

Chichester Local Plan 2021-2039

Hearing Statement on behalf of

Teren Project Management Ltd.
(Representor No. 6827)

Relating to Matter 6:

Area Policies and Allocations – Policy A10 Maudlin Farm

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

Policy A10 Land at Maudlin Farm

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

Response

1. Our client is in the process of preparing to submit an outline planning application in line with the draft policy criteria set out. To inform this application, the following technical survey works and reports have largely been completed:
 - a. Highway network capacity and access appraisal

- b. Species specific ecological survey and BNG assessment
 - c. Flood Risk and Drainage Strategy, informed by ground water monitoring which has taken place over the last two winter periods and will continue to be monitored during the upcoming winter period.
 - d. Utilities assessment
 - e. Geophysical survey and topographical survey, including services
 - f. Heritage Assessment
 - g. Landscape Visual Impact Assessment
 - h. Arboricultural impact assessment
 - i. Agricultural land assessment
 - j. Noise survey
 - k. Air Quality survey
2. The work demonstrates that the site is deliverable, in line with the policy requirements and there are no technical reasons to prevent the delivery of the site.
 3. The site owner is working formally with a strategic land promoter, and they are willing to bring the site forward now as part of the Plan process.

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?

Response

4. 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.

5. Policy A10 should be written to give precedence to sites in accordance with area design codes or guidance relating to Westhampnett.

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

Response

6. Although the southern part of the site is indicated to be at risk of flooding from groundwater, the winter groundwater monitoring that was carried shows that the groundwater never reached the surface and the highest it reached was 0.9mBGL. The area around the pond is at a lower elevation to most of the site and therefore if groundwater flooding was to occur in this location it is unlikely to affect the built development part of the site, which is at a higher elevation.
7. Parts of the site are shown to be at risk of surface water flooding, which are in the south associated with the pond and in the northeast corner associated with the existing ordinary watercourse. However, as noted in Appendix 1 of the Sequential Test, this only affects 10% of the site, therefore it is possible to leave these areas free of built development and develop the areas at very low risk of surface water flooding. It is important to note that where there are surface water bodies, there will likely always be some risk of surface water flooding, but if they are kept clear of the built development, they can provide important areas for amenity and biodiversity, whilst keeping the development at low risk of flooding. This will ensure that the site remains safe for its lifetime by using a Sequential Approach at site level. Our client could of course exclude these small areas from the site boundary, but then you lose the amenity and biodiversity benefits that they can provide.
8. With regard to the Exception test, the above demonstrates that the site can be safe for its lifetime. Safe access and egress can be provided via Dairy Lane and Old Arundel Road, which the Sequential Test notes does not flood in the 1%AEP plus 40% and 64% fluvial model. We agree with the Council's Exception Test, which notes that given 'modest' risk of flooding, the other sustainability benefits outweigh flood risk,

9. On a side note, the Level 2 SFRA recommends that a fluvial model is carried out of the watercourses to determine the extents of Flood Zones 2 and 3 and to set finished floor levels. I am assuming this primarily relates to the watercourse in the northeast corner. This suggestion appears to be because they are concerned the generalised model for surface water flooding is not likely to have modelled the culverts under the A27 accurately. I think it is likely that the surface water modelling shows a worst case, so modelling may improve the extent of flooding in this area and could increase the developable area.