
Examination Statement

**Examination of the Chichester Local Plan 2021-2039:
Response to the Schedule of Matters, Issues and Questions**

Matter 2: Strategic Policies

Prepared on behalf of Northgate Properties Ltd

1. Introduction

- 1.1. This Examination Statement has been prepared on behalf of Northgate Properties ('Northgate').
- 1.2. Prior to the submission of the emerging Chichester Local Plan 2021 - 2039 (eCLP) for Examination, Northgate participated in the formal consultation of the CLP during the Regulation 19 consultation held in February 2023 through representations submitted by Smith Simmonds and Partners. The representations made at Regulation 19 stage should be read in conjunction with this Hearing Statement.

2. Response to MIQs - 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)?

Question 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?

- 2.1. We believe the emerging Chichester Local Plan (eCLP) is deficient in this respect, as implied by the Inspector through this question. There is no evidence of any justification for this curtailment of the Plan Period.
- 2.2. CDC's latest Local Development Strategy (LDS) (July 2024, Ref: PS/CD03a) estimates that the eCLP will not be adopted until Spring 2025 at the earliest. The eCLP Plan Period ends in 2039 which results in the strategic policies only covering a 14 year period post adoption, instead of the mandatory minimum 15 years. To be in accordance with paragraph 22 of the NPPF (2023), the Plan Period of the eCLP must be extended.
- 2.3. It is relevant to note that Paragraph 22 of the NPPF is identical across both the December 2023 version, and the draft update issued by the Government for consultation in July 2024. Both versions read as follows (emphasis added):

*"22. Strategic policies should look ahead over a **minimum** 15 year period from adoption, to anticipate and respond to **long-term requirements and opportunities**, such as those arising from **major improvements in infrastructure**. Where larger scale developments such as new settlements **or significant extensions to existing villages and towns form part of the strategy for the area**, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery."*
- 2.4. Put simply, the NPPF requires plan-making to take a long-term, holistic approach, for which 15 years is the absolute minimum. This is particularly vital in locations such as the Chichester District, where there is a pressing need to address infrastructure constraints at a strategic level. For this Local Plan, it is of particular importance to consider the A27, as well as water supply, and sewerage which cause specific issues in the context of planned growth in this area.
- 2.5. As set out in our representations on other questions, it is clear that the eCLP is not 'positively prepared' as it does not meet the area's objectively assessed need, in accordance with paragraph 35 of the NPPF. Specifically, the eCLP provides for 575 dwellings per year (dpa), whereas the Standard Method target for CDC's Plan Area is 638. A dramatically increased requirement (of 1,206 dpa) is also being considered via the proposed new Standard Method currently under consultation. Whilst that higher target has not been introduced yet, it is the case that by extending the Plan Period to meet NPPF requirements, further residential allocations will be required to meet the housing target of 638 dpa.
- 2.6. Since the Plan Period requires extension and CDC is already not meeting its objectively assessed housing

need, additional residential allocations would be needed to ensure that the Plan is positively prepared. Unless substantial new allocations are made, an early review will be required in accordance with paragraph 5 of the draft NPPF (2024) since the proposed housing target in CDC's Local Plan will be more than 200 dwellings less than its new Standard Method requirement. Upon introduction of the new plan-making system, CDC will be required to begin preparation of a plan under the new system as soon as possible, or in line with any subsequent arrangements set out to manage the roll-out of the new system.

- 2.7. It would be possible for the eCLP to continue through the Examination process under the previous version of the NPPF, due to the point that CDC submitted the plan to the Secretary of State. However, in order for it to be found 'sound', significant modifications are necessary - including the additional provision for housing delivery – both to meet the extant Standard Method and in order to provide for the necessary 15-year period. This process is likely to take considerable time, but may only yield a relatively modest increase in housing delivery over the short to medium term. Following adoption of the eCLP, a new process would then need to commence under the new NPPF.
- 2.8. We are concerned that an unduly drawn-out process of modification to this eCLP would ultimately fail to deliver the step-change of housing delivery that is required. We would therefore invite the Inspector to consider whether, rather than progressing with the current Examination, it may be more appropriate and pragmatic for this plan to be withdrawn.
- 2.9. As set out in the letter from the Minister of State (Matthew Pennycook MP), to the Chief Executive of the Planning Inspectorate, dated 30 July 2024¹, the Government seeks to '*empower Inspectors to be able to take the tough decisions they need to at examination, to ensure they can focus their time on those plans that are capable of being found sound and to realise this Government's aim of universal plan coverage*'.
- 2.10. The Minister's letter focuses on avoiding any pauses or delays to examinations beyond six months, which "*should only be allowed at Inspectors' discretion to deliver adopted local plans under the current system. In agreeing extensions, the Inspector should be confident that the local authority can complete any outstanding work in the agreed timeframe*". Given the evident problems with CDC's eCLP, including (but not limited to) the 14-year period and shortfall against the Standard Method, there is a significant risk that the necessary work by CDC to remedy the plan would not be completed within a reasonable timeframe. This process would also potentially waste Inspectors' time, counter to the Minister's emphasis that they should '*focus their valuable time and resources on those plans that are capable of being found sound and can be adopted quickly to provide certainty to local communities*'.

¹ <https://assets.publishing.service.gov.uk/media/66aa157b0808eaf43b50dad5/minister-pennycook-to-chief-executive-of-planning-inspectorate.pdf>