

Chichester Local Plan 2021-2039

Hearing Statement on behalf of

Landacre Developments Ltd.
(Representor No. 6827)

Relating to Matter 6:

Area Policies and Allocations –
Policy A2 Chichester City – Strategic Housing Allocation

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

Policy A2 Chichester City - Strategic Housing Allocations

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

Response

1.1 My clients contend that the justification for the proposed housing site capacity is flawed.

- 1.2 Policy S1 of the Draft Chichester Local Plan 2021-2039 (SD01) 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 2023 Sustainability Appraisal (SA) (SD03) and the Plan objectives, which are set out at paragraph 2.5.2 of the SA and the Council’s 2022 HEDNA (HO6).
- 1.1 The SA discusses the potential growth scenarios and confirms two points:
- i. Standard method housing figure for Chichester (excluding the South Downs National Park (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)
- 1.2 Of particular note is that the Council has sought to cap the overall housing increase at no more than 40% above the previously adopted LP housing figure of 435 dpa. The Local Plan then goes on to constrain housing numbers further due to an alleged capacity concern along the A27 strategic road network. This results in a heavily 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.
- 1.3 The SA notes at para 5.2.20 that the Preferred Approach consultation document (CN04) proposed to meet housing needs in full (and provide for some unmet needs from the SDNP) and proposed a spatial strategy focused on the southern plan area, with a focus on Chichester City.
- 1.4 The site capacity of 270 homes is stated as being informed by the availability of sites, but excludes the Southern Gateway regeneration area. However, from review of the HELAA, this suggests that there is far in excess of 270 identified as being available and suitable for development purposes, these include the following HELAA sites:

- HCC0038 – Land north of New Bridge Farm (264 homes)
- HCC0039 – Salthill Park – (600 homes)
- HCC0059 - Land west of C & J Marine, Clay Lane (9 dwellings)
- HCC0027 - Portfield Football Club (80 dwellings)

1.5 Note that site HCC0059 suggests a yield of 9 homes, however, this has been promoted for and is capable of accommodating 40-50 homes. This site is under the control of our client, for which we are making these comments. There are also a number of other smaller sites within the city available for development, including Southern Gateway.

1.6 The key point to note is even setting aside the Southern Gateway, which as a regeneration site requires its own detailed policies, there are in the region of 1,000 homes promoted through the HELAA for housing. Accordingly, the following conclusion at Appendix V of the 2023 SA is factually wrong on the basis of the Councils own evidence (even if Portfield Football Club is excluded):

...On this basis, the HELAA capacity of sites other than Southern Gateway is 270 homes. If further capacity issues are identified then Chichester Parish could undertake a further site selection process.

1.7 The only conclusion that can be reached is that the site capacity of 270 homes is unjustified.

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

Response

1.8 As it stands, the Council have not fully considered all available sites, on the basis of the point raised above.

1.9 My client's site is available and capable of being part of the Council's 5 year housing land supply. However, unless there is a fair wind in terms of the Neighbourhood Plan progress, or if, required, the Council's DPD allocation mechanism, we do not believe that Policy A2 could be considered a developable site – i.e. able to be

delivered within years 6 – 15 of the plan period, if reliant on the plan making process.

1.10 The Council do not seek to set any framework for delivery and therefore there are no parameters for the Inspector to be confident on the delivery of these housing numbers for Chichester City.

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?

Response

1.11 We support the requirement for sites to be masterplanned and designed to provide for high quality development. However, Policy A15(1) introduces a level of uncertainty and potential conflict in the allocation/site selection process between the more general National Design Guide and any design code or guidance prepared for a specific site. It would be expected that a site or local area design code would:

- have been prepared in light of the National Design Policies of the time; and
- take precedence over the national code given its site specific nature.

1.12 Policy A2 (1) should be written to give precedence to sites in accordance with area design codes or guidance relating to Chichester City.

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

Response

1.13 Criteria 2 is not clearly written and unambiguous.

- 1.14 It creates confusion as to whether the relevant requirements for specialist housing needs are those set out in the District Council's plan and evidence base, or those of the Neighbourhood Plan. It is not clear which takes precedence, especially if there is not an up-to-date Loxwood 'Made' local plan in place.
- 1.15 This situation would create considerable uncertainty and risk for any developer and potentially lead to the matter having to be resolved through a costly and time-consuming appeal process.

Q.186 Are the suggested MMs necessary for soundness?

Response

- 1.16 Notwithstanding our concerns about the suitability of the Policy in general, we do not agree that the proposed change from 'minimum' to 'approximately' is necessary or required for soundness reasons.
- 1.17 We do not consider that CM269 and CM268 are necessary as this is covered by the adopted Minerals & Waste Local Plan, which covers the Chichester City area. Similarly, CM270 is a helpful area of advice and important matter, but this matter is addressed by Policy 14 and not a necessary addition for Soundness.