution of development may need to be flexibly applied, within the overall context of seeking to ensure that the majority of new housing is developed in accordance with this Strategy where appropriate and consistent with other policies in this plan. Any changes to the distribution will be clearly evidenced and monitored through the Authority Monitoring Report'. What is meant by 'flexibly applied'? Is the Policy clearly written and unambiguous, so it is evident how a decision maker should react to development proposals?
- Q.16 Are the proposed main modifications (MMs) necessary for soundness?

### **Policy S2 Settlement Hierarchy**

- Q.17 Is the proposed settlement hierarchy justified?

Q.18 Are the proposed settlement boundaries justified and would they be effective?

Q.19 Are the suggested MMs necessary for soundness?

#### **Matter 4: The presumption in favour of sustainable development**

**Issue: Would the adverse impacts of the Plan providing for objectively assessed needs for housing and other uses significantly and demonstrably outweigh the benefits of doing so, when assessed against the policies in the National Planning Policy Framework taken as a whole?**

In order to consider this issue, we pose questions on specific topics, namely transport, housing, and employment and economy.

#### **Matter 4A: Transport**

**Issue: Would the Plan be effective in ensuring that any significant impacts from the development proposed on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree?**

**Issue: Are the individual transport policies clear, justified and consistent with national policy and will they be effective?**

#### **Transport evidence**

Q.20 The Chichester Area transport model was updated in 2018, and further analysis and surveys were undertaken in November 2023 in order to verify its outputs and to attempt to confirm that the evidence may be relied upon. Is the Plan underpinned by relevant and up-to-date transport modelling evidence? Is this evidence adequate and proportionate?

Q.21 How has the employment growth set out in the Plan (as set out in Policies E1 and E3) been considered in the transport assessment and what if any part would it play in the monitor and manage approach?

#### **The spatial distribution of housing to the southern plan area**

Q.22 The broad spatial distribution of housing proposed in the Plan is for 535 dwellings per annum (dpa) in the southern plan area. In transport terms, what is the justification for the 535 dpa 'cap' on new homes in the southern plan area?

Q.23 What is the evidence that there would be unacceptable impacts on highway safety, and/or the residual cumulative impacts on the road network would be

severe with a level of housing development in the southern plan area with a level of housing provision over 535 dpa?

Q.24 What is the specific evidence that new housing development over 535 dpa in the southern plan area over the plan period should be prevented on highways grounds?

### **Policy T1: Transport Infrastructure**

The Plan proposes a shift away from a 'predict and provide' to a 'monitor and manage' approach to mitigating the impacts of new development on the transport network. Policy T1 sets out that 'Integrated transport measures will be developed to mitigate the impact of planned development on the highways network, improve highway safety and air quality, promote more sustainable travel patterns and encourage increased use of sustainable modes of travel, such as public transport, cycling and walking'.

Q.25 Policy T1 refers to integrated transport measures 'being developed', rather than setting out any specific measures. Does Policy T1 set out an effective overall strategy for the pattern, scale and design quality of places, and make sufficient provision for infrastructure for transport as per NPPF 20?

Q.26 Is there sufficient certainty regarding the effectiveness of the proposed transport mitigation measures to conclude that the Plan is sound?

Q.27 A number of potential transport mitigation schemes are described in the evidence base. What is the evidence that these schemes are feasible and could be delivered in the plan period?

Q.28 How would the monitor and manage approach be implemented? How would cross boundary schemes and / or funding be dealt with?

Q.29 Policy T1 includes that 'Developer contributions from new development will also be sought from all new housing development that is not yet subject to planning permission, in accordance with the per dwelling contribution as set out in paragraphs 8.20 to 8.21'.

Given that the approach to A27 mitigation contributions is set out in explanatory text and not the strategic policy, is the Plan clearly written and unambiguous, so it is evident how a decision maker should react to development proposals in this regard?

Q.30 What is the evidence that sufficient transport mitigation measures can be delivered to ensure that any significant impacts arising from the level of development proposed on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree?

Q.31 Are the suggested MMs necessary for soundness?

## **Policy T2 Transport and Development**

- Q.32 Is Policy T2 clearly written and unambiguous, so it is evident how a decision maker should react to development proposals in respect of the following:
- What is meant by 'transport mitigation plan' in 1.j?
  - What is meant by LCWIP in part 2 of the Policy?
- Q.33 Are the suggested MMs necessary for soundness?

## **Policy T3 Active Travel – Walking and Cycling Provision**

- Q.34 Policy T3 refers to 'including the safeguarding delivery of current and planned cycle and walking routes as identified in the Chichester City Local Cycling and Walking Infrastructure Plan, the West Sussex Transport Plan 2022-2036, the West Sussex Walking and Cycling Strategy 2016- 2026 and the Chichester Area Sustainable Transport Package (including future updates/LCWIPs)'. Given that such schemes are not contained within the development plan, is the Policy clearly written and unambiguous, so it is evident how a decision maker should react to development proposals?
- Q.35 Are the suggested MMs necessary for soundness?

## **Matter 4B: Employment and economy**

**Issue: Is the strategy and provision for employment development effective and justified, and are the individual employment and economy policies clear, justified and consistent with national policy and will they be effective?**

*(The soundness of the specific proposed employment allocations will be considered separately under Matter 6)*

## **Policy E1 Meeting Employment Land Needs**

- Q.36 Policy E1 sets out the identified need from the HEDNA and the total supply of employment over the plan period.
- Is Policy E1 in terms of the employment requirement, clearly written and unambiguous, so it is evident how a decision maker should react to development proposals? What is the employment land requirement?
- Q.37 What is the evidence that the indicated employment floorspace supply is likely to be delivered within the plan period?
- Q.38 Are the suggested MMs necessary for soundness?

## **Policy E2 Employment Development**

- Q.39 In respect of proposals for non-employment uses on land or floorspace currently in or last used for employment generating uses, Policy E2 refers to 'evidential requirements as set out in Appendix C'. As a consequence, is Policy E2 effective and clearly written and unambiguous, so it is evident how a decision maker should react to development proposals? What is the justification for the evidential requirements and would they be effective?
- Q.40 Are the suggested MMs necessary for soundness?

## **Policy E3 Addressing Horticultural Needs**

- Q.41 What is the justification for approximately 204 hectares of land for horticultural and ancillary development over the plan period?
- Q.42 What is the specific justification for the identified Horticultural Development Areas (HDA)?
- Q.43 What is the justification for the proposed expansion of the Runcton HDA?
- Q.44 What is meant by 'ancillary development' in the first sentence of the Policy? In this regard, does Policy E3 set out what development would be acceptable in the defined HDA, and consequently would it be effective and is it clearly written and unambiguous, so it is evident how a decision maker should react to development proposals?
- Q.45 Are the suggested MMs necessary for soundness?

## **Policy E4 Horticultural Development**

- Q.46 What is meant by 'ancillary development' in the first sentence of the Policy? In this regard, does Policy E4 set out what development would be acceptable in the defined HDAs and consequently would it be effective and is it clearly written and unambiguous, so it is evident how a decision maker should react to development proposals?
- Q.47 Is the final paragraph of the Policy necessary for effectiveness, given that the Plan should be read as a whole?
- Q.48 Are the suggested MMs necessary for soundness?

## **Policy E5 Retail Strategy and New Development**

- Q.49 What is the justification for the provision of 6,600 sq.m (gross) of comparison and convenience goods retail floorspace and food/beverages uses across the plan area to 2035?

Q.50 What is the justification for the retail impact thresholds for Chichester City and local centres?

### **Policy E6 Chichester City Centre**

Q.51 What is the evidence which justifies the identification of the primary and shopping frontages as indicated on the Policies Map?

Q.52 Given that marketing requirements are set out in Appendix C and not within the Policy, is Policy E6 effective and clearly written and unambiguous, so it is evident how a decision maker should react to development proposals?

### **Policy E7 Local Centres**

Q.53 Given that marketing requirements are set out in Appendix C, and not within Policy E7, would the Policy be effective and clearly written and unambiguous, so it is evident how a decision maker should react to development proposals?

### **Policy E8 Built Tourist and Leisure Development**

Q.54 What is meant by 'a high-quality attraction or accommodation as set out in criterion 3 and would this be effective?

Q.55 What is meant by 'a demand exists for the facility' in point 1 relating to development elsewhere in the plan area and would that be effective?

Q.56 Given that evidential requirements for planning applications are set out separately in Appendix C, is Policy E8 effective and clearly written and unambiguous, so it is evident how a decision maker should react to development proposals?

Q.57 Are the suggested MMs necessary for soundness?

### **Policy E9 Caravan and Camping Sites**

Q.58 Given that evidential requirements for planning applications are set out in Appendix C, is Policy E9 effective and clearly written and unambiguous, so it is evident how a decision maker should react to development proposals?

Q.59 Are the suggested MMs necessary for soundness?

## **Matter 4C: Housing**

**Issue: Is the proposed approach to housing development positively prepared, justified, effective, and consistent with national policy?**

### **Local Housing Need**

Q.60 Is there any substantive evidence to demonstrate that it would be appropriate to plan for a higher housing need figure than the standard method indicates in this case as per advice set out in the PPG (Paragraph: 010 Reference ID: 2a-010-20201216)?

### **Unmet needs of neighbouring areas**

Q.61 Is there any substantive evidence that the Plan should be accommodating unmet need from neighbours, and if so, would it be sound to do so?

### **Affordable Housing need**

Q.62 Is there any substantive evidence to demonstrate that there should be an adjustment to the minimum housing requirement to help deliver affordable housing with regard to the PPG (Paragraph: 024 Reference ID: 2a-024-20190220), and if so, would that be effective?

### **Housing needs of different groups in the community**

Q.63 Is the Plan positively prepared in assessing and reflecting in its policies the size, type and tenure of housing needed for different groups in the community as per NPPF 62?

## **Policy H1 Meeting Housing Needs**

### **The housing requirement**

Q.64 Policy H1 Meeting Housing Needs sets a housing requirement for the full plan period 2021 – 2039 of at least 10,350 dwellings. This is below the local housing need for the area as determined by the standard method.

The justification for the proposed provision of 535 dpa in the southern area has been considered under Matter 4A Transport. Is the proposed figure of 40 dpa in the northern part of the plan area justified?

Q.65 Would the adverse impacts of the Plan not providing for objectively assessed housing needs significantly and demonstrably outweigh the benefits of doing so when assessed against the policies in the NPPF taken as a whole? That is to say is the overall housing requirement justified?

Q.66 Paragraph 5.2 of the Plan sets out that the housing requirement would be made up of 535 dpa in the southern area and 40 dpa in the northern area. These figures are not included in Policy H1. Is this effective?

Q.67 Are the suggested MMs necessary for soundness?

### **Housing land supply**

Policy H1 Meeting Housing Needs sets out the broad sources of supply to meet the housing requirement. Housing land supply will be provided by the Plan, the existing site allocation DPD, a new DPD and Neighbourhood Plans. The Plan therefore is not singly providing for all the supply in the plan period, though it is setting the overall housing requirement.

Q.68 Are the components of the overall housing land supply set out in Policy H1 (as updated in BP07 Housing supply background paper) justified?

Specially:

Is footnote 29 as set out in the submitted Plan regarding Site Allocation DPD allocations correct given that policies of that plan are not to be superseded by this Plan?

What is the compelling evidence that windfall sites will make the anticipated contribution to housing land supply over the plan period?

Q.69 Will there be a five-year supply of deliverable housing sites on adoption of the Plan?

Q.70 Would at least 10% of the housing requirement be accommodated on sites no larger than one hectare to be consistent with NPPF 69?

### **Policy H2. Strategic Location/ Allocation 2021 – 2039**

*We have specific questions on certain site allocations on a site by site basis in Matter 6.*

Q.71 Were the proposed strategic housing locations/allocations selected on the basis of an understanding of what land is suitable, available and achievable for housing in the plan area using an appropriate and proportionate methodology, and are there clear reasons why other land which has not been allocated has been discounted?

Q.72 Is the MM to paragraph 5.6 necessary for soundness?

### **Policy H3 Non-Strategic Parish Housing Requirements 2021 – 2039**

- Q.73 What is the justification for the parish housing requirements set out in Policy H3?
- Q.74 Is the statement in the last paragraph of the policy concerning what the Council would do in the event of demonstrable progress not being made in providing for the minimum housing numbers effective?
- Q.75 What account was made of designated landscapes in determining the parish housing requirements?

### **Policy H4 Affordable Housing**

- Q.76 Are the affordable housing percentages in Policy H4 part 1 justified?
- Q.77 Are the suggested MMs necessary for soundness?

### **Policy H5 Housing Mix**

- Q.78 Policy wording appears to be set out in footnote 34. Is that effective?

### **Policy H6 Custom and/or Self Build Homes**

- Q.79 Are the 200 unit threshold and the % of market units requirements justified?
- Q.80 Should the definition of self-build plots be set out in the Plan for effectiveness?
- Q.81 Are the suggested MMs necessary for soundness?

### **Policy H7 Rural and First Homes Exception Sites**

- Q.82 What is the justification for the site limit of 30 dwellings in Policy H7 part 2?
- Q.83 Are the suggested MMs necessary for soundness?

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

- Q.84 What is the justification for the 200 unit threshold in Policy H8 and would it be effective?
- Q.85 Would the Policy/Plan be effective in addressing the housing needs of different groups given that no indication is given of assessed need?
- Q.86 Policy wording appears to be set out in footnote 37. Is that effective?

Q.87 Are the suggested MMs necessary for soundness?

### **Policy H9 Accommodation for Agricultural, Horticultural and other Rural Workers**

Q.88 Policy H9 refers to 'supporting information as set out in Appendix C'. As a consequence, is Policy H9 effective and clearly written and unambiguous, so it is evident how a decision maker should react to development proposals?

### **Policy H10 Accessible and Adaptable Housing**

Q.89 What is the justification for the provision of accessible and or adaptable housing set out in criteria a and b?

Q.90 Are the suggested MMs necessary for soundness?

### **Policy 11 Meeting Gypsies, Travellers and Travelling Showpeoples' Needs**

Q.91 Is the assessed need for Gypsy, Traveller and Travelling Showpeople accommodation up to date and justified?

Q.92 Does Policy H11 clearly set out the requirement for the provision of Gypsy and Traveller pitches and Travelling Showpeople Plots, and would it be effective?

Q.93 Consistent with the Planning Policy for Traveller Sites (PPTS) can the Council demonstrate a supply of specific deliverable sites for Gypsy, Traveller and Travelling Showpeople accommodation sufficient to provide 5 years' worth of sites against the identified need, developable sites, or broad locations for growth, for years 6 to 10 and, where possible, for years 11-15?

Q.94 Is the proposed approach to the provision of pitches and plots effective and would it be deliverable?

Q.95 What level of provision, if any, is anticipated to be met through a Site Allocation DPD? Is this approach positively prepared?

Q.96 Is the inclusion of a policy consideration in footnote 42 effective?

Q.97 What is the justification of the 200 homes threshold for the provision of 3 pitches for every 200 dwellings proposed on non-allocated housing sites?

Q.98 Are the suggested MMs necessary for soundness?

### **Policy H12 Intensification sites**

Q.99 Is the pitch/plot provision on existing sites up to date and what is the evidence that it is deliverable?

Q.100 Is the provision of 2 additional temporary travelling showpeople plots at Five Paddocks Farm realistic and deliverable given that it is indicated to be on a temporary basis and given the size constraints of the available land?

Q.101 What is the evidence that the proposed provision at Five Paddocks Farm would be safe from all forms of flooding for its lifetime? Has it been subject to the sequential test and the exception test as necessary?

Q.102 Are the suggested MMs necessary for soundness?

### **Policy H13 Accommodation for Gypsies, Travellers and Travelling Showpeople**

Q.103 Is the inclusion of a policy consideration in footnote 43 effective?

Q.104 Given the likely reliance on windfall provision for meeting identified needs, are criterion 7 and paragraph 5.72 justified, and would they be effective?

### **Policy H14 Gypsy and Traveller, and Travelling Showpeople site design policy**

Q.105 Is the requirement in criterion a, for proposals to be compliant with the Councils adopted Surface and Water and Foul Drainage SPD and the West Sussex Lead Flood Authority Policy for the Management of Surface Water clearly written and unambiguous, so it is evident how a decision maker should react to development proposals given that these documents are not part of the development plan?

Q.106 Are the suggested MMs necessary for soundness?

## **Matter 5: Other policies**

### **Issue: Are the individual policies clear, justified and consistent with national policy and will they be effective?**

Q.107 Common point to a number of policies - there is inconsistency in the wording of some development management policies. Some refer to 'development proposals being granted' or permitted' etc. Consequently, are such policies clearly written and unambiguous, so it is evident how a decision maker should react to development proposals?

### **Policy NE1 Stand-alone Renewable Energy**

Q.108 The policy title is Stand-alone Renewable Energy. Is this sufficiently clear and consistent with national policy as set out in the NPPF?

Q.109 Is the first sentence of the policy clearly worded and would it be effective?

Q.110 Is the requirement for all development proposals to be accompanied by a landscape assessment proportionate and effective?

Q.111 Are the suggested MMs necessary for soundness?

### **Policy NE2 Natural Landscape**

Q.112 Is footnote 17 necessary for effectiveness? Is this a matter more properly dealt with in the explanatory text?

Q.113 Is criterion 5 and the final paragraph of the Policy necessary and justified given that those matters are covered by other Plan policies?

Q.114 Are the suggested MMs necessary for soundness?

### **Policy NE3 Landscape Gaps between settlements**

Q.115 Policy NE3 seeks to protect gaps between settlements. Landscape gaps are not identified through this Plan, and instead are intended to be identified in a Site Allocations DPD or Neighbourhood Plans. Is Policy NE3 consistent with national policy, justified, clearly written and unambiguous, so it is evident how a decision maker should react to development proposals, and would it be effective?

Q.116 Are the suggested MMs necessary for soundness?

### **Policy NE4 Strategic Wildlife Corridors**

Q.117 Is the extent of protection proposed to be afforded to Strategic Wildlife Corridors consistent with national policy as set out in the NPPF?

Q.118 Is the proposed sequential test consistent with national policy and is it justified?

Q.119 What is meant by 'in close proximity' and in this regard would the Policy be effective?

Q.120 Are the boundaries of the proposed Strategic Wildlife Corridors justified?

Q.121 Are the suggested MMs necessary for soundness?

### **Policy NE5 Biodiversity and Biodiversity Net Gain**

Q.122 Is footnote 19 necessary for effectiveness? Is this a matter more properly dealt with in the explanatory text?

Q.123 Are the suggested MMs necessary for soundness?

### **Policy NE6 Chichester's Internationally and Nationally Designated Habitats**

Q.124 Is the title of Policy NE6 reflective of its scope?

Q.125 Are the suggested MMs necessary for soundness?

### **Policy NE7 Development and Disturbance of Birds in Chichester and Langstone Harbours, Pagham Harbour, Solent and Dorset Coast Special Protection Areas and Medmerry Compensatory Habitat**

Q.126 Are the suggested MMs necessary for soundness?

### **Policy NE8 Trees, Hedgerows and Woodlands**

Q.127 Is the definition of irreplaceable habitats consistent with the NPPF definition, and if not, is the Policy justified on this basis?

Q.128 Are the suggested MMs necessary for soundness?

### **Policy NE9 Canals**

Q.129 Are the suggested MMs to paragraph 4.47 necessary for soundness?

### **Policy NE10 Development in the Countryside**

Q.130 Is criterion B consistent with national policy as expressed in the NPPF, and if not, what is the justification for this policy wording?

Q.131 Are the suggested MMs necessary for soundness?

### **NE11 The Coast**

Q.132 Are the suggested MMs necessary for soundness?

### **Policy NE12 Development around the Coast**

Q.133 What is the justification for the 25 metre set back to allow for the effects of further erosion?

Q.134 Are the suggested MMs necessary for soundness?

### **Policy NE13 Chichester Harbour Area of Outstanding Natural Beauty**

Q.135 Criterion 2 of Policy NE13 refers to the distinctive character and special qualities of the AONB as defined in the Chichester Harbour AONB Management Plan. Is the Policy effective and consistent with national policy given that the AONB Management Plan is not a development plan document?

Q.136 Are the suggested MMs necessary for soundness?

### **Policy NE14 Integrated Coastal Zone Management for the Manhood Peninsula**

Q.137 Criterion 2 of Policy NE14 sets out a general objective of proposals and initiatives addressing proposals for the coastline and coastal communities as set out in a number of strategies and plans which are not part of the development plan for the area. Consequently, is the Policy effective and consistent with national policy?

Q.138 Are the suggested MMs necessary for soundness?

### **Policy NE15 Flood Risk and Water Management**

Q.139 Are the suggested MMs necessary for soundness?

### **Policy NE16 Water Management and Water Quality**

Q.140 What is the justification for the requirement for new residential proposals to demonstrate that a maximum water consumption of 110 litres per person per day including external water use is achieved?

Q.141 Water Quality and Wastewater criteria f and g require compliance with documents which are not part of the development plan. Is the Policy effective and consistent with national policy in this regard?

Q.142 Are the suggested MMs necessary for soundness?

**Policy NE17 Water neutrality**

Q.143 What is the justification for the 85 litres of mains supplied water per person per day as set out in criterion 1 a)?

Q.144 Are the suggested MMs necessary for soundness?

**Policy NE19 Nutrient Neutrality**

Q.145 Are the suggested MMs necessary for soundness?

**Policy NE20 Pollution**

Q.146 Is the second paragraph of the Policy necessary and would it be effective?

Q.147 With its reference to appropriate local/national standards, guidance, legislation and/or other objectives, is the policy clearly written and unambiguous, so it is evident how a decision maker should react to development proposals? Are these requirements necessary for effectiveness?

Q.148 Are the suggested MMs necessary for soundness?

**Policy NE21 Lighting**

Q.149 With references to relevant British Standards and the latest design guidance (criterion 1) and requirements and standards contained in legislation and current local and national guidance, is the policy clearly written and unambiguous, so it is evident how a decision maker should react to development proposals? Are these requirements necessary for effectiveness?

Q.150 Are the suggested MMs necessary for soundness?

**Policy NE22 Air Quality**

Q.151 With references to requirements and standards contained in legislation and current local and national guidance in the final paragraph, is the policy clearly written and unambiguous, so it is evident how a decision

maker should react to development proposals? Are these requirements necessary for effectiveness?

Q.152 Are the suggested MMs necessary for soundness?

### **Policy NE23 Noise**

Q.153 Are the suggested MMs necessary for soundness?

### **Policy P1 Design Principles**

Q.154 Are the suggested MMs necessary for soundness?

### **Policy P3 Density**

Q.155 Paragraph 6.11 of the Plan sets an expectation of a minimum of 35 dwellings per hectare, rather than in Policy P2. Is this effective?

### **Policy P5 Spaces and Landscaping**

Q.156 Are the suggested MMs necessary for soundness?

### **Policy P6 Amenity**

Q.157 Policy P6 proposes that the nationally described space standards should be met as a minimum in housing development (subject to defined exceptions). What is the justification for this? What is the need for the application of the space standards, and what if any implications would this have on viability?

Q.158 What is the justification for the expectation that no less than 21 metres is achieved between facing principal windows of habitable residential rooms and windows of other uses that could result in significant overlooking, and would it be effective given the requirements of other place making policies?

Q.159 Are the suggested MMs necessary for soundness?

### **Policy P9 The Historic Environment**

Q.160 Is the suggested MM to paragraph 6.52 necessary for soundness?

Q.161 Is criterion 5 of Policy P9 consistent with NPPF 195?

### **Policy P10 Listed Buildings**

Q.162 Is Policy P10 consistent with national policy as set out in the NPPF particularly in regard to the significance of heritage assets and national policy on considering potential impacts?

### **Policy P11 Conservation Areas**

Q.163 Is Policy P11 consistent with national policy as set out in the NPPF particularly in regard to the significance of heritage assets?

### **Policy P12 Non-designated Heritage Assets**

Q.164 Is Policy P12 consistent with NPPF 197?

Q.165 Are the suggested MMs necessary for soundness?

### **Policy P13 Registered Parks and Gardens**

Q.166 Are the suggested MMs necessary for soundness?

### **Policy P14 Green Infrastructure**

Q.167 Are the suggested MMs necessary for soundness?

### **Policy P15 Open Space, Sport and Recreation**

Q.168 Are the open space and built sport and recreation facilities standards set out in tables 6.3 and 6.4 justified?

Q.169 Given that the proposed standards and household size multipliers are not set out in Policy P15, would the Policy be effective?

Q.170 Are the straight walk times of 12-13 minutes and within 15 to 20 minutes, justified and are they clearly written and unambiguous, so it is evident how a decision maker should react to development proposals?

Q.171 Is Policy P15 consistent with NPPF 97 in respect of the loss of existing open space, playing fields, sports and recreational buildings and land?

Q.172 Are the suggested MMs necessary for soundness?

### **Policy P16 Health and Wellbeing**

Q.173 Are the requirements in criterion 1 consistent with NPPF 56 and Regulation 122(2) of the Community Infrastructure Levy Regulations 2010?

Q.174 Criterion 4 requires compliance with strategies which are not part of the development plan. Is the Policy effective and consistent with national policy in this regard?

Q.175 What is the justification for the health impact assessment threshold, and would it be effective?

Q.176 Are the suggested MMs necessary for soundness?

### **Policy 17 New and Existing Local and Community Facilities including Local Shops**

Q.177 Is Policy P17 clearly written and unambiguous, so it is evident how a decision maker should react to development proposals given the duplication between criteria a and c in respect of marketing requirements?

### **Policy I1 Infrastructure Provision**

Q.178 Are the requirements of paragraph 2 of Policy I1 consistent with NPPF 56 and Regulation 122(2) of the Community Infrastructure Levy Regulations 2010?

Q.179 Are the suggested MMs necessary for soundness?

## **Matter 6: Area Policies and Allocations**

**Issue: Are the proposed policies and allocations justified, effective and consistent with national policy?**

### **Policy A1 Chichester City Development Principles**

Q.180 Policy A1 includes that the Council may prepare a supplementary planning document(s) or development plan document(s) which will set out a coordinated planning framework covering Chichester City Centre and other areas of change in the City. What is the purpose of this policy element? Is Policy A1 positively prepared and would it be effective in this regard?

### **Policy A2 Chichester City – Strategic Housing Allocation**

Q.181 What is the justification for the site capacity of a minimum of 270 dwellings?

Q.182 Is there clear evidence that the site is neither deliverable or developable in terms of the NPPF?

Q.183 Are the development requirements as set out in the Policy justified, and will they be effective in achieving sustainable development on the site?

Q.184 Is Policy A2 clearly written and unambiguous, so it is evident how a decision maker should react to development proposals when it requires development to accord with various documents which are not part of the development plan?

Q.185 Is criterion 2 clearly written and unambiguous, so it is evident how a decision maker should react to development proposals?

Q.186 Are the suggested MMs necessary for soundness?

### **Policy A3 Southern Gateway Development Principles**

Q.187 Is Policy A3 clearly written and unambiguous, so it is evident how a decision maker should react to development proposals when it requires development to accord with the National Design Guide which is not part of the development plan?

Q.188 Are the suggested MMs necessary for soundness?

### **Policy A4 Southern Gateway – Bus Station, Bus Depot and Basin Road Car Park**

- Q.189 What is the justification for the site capacity of a minimum of 110 dwellings?
- Q.190 Is there clear evidence that the site is neither deliverable or developable in terms of the NPPF?
- Q.191 Are the site-specific development requirements as set out in the Policy justified, and will they be effective in achieving sustainable development on the site?
- Q.192 Policy A4 involves the redevelopment of the existing bus station and depot, and car park. Would Policy A4 be effective in promoting walking, cycling and public transport use?
- Q.193 Is Policy A4 clearly written and unambiguous, so it is evident how a decision maker should react to development proposals when it requires development to accord with the National Design Guide which is not part of the development plan?
- Q.194 Are the suggested MMs necessary for soundness?

### **Policy A5 Southern Gateway – Police Field, Kingsham Road**

- Q.195 What is the justification for the site capacity of a minimum of 70 dwellings?
- Q.196 Is there clear evidence that the site is neither deliverable or developable in terms of the NPPF?
- Q.197 Are the site-specific development requirements as set out in the Policy justified, and will they be effective in achieving sustainable development on the site?
- Q.198 What is the evidence that the proposed allocation meets the requirements of the sequential and exceptions tests?
- Q.199 Is Policy A5 clearly written and unambiguous, so it is evident how a decision maker should react to development proposals when it requires development to accord with the National Design Guide which is not part of the development plan?
- Q.200 Are the suggested MMs necessary for soundness?

### **Policy A6 Land West of Chichester**

Q.201 What is the justification for the specific development requirements at the proposed allocation?

Q.202 Is there clear evidence that the site is neither deliverable or developable in terms of the NPPF?

Q.203 Are the site-specific development requirements as set out in the Policy justified, and will they be effective in achieving sustainable development on the site?

Q.204 Are the suggested MMs necessary for soundness?

### **Policy A7 Land at Shopwyke (Oving Parish)**

Q.205 What is the justification for the specific development requirements at the proposed allocation?

Q.206 Is there clear evidence that the site is neither deliverable or developable in terms of the NPPF?

Q.207 Are the site-specific development requirements as set out in the Policy justified, and will they be effective in achieving sustainable development on the site?

Q.208 Are the suggested MMs necessary for soundness?

### **Policy A8 Land East of Chichester**

Q.209 What is the justification for the specific development requirements at the proposed allocation?

Q.210 Is there clear evidence that the site is neither deliverable or developable in terms of the NPPF?

Q.211 Are the site-specific development requirements as set out in the Policy justified, and will they be effective in achieving sustainable development on the site?

Q.212 With particular regard to biodiversity and protected species, what is the justification for the proposed site boundary?

Q.213 Is Policy A8 clearly written and unambiguous, so it is evident how a decision maker should react to development proposals when it requires development to accord with the National Design Guide which is not part of the development plan?

Q.214 Are the suggested MMs necessary for soundness?

**Policy A9 Land at Westhampnett/North East Chichester**

Q.215 What is the justification for the specific development requirements at the proposed allocation?

Q.216 Is there clear evidence that the site is neither deliverable or developable in terms of the NPPF?

Q.217 Are the site-specific development requirements as set out in the Policy justified, and will they be effective in achieving sustainable development on the site?

Q.218 Are the suggested MMs necessary for soundness?

**Policy A10 Land at Maudlin Farm**

Q.219 What is the justification for the specific development requirements at the proposed allocation?

Q.220 Is there clear evidence that the site is neither deliverable or developable in terms of the NPPF?

Q.221 Are the site-specific development requirements as set out in the Policy justified, and will they be effective in achieving sustainable development on the site?

Q.222 Is Policy A10 clearly written and unambiguous, so it is evident how a decision maker should react to development proposals when it requires development to accord with the National Design Guide which is not part of the development plan?

Q.223 What is the evidence that the proposed allocation meets the requirements of the sequential and exceptions tests?

Q.224 Are the suggested MMs necessary for soundness?

**Policy A11 Highgrove Farm, Bosham**

Q.225 What is the justification for the specific development requirements at the proposed allocation?

Q.226 Is there clear evidence that the site is neither deliverable or developable in terms of the NPPF?

Q.227 Are the site-specific development requirements as set out in the Policy justified, and will they be effective in achieving sustainable development on the site?

Q.228 Is Policy A11 clearly written and unambiguous, so it is evident how a decision maker should react to development proposals when it requires development to accord with the National Design Guide which is not part of the development plan?

Q.229 What is the evidence that the proposed allocation meets the requirements of the sequential and exceptions tests?

Q.230 Would Policy A11 be effective in conserving the landscape and scenic beauty of the Chichester Harbour National Landscape (AONB)?

Q.231 Are the suggested MMs necessary for soundness?

### **Policy A12 Chidham and Hambrook**

Q.232 What is the justification for the proposed housing capacity?

Q.233 Is there clear evidence that the site would not be developable in terms of the NPPF?

Q.234 Would the requirements to be addressed in the allocation of the site as set out in the Policy be effective in achieving sustainable development on the site?

Q.235 Is Policy A12 clearly written and unambiguous, so it is evident how a decision maker should react to development proposals when it requires development to accord with the National Design Guide which is not part of the development plan?

Q.236 Would Policy A12 be effective in conserving the landscape and scenic beauty of the Chichester Harbour National Landscape (AONB)?

Q.237 Is criterion 2 clearly written and unambiguous, so it is evident how a decision maker should react to development proposals?

Q.238 Is the reference to the possible outcomes of the Neighbourhood Plan in criterion 4 effective?

Q.239 Are the suggested MMs necessary for soundness?

Q.240 What would happen if the site were not allocated through the Neighbourhood Plan?

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

- Q.241 What is the justification for the proposed 1,050 dwellings, local employment opportunities and supporting community facilities and uses at the proposed broad location for development?
- Q.242 Is there clear evidence that the site would not be developable in terms of the NPPF?
- Q.243 Would the establishment of the site extent and boundary through a future Development Plan Document or a revised Southbourne Neighbourhood Plan be effective?
- Q.244 Would the requirements to be addressed in the allocation of the site as set out in the Policy be effective in achieving sustainable development on the site?
- Q.245 What is the justification for the serviced self/custom build plots, Gypsy and Traveller pitches and Travelling Showpersons' plots in criterion 1, 2 and 3?
- Q.246 Would the policy be effective in regard to any effects on the transport network with particular regard to railway crossings?
- Q.247 Are the suggested MMs necessary for soundness?

### **Policy A14 Land West of Tangmere**

- Q.248 What is the justification for the extent of housing development proposed, 1,300 dwellings?
- Q.249 Is there clear evidence that the site is neither deliverable or developable in terms of the NPPF?
- Q.250 Are the site-specific development requirements as set out in the Policy justified, and will they be effective in achieving sustainable development on the site?
- Q.251 Would Policy A14 be effective in integrating the proposed development with Tangmere village/Saxon Meadow?
- Q.252 Are the suggested MMs necessary for soundness?

### **Policy A15 Loxwood**

- Q.253 What is the justification for the proposed site housing capacity?

Q.254 Would Policy A15 be effective in seeking to allocate the site via the revised Loxwood Neighbourhood Plan? What would happen if it is not?

Q.255 Is there clear evidence that the site would not be developable in terms of the NPPF?

Q.256 Would the requirements to be addressed in the allocation of the site as set out in the Policy be effective in achieving sustainable development on the site?

Q.257 Is Policy A15 clearly written and unambiguous, so it is evident how a decision maker should react to development proposals when it requires development to accord with the National Design Guide which is not part of the development plan?

Q.258 Is criterion 2 clearly written and unambiguous, so it is evident how specialist needs housing is dealt with through the site allocation?

Q.259 Are the suggested MMs necessary for soundness?

### **Policy A16 Goodwood Motor Circuit and Airfield**

Q.260 Are the suggested MMs necessary for soundness?

### **Policy A17 Development within the vicinity of Goodwood Motor Circuit and Airfield**

Q.261 What is the justification for the general presumption against development proposals for noise-sensitive development within 400m of Goodwood Motor Circuit and Airfield?

Q.262 Are the suggested MMs necessary for soundness?

### **Policy A18 Thorney Island**

Q.263 Is Policy A18 clearly written and unambiguous, so it is evident how a decision maker should react to development proposals when it requires development to accord with the AONB Management Plan which is not part of the development plan?

Q.264 Are the suggested MMs necessary for soundness?

**Policy A20 land South of Bognor Road**

Q.265 What is the justification for the specific development requirements at the proposed allocation?

Q.266 Are the site-specific development requirements as set out in the Policy justified, and will they be effective in achieving sustainable development on the site?

Q.267 Are the suggested MMs necessary for soundness?

**Policy A21 Land east of Rolls Royce**

Q.268 Are the suggested MMs necessary for soundness?

\*\*\*\*\*