

## Examination of Chichester Local Plan

### Vail Williams LLP Hearing Statement obo Deerhyde Ltd

#### Matter 3: Spatial Strategy

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

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

This Statement seeks to highlight that **Policy S1** has not been **positively prepared**, in so far as it does not provide [1.] *“a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs”* as required by the NPPF.

It is also considered that Chapter 3 is not **justified** as the housing strategy is [2.] *is inappropriate* as it overwhelmingly relies on a small number of large sites, with multiple issues some of which are in conflict with other parts of the local plan.

*Q.13 What is the justification for the proposed distribution of development in the plan area?*

Whilst it is noted that the delivery of large-scale sites can result in the delivery of large numbers of new homes, it is apparent that such developments take considerable time to work their way through the planning system to an approval and even then, are only at outline stage. The delivery of new homes is therefore reliant on the Council to efficiently determine reserved matters applications and, thereafter, discharge of conditions, to allow a swift implementation of planning applications and a timely start on site for the delivery of housing. It is also reliant on the necessary infrastructure being facilitated to serve the developments in a timely manner such as roads, schools, healthcare provision etc.

The allocation of small and medium sites (ie. not relying on strategic sites) within the housing mix is invaluable in delivering housing quicker and potentially in places, outside the main settlements, which would allow new housing to be accessible to all which is one of the key facets of the NPPF (Paragraph 60).

This approach would assist with maintaining delivery of housing where existing allocations are either stalled or progressing slowly through the planning system or have simply been delayed in coming forward for perhaps other commercial reasons.

The plan is largely reliant on strategic sites, as detailed at Policy H2 (which provides further detail following the Spatial Strategy set out at Policy S1) to provide 7,195 houses. This is a significant reliance on the strategic sites to deliver 75% of the overall housing target and much of them are predicated on the works to the A27 being completed in order to make them acceptable. This is now in doubt and it is noted that works to the A27 (and other highway works) are absent from the Statement of Common Ground between CDC and WSCC which shows that this issue is yet to be satisfactorily resolved.

**LISTEN**

**CARE**



**INNOVATE**

**LEAD**

The shortcomings of this approach will be further exposed if the new Standard Method is adopted in the revisions to the NPPF which will increase (double) housing requirements for CDC still further and importantly the ability to discount housing requirements is removed. This will be a material consideration in the examination of the draft plan, as it will expose the Council's housing strategy to further scrutiny.

Furthermore, the above housing provision is predicated on the ability to identify mitigation for the impacts on the European environmental designations (including nutrient neutrality), allowing for Biodiversity Net Gain and addressing highway implications and negotiating the planning system which are currently significant unknowns.

Chapter 3 is also not **justified** with respect to its provisions do not [3.] *take into account reasonable alternatives*. And that the provision for a single site not previously seen in any Regulation 18 consultation, is not [4.] *based on proportionate evidence*.

With respect to whether Chapter 3 is **effective** is questionable in terms of soundness given that the proposed strategic allocations (and lack of smaller ones) highlight a number of issues with the site set out in more detail below.

The Local Plan proposals fail to provide for the objectively assessed need for housing the District, particularly if the revised standard method is adopted, which proposes an uplift from 638 to 1206 dwellings per annum.

The Draft Plan is further in conflict with NPPF definition of sustainable development. Not allocating sites on the Manhood Peninsula, particularly in / around settlement hubs, means the plan fails to deliver 'sufficient supply of homes and facilitating a variety of sites to come forward where needed' as required by the NPPF Chapter 5.

*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?*

Given the shortcomings of the currently proposed housing requirement and suggested distribution and Deerhyde Ltd would welcome flexibility in this approach, particularly if further changes are confirmed as per the NPPF consultation (ongoing July to September 2024) whereby Chichester's housing requirement would increase and the ability to demonstrate 'exceptional circumstances' to reduce the housing target would be removed.

Deerhyde would support a review the housing distribution proposed and a further review of potential housing sites on the Manhood Peninsula through a further Call for Sites. The reintroduction of the 250 dwelling target for the Peninsula would be ideal. This should be reflected in a revised policy S1 and S2.

## Policy S2 Settlement Hierarchy

### *Q.17 Is the proposed settlement hierarchy justified?*

The Regulation 18 'Preferred Approach' version of the Local Plan (dated July 2019) does include moderate growth for the settlement hubs of Selsey (250 dwellings) and East Wittering (350) and the service village of Hunston (200). However, since then several planning permissions have contributed to the moderate levels of growth on the Manhood Peninsula which the Council says has accounted for these housing numbers. The plan therefore does not include any strategic allocations on the Manhood Peninsula in recognition of this recently permitted growth and the ongoing constraints the area faces, save for 50 dwellings to come forward at North Mundham. Given the delay of 5 years between the Regulation 18 and the Regulation 19 plans, there should be recognition that the passage of time should illicit additional housing allocations on the Peninsula, even without the forthcoming increased housing requirement as a result of revised Standard Method.

The approach in the draft plan is **not** considered **sound**, as it seeks to prevent development of any scale on the Manhood Peninsula (particularly Selsey) for the plan period. As detailed above, it is essential that the plan allocates land across its settlement hierarchy in order to maintain a sustainable and deliverable approach to development and to assist the continuing evolution and economic viability of settlements which rely heavily on tourism and also on new development to maintain the supply of homes to provide options for all sectors of the local community to be able to live on the Peninsula should they so wish.

It is noted that at Policy S2 (settlement hierarchy), Selsey is listed as a "settlement hub" which is the second tier of settlement under Chichester city. This hierarchy, particularly in connection with Selsey, is supported it is therefore, as detailed above, it is surprising not to see more housing sites allocated within and around Selsey.

## Neighbourhood Plan

As with many Neighbourhood Plans which are not 'positively prepared', the Selsey Neighbourhood Plan does not seek to allocate any sites or residential development, instead relying on those which were allocated in the previous local plan and, in particular, developments at Park Farm/Middle Field and Drift Field totalling 249 houses. It is assumed that this existing commitment accommodates the neighbourhood plan of 150 houses which is the justification for not allocating of residential development in the neighbourhood plan.

However, this is short sighted as the Neighbourhood Plan runs to 2029 and, although development sites are largely controversial within smaller communities there is a lack of recognition of the requirement to provide new houses for existing and future residents (including descendants of current residents) in order to maintain the vitality and viability of the settlement outside of the tourist season where it is recognised that the local population will swell.

The failure to allocate further sites on the Neighbourhood Plan for the latter years of the plan period leaves it open to challenge due its failure to provide for housing need, particularly in light of the prospective revised housing requirement a detailed above.

These points add further weight to the considered lack of soundness to the housing policies in the local plan which fail to recognise the need for smaller allocations within the Manhood Peninsula, particularly Selsey.

It is noted that the HEDNA (2022) comments that the District but in particular, the Manhood Peninsula, has a high proportion of older residents. Without further development, it is unlikely that this trend will change.

### **Availability of Alternative Sites**

To demonstrate the availability of alternative sites on the Manhood Peninsula our clients have promoted two sites for residential development, namely land north of Golf Links Lane (13.5 acres/5.46 hectares) and land west of Old Farm Road.

It is considered that the developable area of the Golf Links Lane site would be approximately 4 hectares and could therefore deliver approximately 120 to 140 dwellings. This includes retaining the existing boundary screening along the south eastern boundary and avoiding Flood Zones 2 and 3.

Thawscroft Ltd, an associated company to Deerhyde, also owns land west of Old Farm Road, Selsey (2.8ha / 6.9 acres) which taking account of the flood risk constraints along its western boundary could accommodate approximately 50 dwellings.

### **Conclusion**

As detailed above, given the Council's approach to an over-reliance on large strategic sites to fulfil its housing need and the lack of sites identified for development on the Manhood Peninsula (and in Selsey in particular) during the plan period, ensures that the plan as currently proposed cannot be considered sound. Further work is required to identify sites that could be brought forward flexibly alongside the more strategic sites to maintain supply and flexibility in response to market demands.

In summary, it is considered that the proposed housing land provision is not **'Consistent with national policy'** (current or emerging) as the proposed provision does not enable the delivery of sustainable development. It is considered that the proposed plan is contrary to the NPPF paragraph 16a, 16b, 16c, 16d and paragraph 20a.