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# Examination of the Chichester Local Plan 2021-2039: Matter 4A: Transport – Hearing Statement

Ref: JCB/14672-020 TN  
Date: 30 August 2024

## SECTION 1 Background

- 1.1 This statement has been prepared on behalf of Wates Developments by James Bevis MEng CMILT MCIHT, a Partner of i-Transport. It seeks to assist the Inspectors on transport matters.
- 1.2 i-Transport previously produced a 'Highways Representations' note dated 10 March 2023 (*ref: ITL12230-011 TN*), which was appended to the March 2023 representations document prepared by Barton Willmore on behalf of Wates Developments and Seaward Properties. That note identifies that the transport work underpinning the proposed submission draft of the Plan does not justify a 535dpa cap and greater levels of housing can be achieved. It identifies that, at that time, the transport evidence:
- i Did not reflect post-COVID traffic conditions that has lower levels of peak hour traffic.
  - ii Used out-of-date traffic growth parameters and thus over-estimated background traffic growth.
  - iii Used traffic generation parameters that did not allow for the effective implementation of sustainable transport strategies and therefore over-estimated traffic impacts.
  - iv Followed an outdated 'predict and provide' approach and did not consider properly what might be deliverable with effective sustainable transport measures and demand management.
  - v Did not identify a material difference between 535dpa and 700dpa and therefore did not justify a 535dpa cap.

- 1.3 Whilst the Council has undertaken further transport work, the above points remain valid. There is headroom for additional growth above the 535dpa that the modelling confirms to be achievable. Doing so would deliver the knock-on benefit of reducing the (currently very high) cost-per-dwelling required to deliver the highway mitigation envisaged by the Plan.

## SECTION 2 Response to Inspectors' Questions

**Q.20 The Chichester Area transport model was updated in 2018, and further analysis and surveys were undertaken in November 2023 in order to verify its outputs and to attempt to confirm that the evidence may be relied upon. Is the Plan underpinned by relevant and up-to-date transport modelling evidence? Is this evidence adequate and proportionate?**

- 2.1 The Origin-Destination (OD) matrices on page 24 of Appendix B of the Transport Assessment (TA03.03) provide a comparison of 2014 and 2023 flows. Paragraph 3.3.6 of the Transport Assessment concludes that the traffic surveys are 'in the main' suitable for use for further assessment and that 2014 and 2023 traffic flows are comparable.
- 2.2 On this basis, the Council has not updated the modelling, which remains based on traffic flows that are around a decade old.
- 2.3 These historic flows are simply too high. A quick check of the OD matrices shows some significant traffic reductions on the A27:

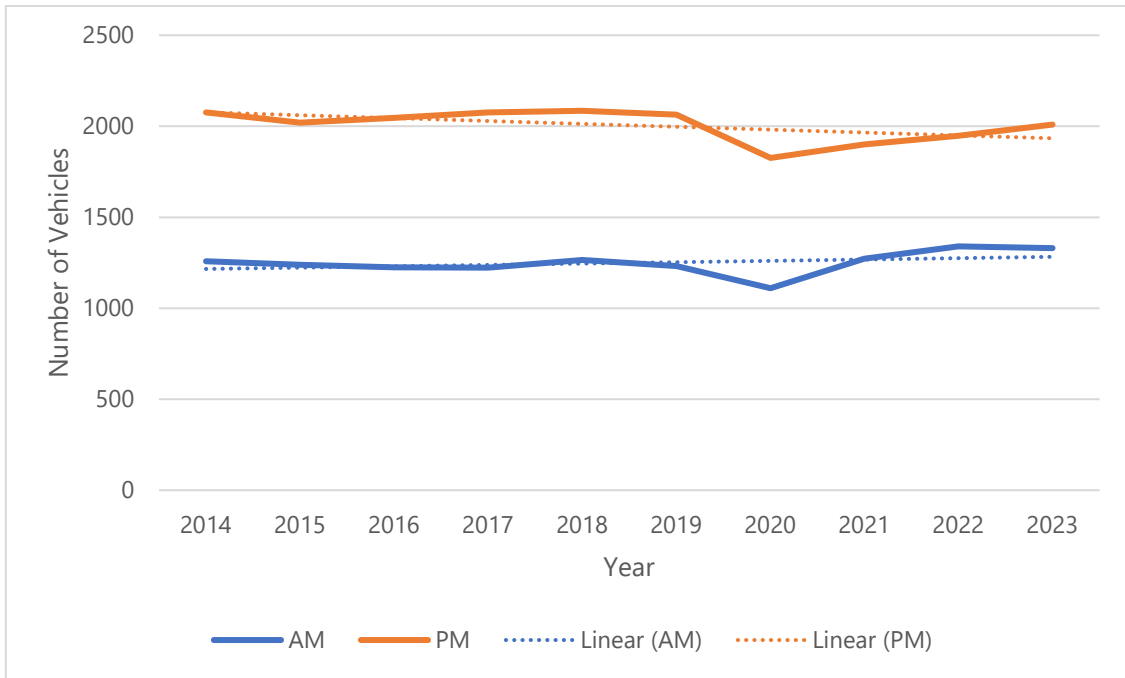
**Table 2.1: A27 Traffic Flow Comparison**

Junction	Morning peak			Evening peak		
	2014	2023	Difference	2014	2023	Difference
Fishbourne roundabout	5,839	5,267	<b>-572</b>	5,839	5,063	<b>-776</b>
Stockbridge roundabout	4,998	4,667	<b>-331</b>	4,999	4,423	<b>-576</b>

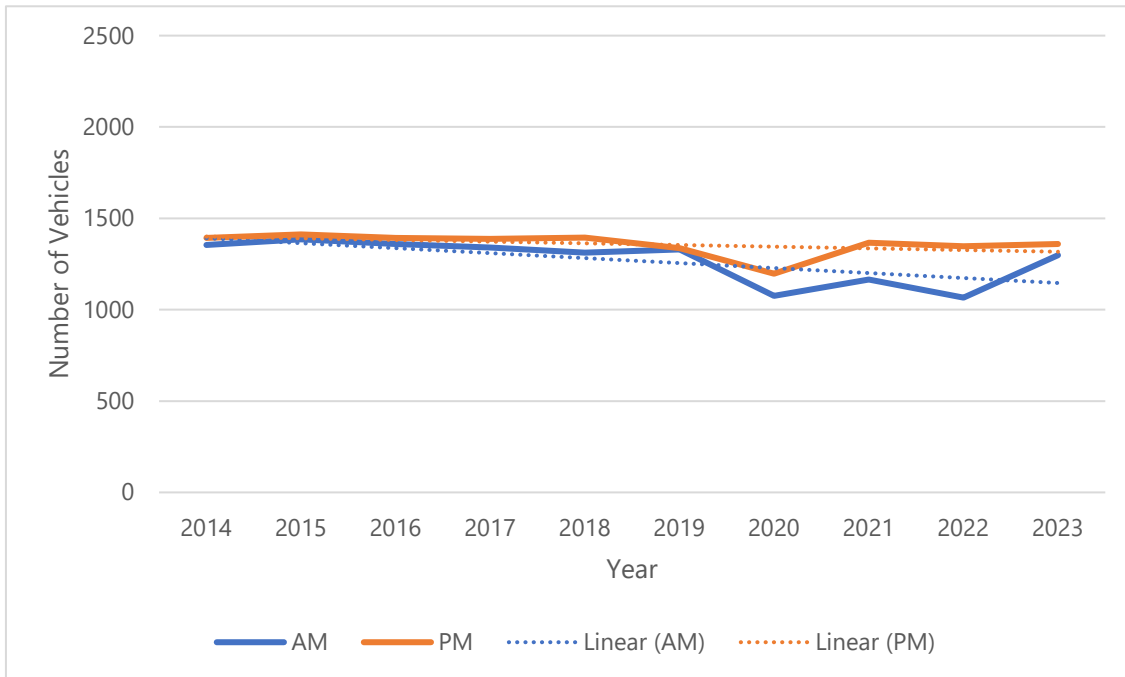
Source: Appendix B of the Transport Assessment (TA03.03)

- 2.4 This error is compounded by increasing the observed traffic flows by circa 30% to estimate traffic demands in 2039 (ref: Section 4.2 of TA03.03). The reality is that there has been no noticeable traffic growth on the A27 since 2014:

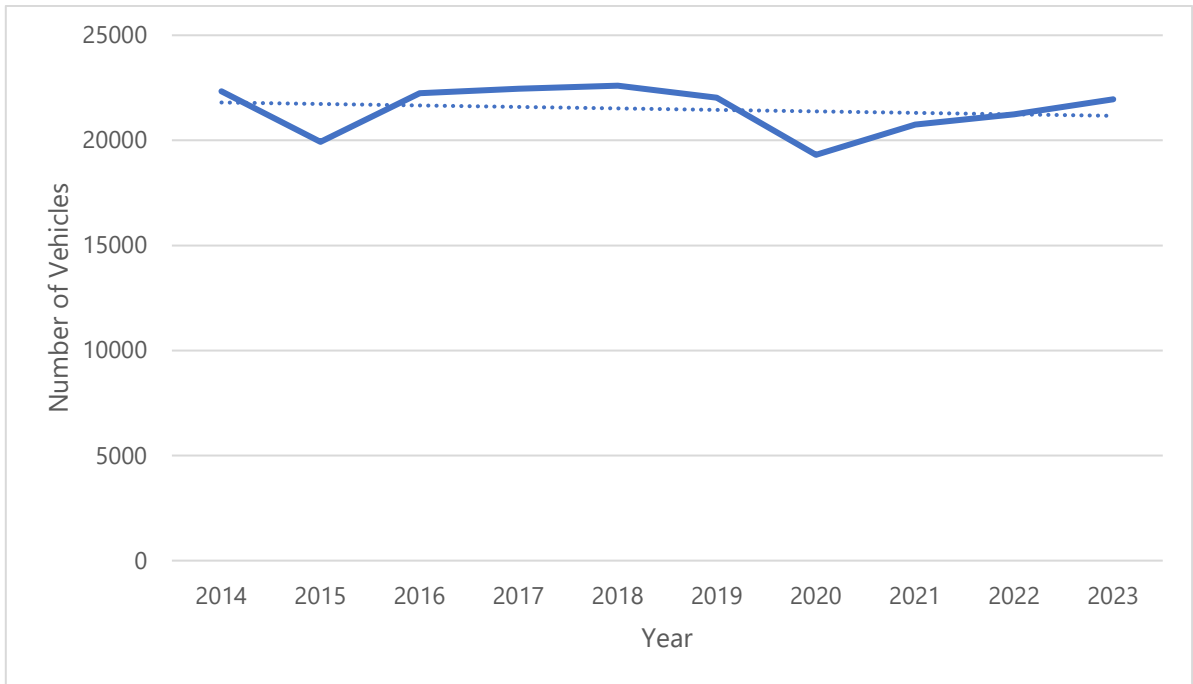
**Image 2.1: Historic Traffic Flows on the A27 (Eastbound)**



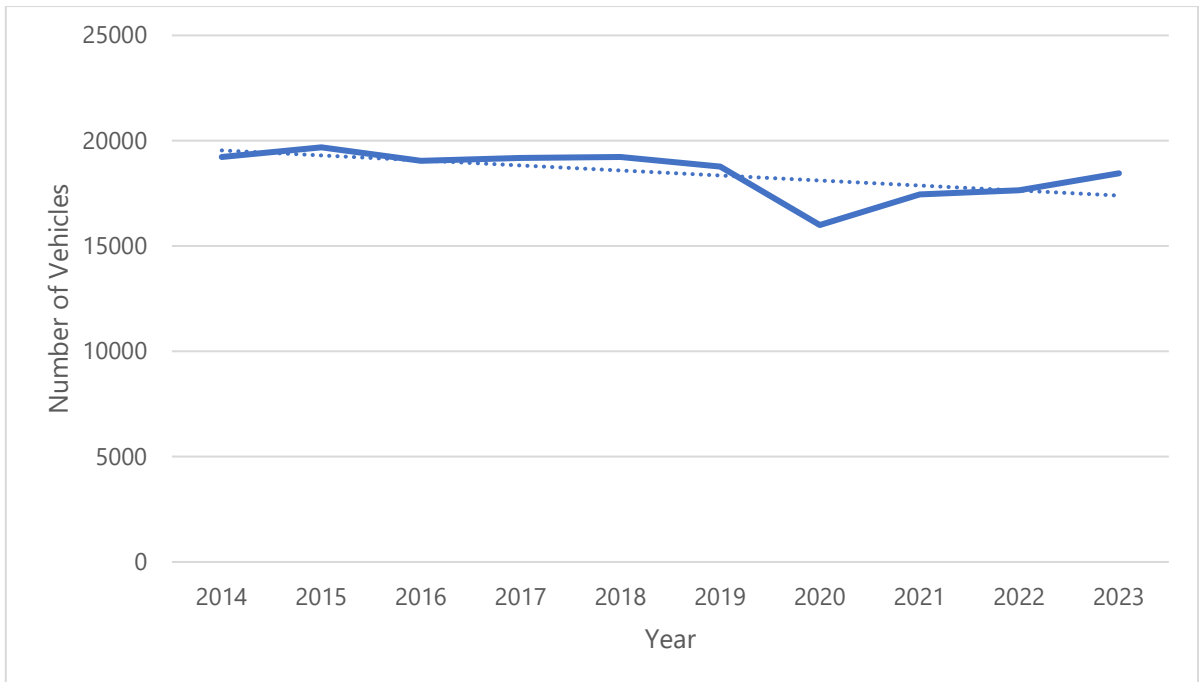
**Image 2.2: Historic Traffic Flows on the A27 (Westbound)**



**Image 2.3: Historic Traffic Flows on the A27 (Eastbound) – Annual Average Daily Traffic (AADT)**



**Image 2.4: Historic Traffic Flows on the A27 (Westbound) – Annual Average Daily Traffic (AADT)**



2.5 The Council’s approach is therefore to layer an unrealistic worst-case assumption on to an unrealistic worst-case assumption. This creates a baseline situation that is unrepresentative.

**Q.22 The broad spatial distribution of housing proposed in the Plan is for 535 dwellings per annum (dpa) in the southern plan area. In transport terms, what is the justification for the 535 dpa 'cap' on new homes in the southern plan area?**

**Q.23 What is the evidence that there would be unacceptable impacts on highway safety, and/or the residual cumulative impacts on the road network would be severe with a level of housing development in the southern plan area with a level of housing provision over 535 dpa?**

**Q.24 What is the specific evidence that new housing development over 535 dpa in the southern plan area over the plan period should be prevented on highways grounds?**

2.6 Section 8 of the Transport Assessment (*TA03.01*) provides a comparison of the operation of the highway network with 638dpa and 535dpa. It asserts that there will be an exponential increase in queuing and delay with the higher scenario (*ref: para 8.2.10*). Whilst both scenarios show increases in queuing and delay, it is unclear how the Council has decided that the high bar test set by paragraph 115 of the Framework has been breached at 535dpa rather than 638dpa.

2.7 The following paragraphs set out why i-Transport do not agree with the conclusions of the modelling and make recommendations for further analysis to suitably assess the ability of the highway network to accommodate a greater quantum of housing than the Local Plan currently allows for.

#### **Shortcomings of Analysis**

2.8 The Council's comparison between 535 and 638 dpa:

- a uses a baseline that is much too high (see above);
- b overestimates the traffic generation of proposed development (see below); and
- c does not allow for the highway mitigation envisaged by the Plan (*ref: Section 8 / Table 8-2 header of TA03.01*).

2.9 The wording of the Plan proposes a shift away from a 'predict and provide' to a 'monitor and manage' approach. This is sensible and is supported.

2.10 However, these words have not been carried through as deeds. The modelling does not allow for a 'monitor and manage' approach - it starts with high vehicular trip rates that appear to be 'pre-COVID' (i.e. they do not allow for the shift to flexible and home working) and then allows for just a 5% shift from car use to sustainable travel modes.

- 2.11 That tiny adjustment only applies to the strategic developments proposed by the Plan. Much greater shifts will be achievable for large schemes that can deliver significant sustainable transport infrastructure<sup>1</sup>.
- 2.12 In addition, no adjustment has been made for smaller developments despite those schemes needing to meet the sustainable travel test set by paragraph 114 of the Framework as well as the requirements of Policy T2, e.g. through a Travel Plan.
- 2.13 The resulting peak hour traffic generation per dwelling is therefore a further unrealistic worst-case scenario that overstates traffic impacts.
- 2.14 The approach taken by the Council is out-of-step with the approach taken elsewhere in West Sussex. As an illustration, the vehicular trip rates used by the Council have been compared with the rates currently being used to inform the Mid Sussex Local Plan and those agreed with WSCC and National Highways (NH) for the Ford Airfield development<sup>2</sup>.

**Table 2.2: Trip Rate Comparison**

Trip Rates	Morning peak			Evening peak		
	In	Out	Two-way	In	Out	Two-way
Chichester Local Plan Transport Assessment	0.120	0.352	<b>0.472</b>	0.318	0.159	<b>0.477</b>
MSDC Transport Study (2022)	0.294	0.107	<b>0.401</b>	0.130	0.252	<b>0.382</b>
Arun EBR 3 (2017)	0.091	0.259	<b>0.350</b>	0.243	0.100	<b>0.343</b>

Source: Consultant

- 2.15 Putting to one side the Council’s unduly onerous approach to baseline traffic conditions, traffic growth and their judgement of what constitutes a severe impact:
- If the MSDC rates were used, circa 630dpa to 670dpa would generate the same volume of additional traffic as currently assumed by the Council’s modelling.

<sup>1</sup> That lip service has been given to mode shift is highlighted by Figure 3-1 of the Transport Assessment (TA03.01), which highlights that: **A 5% trip rate reduction is applied for larger strategic sites to reflect trip internalisation**, i.e. the 5% reduction has nothing to do with mode shift.

<sup>2</sup> A 1,500 dwelling stand-alone development in Arun District.

- If the Ford Airfield rates were used, circa 720dpa to 740dpa would generate the same volume of additional traffic as currently assumed by the Council’s modelling.

2.16 With just a minor tweak to trip rates, there is the potential for a significant uplift in housing delivery.

2.17 However, the Council’s approach to the modelling is to use an out-dated predict and provide methodology. A series of unrealistic worst-case scenarios have been layered one upon the other. More realistic parameters would yield much better results and enable the Council to increase its housing delivery. 535dpa is an artificial and unjustified cap.

2.18 This is particularly the case if highways mitigation is allowed for. Tables 11-1 and 11-2 of the Transport Assessment (*TA03.01*) show material improvements in the operation of the highway network with 535dpa and the various highway improvement schemes:

**Image 2.2: Annotated Operation of Local Junctions – Morning Peak Hour**

Table 11-1 AM – Max Volume to Capacity Ratio




Junction No.	Location	2039 Reference Case	2039 LP Without Mitigation	2039 LP With Mitigation
7	A286 New Park Road / A286 St Pancras Road	107	107	71
8	A259 Via Ravenna / A259 Cathedral Way Roundabout	115	123	75
10	A259 Cathedral Way/ Fishbourne Road East	129	141	108
11	Fishbourne Road West / Appledram Lane South	79	100	77
12	Stockbridge Link Road / A286 Birdham Road	-	-	36
13	Fishbourne Roundabout	132	146	102
14	Stockbridge Roundabout	125	124	96
15	Whyke Roundabout	125	127	85
16	Bognor Road Roundabout	127	135	92
17	Bognor Road / Vinnetrow Road	-	-	93
18	Portfield Roundabout	102	103	110
19	Oving Junction	94	95	107
20	A286 Northgate / A286 Oaklands Way	100	100	99

**Image 2.3 Annotated Operation of Local Junctions – Evening Peak Hour**

Table 11-2 PM – Max Volume to Capacity Ratio

Junction No.	Junction Location	2039 Reference Case	2039 LP Without Mitigation	2039 LP With Mitigation
3	A259/B2132 Comet Corner	112	114	76
7	A286 New Park Road / A286 St Pancras Road	106	110	110
8	A259 Via Ravenna / A259 Cathedral Way Roundabout	41	56	40
10	A259 Cathedral Way/ Fishbourne Road East	63	103	117
11	Fishbourne Road West / Appledram Lane South	100	109	75
12	Stockbridge Link Road / A286 Birdham Road	-	-	97
13	Fishbourne Roundabout	191	189	106
14	Stockbridge Roundabout	136	142	61
15	Whyke Roundabout	136	142	60
16	Bognor Road Roundabout	118	126	84
17	Bognor Road / Vinnetrow Road	-	-	84
18	Portfield Roundabout	131	142	136
19	Oving Junction	131	143	109
20	A286 Northgate / A286 Oaklands Way	105	108	98

Key:

	Improvement in operation
	No material difference in operation
	Worsening of operation

2.19 The high bar test set by paragraph 115 of the Framework is to only prevent development if the residual cumulative impact is severe. i-Transport’s experience of the application of this test is that development can result in a material worsening of the operation of the highway network and still be acceptable. The test certainly does not require betterment.

2.20 However, the Council’s modelling shows a material overall net improvement in the operation of the highway network with 535dpa even with their unnecessarily pessimistic parameters. A higher level of development is achievable without breaching the Framework’s high bar test.



### Recommendation for further analysis

- 2.21 The modelling demonstrates that 535 dpa can come forward without causing a 'severe' impact, with suitable mitigation in place. There is no reason to doubt that conclusion, given the robustness of the parameters applied.
- 2.22 However, in the context of a chronic shortfall of housing, further investigation is recommended as to the ability of the highway network to accommodate additional housing above 535 dpa.
- 2.23 It is therefore recommended that main modifications are made to introduce:
- i Provision for an early review of the Local Plan to identify and investigate the impact on the highway network of additional housing; or
  - ii A policy allowing for windfall sites wherever their planning application evidence base demonstrates that there will not be a 'severe' impact on the local highway network; or
  - iii Both.
- 2.24 Any updated transport evidence base should:
- i Be based on up to date traffic survey evidence.
  - ii Include an assessment of the traffic impact of development based on trip rates that are appropriate for a 'vision-led' assessment, with suitable adjustments for modal shifts away from car use, together with internalisation of traffic at larger sites with non-residential uses included as part of the development proposal.

**Q.29 Policy T1 includes that 'Developer contributions from new development will also be sought from all new housing development that is not yet subject to planning permission, in accordance with the per dwelling contribution as set out in paragraphs 8.20 to 8.21'. Given that the approach to A27 mitigation contributions is set out in explanatory text and not the strategic policy, is the Plan clearly written and unambiguous, so it is evident how a decision maker should react to development proposals in this regard?**

- 2.25 The principle of development contributing cumulatively to deliver mitigation to deal with cumulative impacts is sensible and is supported. It:
- a provides certainty of costs to developers; and
  - b avoids the situation where transport infrastructure delivery has not been determined and the impacts and mitigation needed for each development are determined in a piece-meal way through the planning application process.

2.26 The alternative to the Council’s approach results in huge delay and, at worst, it prevents allocated development coming forward at all<sup>3</sup>.

2.27 However, it is important to note that the drafting of the text is ambiguous and ineffective and undermines the certainty that financial contributions seek to achieve – because the wording as drafted fails to spell out expected financial contributions.

2.28 It is therefore recommended that the Inspector seeks main modifications to paragraphs 8.18 to 8.22, committing CDC to implementing a Supplementary Planning Document, whose purpose would be to:

- 1 Clarify the mitigation measures to come forward on the A27;
- 2 Confirm their costs;
- 3 Confirm the number of homes to come forward; and
- 4 On this basis, provide an actual (not example) contribution per dwelling that developers will be asked to pay.

The wording of the modification should allow for modifications to be made to the SPD, noting that the level of contribution will change over time. The SPD should be based on the most up to date evidence available and updated, every year or two. This would be preferable to the ad-hoc approach currently sought by Policy T1.

## SECTION 3 Summary

3.1 The transport modelling layers worst case scenario upon worst case scenario upon worst case scenario:

- i It uses traffic flows from 2014 that are demonstrably higher than observed in 2023.
- ii It applies unconstrained traffic growth to these flows when such growth has not occurred historically.
- iii It uses very high vehicular trip rates that do not allow for the shift to sustainable travel modes that will be achieved through a monitor and manage approach.
- iv It shows material betterment of the operation of the highway network with 535dpa and allowing for mitigation. Betterment is not the approach required by paragraph 115 of the Framework – a worsening of traffic conditions is allowed providing the very high bar of the ‘severe impact test’ is not breached. There is headroom for more new homes.

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<sup>3</sup> West Oxfordshire is a good example of this.

- 3.2 Whilst there can be confidence that 535 dpa can be delivered (given the excessively robust parameters on which the conclusions are based), the 535dpa cap is disproportionate and unjustified.
- 3.3 The artificial cap of 535dpa will also contribute to an unnecessarily onerous transport bill for new development. A higher level of housing delivery, which can be justified if sensible transport parameters are used, would bring this bill down to a more acceptable level.
- 3.4 It is recommended that the Inspector:
- 1 Makes provision in the Local Plan for identifying and investigating the traffic impact of a higher number of homes, either by:
    - (a) Making a main modification seeking provision for an early review of the Local Plan; or
    - (b) Making a main modification to seek a policy that allows windfall sites and sets out the requirements that windfall sites must meet when producing their transport evidence base – i.e. demonstrating they will not cause a ‘severe’ impact.
- 3.5 Give greater certainty as to the level of contribution required by Policy T1 by making main modifications to paragraphs 8.18 to 8.22, committing CDC to implementing (and updating) a Supplementary Planning Document, whose purpose would be to:
- 1 Clarify the mitigation measures to come forward on the A27;
  - 2 Confirm their costs;
  - 3 Confirm the number of homes to come forward; and
  - 4 On this basis, provide a contribution per dwelling that developers will be asked to pay.