

Examination of Chichester Local Plan
2021-2039

Statement on behalf of
Landlink Estates Limited

MATTER 3

Question 13

September 2024



LANDLINK
ESTATES

JACKSON PLANNING 

Matter 3: the spatial strategy issue: is the spatial strategy positively prepared, justified, effective and consistent with national policy?

Q13- What is the justification for the proposed distribution of development in the plan area?

- 1.1 The position of Landlink Estates is that the spatial strategy is not consistent with national policy primarily because it does not include any spatial and land use considerations for climate change mitigation and climate change adaptation and this impacts the proper distribution of sites in the settlement hierarchy.
- 1.2 In order to achieve the distribution of development that respects the settlement hierarchy, as set out in the plan, it is necessary to allocate a strategic development site at the second biggest settlement in Chichester district.
- 1.3 The distribution of development has not considered the statutory duty in the requirement under [Section 19\(1A\) of the Planning and Compulsory Purchase Act 2004](#) which requires local planning authorities to include in their Local Plans "*policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change.*"
- 1.4 This is dealt with substantively in the statement in response to Matter 1.
- 1.5 In respect of Climate Change Adaptation, the Sustainability Appraisal (SA) at 9.5.8 says: policies also assist with ensuring a clear framework under which further work might be undertaken in respect of long term planning for those parts of the Manhood Peninsula that are protected by coastal defences.
- 1.6 The rejection of the strategic Selsey site through the SA is not a positive response to climate change adaptation.
- 1.7 The land and spatial use implications that led to the removal of the strategic site at Selsey from the plan mean the plan must address coastal retreat with regard to the distribution of development.

1.8 The Council argue this is not required due to the advice of the Shoreline Management Plan which has a Hold -the -line policy for the Manhood Peninsula.

1.9 However, the NPPG which states: *“Although the primary basis for defining the Coastal Change Management Area are the physical processes affecting the coast, the local planning authority may also wish to take into account the extent of existing settlements and requirements for land-use change or facilitating roll-back and relocation of land uses”*.

Paragraph: 072 Reference ID: 7-072-20220825

Revision date: [25 08 2022](#)

1.10 Given the vulnerability of the Manhood peninsula in respect of climate change effects the Council as advised by the NPPG should have *“Formally allocating additional land in plans for relocation or roll-back of existing development (particularly development completed prior to Shoreline Management Plans) and habitat affected by coastal change or increasing flood risk due to climate change. Including policies in plans and conditions on permissions to ensure identified land is used for this purpose”*.

1.11 This is especially important at Selsey given the Sea defences will have an impact in retaining flood events as there is no immediate escape back to the sea once the seawall is breached.

1.12 This is also informed by advice in the NPPG

Identifying locations where existing development and infrastructure may not be sustainable in the long term. Such locations could include those which are, or are expected to be in future, subject to coastal erosion (e.g. Coastal Change Management Areas), frequent (e.g. areas likely to be permanently inundated by the sea or tidal estuaries/rivers or with sufficient frequency as to become intertidal, Flood Zone 3b or areas likely to be in 3b in future), disruptive or hazardous flooding, combined with little or no prospect of these risks being adequately mitigated by new or improved flood and coastal erosion risk management infrastructure, or property level resilience measures.

Paragraph: 012 Reference ID: 7-012-20220825

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Remedies

- 1.13 Having rejected the strategic site at Selsey on the basis of climate change scenarios, the Local Plan must positively plan for Climate Change Adaptation.
- 1.14 The plan must seriously consider the spatial and land use implications of meeting the requirements of Section 19(1A) of PCPA2004.
- 1.15 The Council's response at 5335 in document CDC04 states: *"The removal of a strategic allocation in Selsey followed updated flood risk evidence, which showed that the B2145 was at risk of flooding under certain climate change scenarios. The Level 2 interim SFRA recommended that the council's Emergency Planning Officer should be consulted prior to the allocation of the site, who advised that without improvements to the flood resilience of the B2145 further residential development in Selsey south of the section of road at risk of flooding should be avoided"*.
- 1.16 The plan does not deal with the distribution of development implications that flow from this conclusion. This requires the Council to either:
- Plan positively for coastal retreat and infrastructure resilience to meet the statutory requirements.
- OR
- Reinstate the site at Selsey addressing the climate adaptation necessary to proceed with the site and improving climate resilience for the 10,000 population of the Town.
- 1.17 If the issues with the B2145 flood resilience prevents the allocation of an otherwise acceptable development site (that met all the other criteria and was found suitable including satisfying sequential testing in terms of flood risk) this must have 'downstream' implications for the whole Town that must be addressed as part of the development strategy. Selsey has the potential to be 'marooned' in current climate change scenarios if the B2145 is not addressed, the plan does not treat this climate change adaptation seriously and therefore fails its statutory duties.
- 1.18 At the very least the plan should signal preparation of a DPD to deal with infrastructure resilience to deal with climate change adaptation to deal with the B2145 amongst other matters. Whilst this is not

directly related to development distribution as now set out in the plan, it is the very real consequence of the development distribution choices the Council have made in rejecting the strategic site at Selsey.

- 1.19 The alternative and positive solution that Landlink Estates would ask to be considered is to reinstate the Selsey site and plan positively climate change adaptation for the whole Town to deal with flood mitigation on the B2145 which would provide a major public benefit.