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<b>Prepared By:</b>	Tom Fisher (September 2024)
<b>Checked By:</b>	Mark Smith (September 2024)
<b>Approved By:</b>	Mark Smith (September 2024)

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- 1.1 The Inspectors' Matters, Issues and Questions (MIQs) will be referred to and a review of their transport and highway related questions will be undertaken. The Inspectors put 16 questions to the Council and interested parties, which reflect various transport matters, referred to as Matter 4a. Our professional opinion will provide a response to each of these MIQs.

*"Q20 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?"*

- 1.2 The Council's own evidence (Transport Background Paper – paras. 5.47 and 7.14) acknowledges that the model needs to be updated, and the evidence provided at Section 2 of this statement confirms that the baseline traffic flows within the model are incorrect. Consequently, it is unreliable for the purpose of properly understanding the impact of development scenarios and by extension it is inappropriate for understanding the required level of mitigation for development scenarios. A sound transport strategy cannot be developed in the absence of an accurate and reliable model. With these inherent flaws, the model cannot be relied upon as adequate and proportionate evidence.

- 1.3 Even if the significant flaws outlined above are set aside, the 2023 Transport Assessment suggests that 700 dwellings per annum could be accommodated in the southern plan area

by the mitigation proposed for the 535 dwellings per annum scenario, although additional mitigation may be needed at the Portfield roundabout and the Oving junction, albeit the Oving junction mitigation improves the A27 flow. This reflects previous sensitivity testing in which stated that “in the main, the 700dpa demands can generally be accommodated by the mitigation for the 535 dpa scenario, although at the Portfield roundabout and Oving junction capacity issues get worse with the 700dpa demands and these junctions may need to consider further mitigation” (Para 5.40 of the TBP)

- 1.4 On the subject of proportionality, should the Local Plan be found sound in its current form, it will at the point of adoption establish contributions via Policy T1 to fund junction improvements which have been derived from a model that is acknowledged to be out-of-date (based on traffic data that is 11 years old). This will lock in these contributions for a minimum of 5 years at which point the traffic data will be 16 years old. It is difficult to see how the development that comes forward through the current approach would allow for proportionate contributions in compliance with the CIL 122 tests.

*“Q.21 How has the employment growth set out in the Plan (as set out in Policies E1 and E3) been considered in the transport assessment and what if any part would it play in the monitor and manage approach?”*

- 1.5 Employment has been considered within the Transport Assessment 2024 and from initial review appears to be sound. However, there is no mention on employment sites directly contributing to the A27 Chichester Bypass within the draft SPD, even though the sites will have an impact on the strategic road network and other local roads. Whilst it can be expected that both West Sussex County Council and National Highways would secure contributions as necessary through planning applications and S106 legal agreements, the impact of the employment traffic has been included within the mitigation package identified. Therefore, housing sites are contributing towards mitigating the impact of the employment allocations, which is not considered CIL compliant, and it could be said that CDC are ‘double-dipping’ and collecting contributions twice.

*“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?”*

1.6 From our understanding of the TBP and the two CDC Transport Assessments (2023 and 2024), the justification for a growth scenario of 535dpa in the southern plan area is due to higher growth scenarios (including 638dpa scenario to meet the Standard Method) showing a greater impact on junctions in the 2039 without mitigation scenario. It is a reasonable assumption that additional growth will result in an increase in vehicular traffic/journey time/delay/queueing. However, from the information that is publicly available, including the conclusions within the TBP (paras. 7.20 to 7.23) and analysis in Section 8 of the Transport Assessment 2024, the Council's evidence only provides outputs for the scenario of 638dpa without mitigation. There does not appear to be any outputs or modelling scenarios publicly available that test any other 'with mitigation' scenarios other than the Local Plan figure of 535dpa.

1.7 At this stage the Council's transport evidence does not justify a cap on housing. Given the acknowledged flaws in the model, there is no sound basis for the proposed mitigation measures derived from that model. Setting aside that issue, the proposed mitigation measures are considered appropriate to achieve the standard method. Notwithstanding this, if the Inspector is minded to agree that the 2014 surveys are suitable for use, it is still necessary to see all other dpa scenarios with mitigation tested to see if a higher level of housing can be provided rather than restricted to 535dpa.

*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?*

1.8 Similar to the answer to question 22, there does not appear to be any information to suggest that there would be an unacceptable impact on highway safety and/or the residual cumulative impacts on the road network would be severe when considering a higher quantum of dpa without mitigation.

*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?*

1.9 Same as the above.

*Q.25 Policy T1 refers to integrated transport measures 'being developed', rather than setting out any specific measures. Does Policy T1 set out an effective overall strategy for the*

*pattern, scale and design quality of places, and make sufficient provision for infrastructure for transport as per NPPF 20?*

- 1.10 A number of consultees are concerned that not enough evidence has been provided and the wording is not strong enough to deliver sustainable infrastructure and heavily relies upon the draft monitor and manage document. There does not appear to be a clear strategy to prioritise active travel modes and does not make sufficient provision for the delivery of transport infrastructure.
- 1.11 Through the draft NPPF, paragraph 112 sets out that “A vision led approach promoting sustainable transport modes is taken, taking account of the type of development and its location” and “any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision led approach”. The development of measures, as identified within Policy T1, does not suggest that it is in line with the draft NPPF.

*Q.26 Is there sufficient certainty regarding the effectiveness of the proposed transport mitigation measures to conclude that the Plan is sound?*

- 1.12 Despite indications and acknowledgements by Stantec (2023 Transport Assessment) and CDC that the key transport evidence supporting the Local Plan is outdated and unreliable (corroborated by our analysis), the TBP goes on to say that the Council believes *‘that the outputs and analysis of the model are sufficiently robust to demonstrate the likely scale of impact of development growth set out within the plan’*. This is not agreed and has a significant impact on the level of growth in housing numbers that CDC are proposing in certain areas, such as 535 dpa, when they are relying on assumptions that are and out of date. This is also not in line with NPPF (December 2023) para 31 which states that *“The preparation of and review of all policies should be underpinned by relevant and up-to-date evidence”*.
- 1.13 The mitigation schemes that have been identified have been designed to mitigate the impact of the growth, which are based on a scenario which has been over inflated and is not robust. Notwithstanding this, as highlighted within paragraph 1.3 of this Hearing Statement, the mitigation has been tested for 700dpa and found that this could be accommodated.

*Q.27 A number of potential transport mitigation schemes are described in the evidence base. What is the evidence that these schemes are feasible and could be delivered in the plan period?*

- 1.14 From review, West Sussex County Council have raised concern that two of the junctions within the mitigation package rely on land which is outside of existing highway boundaries. Furthermore, there are significant earthworks and structures required to achieve the junction improvements which have yet to be factored into the proposals. This could require additional land take (including third party land) or make the schemes unviable/undeliverable. Additionally, given the history and delays in delivering infrastructure through previous Local Plan periods, there is no certainty that the mitigation measures can be delivered within the plan period. West Sussex County Council also confirm this in their consultation response and state that *“not all the severely impacted A27 junctions have a reasonable prospect of being physically improved in the Plan period”*.
- 1.15 In addition, the overall reduction in traffic on the A27 in Chichester, as evidenced by DfT data of the A27 suggests that mitigation schemes of the extent to what have been provided may not be necessary and a different package of mitigation could be provided, including significant sustainable transport schemes, to allow for additional dpa.

## Appendix A



# CHICHESTER DISTRICT COUNCIL LOCAL PLAN 2021-2039 REVIEW

## TRANSPORT NOTE

September 2024

Metis Homes Ltd

**LOCAL PLAN REVIEW**  
**CHICHESTER DISTRICT COUNCIL 2021-2039 LOCAL PLAN**  
**CHICHESTER**

**TRANSPORT NOTE**

**CONTROLLED DOCUMENT**

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Metis Homes Ltd  
The Old Barn  
Vicarage Farm Business Park  
Winchester Road  
Fair Oak  
SO50 7HD

Paul Basham Associates Ltd  
The Bothy  
Cams Hall Estate  
Fareham  
PO16 8UT



**LOCAL PLAN REVIEW  
CHICHESTER DISTRICT COUNCIL 2021-2039 LOCAL PLAN  
CHICHESTER**

**TRANSPORT NOTE**

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## 1. INTRODUCTION

- 1.1 This Transport Note (TN) has been prepared by Paul Basham Associates on behalf of Metis Homes to assess the Regulation 19 Chichester District Local Plan and supporting transport and highway evidence and provide a peer review to establish if the background transport work is robust and sound.
- 1.2 Some of the documents and reports that are subject to review mention PBA (now Stantec) as a transport consultant who undertook transport modelling and assessment as part of the Local Plan. For clarity, this is not Paul Basham Associates and where references within this report is made to this consultant, it will refer to Stantec rather than PBA to avoid any confusion.
- 1.3 Chichester District Council (CDC) are in the process of producing a Local Plan Review (2021-2039) (hereafter referred to as 'Local Plan') and has currently produced an updated Local Plan which responds to comments raised at Stage 3, Regulation 19.
- 1.4 For the context of this report, the review will be for the whole of the Chichester District which is shown in **Figure 1**.



**Figure 1:** Chichester District (Source: Chichester District Council Maps)

- 1.5 This report will focus on the Transport Background Paper and supporting evidence, namely the Chichester Transport Study 2023 and Chichester Transport Study 2024, the Monitor and Manage draft working document, the Inspectors Matters, Issues and Questions and the draft A27 Chichester Bypass Mitigation SPD. Consultee responses to Regulation 19 have also been reviewed.
- 1.6 It should be noted that the existing A27 corridor does experience significant delay and congestion at peak times, and this is not disputed. The element that is disputed is whether the Transport Assessment reports are sound and provide robust and reasonable justification for capping housing numbers to 535dpa in the southern area and setting a 'per-dwelling' contribution for improvements to the A27 corridor.

## 2. TRANSPORT BACKGROUND PAPER

2.1 The Transport Background Paper (TBP) was produced by CDC in July 2024 and was prepared to explain the approach that has been taken to *‘transport related issues within the Chichester Local Plan 2021-2039: Proposed Submission (LP), and in particular the effect of development within the plan on the A27 Strategic Road Network and related local highway impacts’*. The TBP goes on to say that it provides an overview of the four key areas outlined below, but relates to Chapter 8: Transport and Accessibility, Policy T1 ‘Transport Infrastructure’ and Policy T2 ‘Transport and Development’ of the LP.

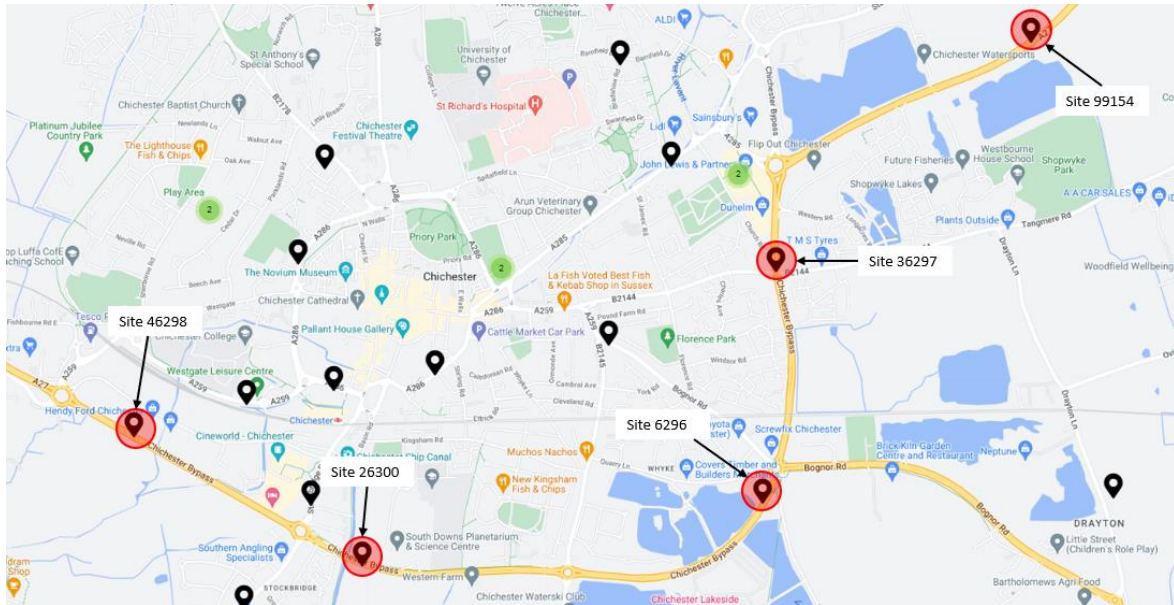
- A summary of the main transport challenges currently experienced in the Plan area
- An outline of relevant national policy and guidance
- An explanation of the main transport impact assessments of future development
- An account of the modelling and partnership work undertaken so far for the purposes of the Local Plan strategic Transport Assessment.

2.2 This section of the TN will review Chapter 8: Transport and Accessibility, as currently drafted within the emerging Local Plan (Regulation 19 version and proposed modifications).

2.3 Paragraphs 8.3 and 8.4 relate to existing capacity on the road network within the Chichester authority, including *“congestion around the junctions of the A27 Chichester by-pass which in turn, leads to congestion on the local road network as drivers seek alternative routes, increasing traffic speed and flow on those alternative routes... The Local Plan Transport Study shows that in many parts of the plan area, the road network is operating at or close to designed capacity.”*

- 2.4 In January 2023 Stantec prepared the '*Chichester Transport Study: Local Plan Review Transport Assessment*' (Transport Assessment 2023) to inform the transport evidence base for the Local Plan. The transport study was completed based on the current Local Plan proposals of 10,354 dwellings for the period 2021-2039. It is understood West Sussex County Council and National Highways were consulted in the drafting of the report.
- 2.5 The base year for the model is 2014, which has been validated by Chichester District Council, West Sussex County Council and National Highways using 2014 count and journey time data. We seriously question the reliability and suitability of a 2014 base year – already 9 years old when the CDC Transport Assessment was prepared and 11 years old at the point of adoption should the LP be adopted in 2025. Significant changes in traffic patterns which have occurred between 2014 and 2023, largely as a result of the Covid-19 pandemic, but also the specific impacts of developments and mitigation delivered in that timeframe.
- 2.6 Since Covid, many employers now offer flexible working, with many employees adopting a hybrid working approach incorporating working from the office and at home. The current 2023 Transport Assessment does not appear to take into account any of the change which will impact existing and future peak time travel patterns. Of note, page 10 of the 2023 Transport Assessment references the 'significant changes in travel behaviour alongside technology advances [that] have been seen in recent times, and the Covid-19 pandemic has accelerated these changes with significantly more people working from at home and shopping online (virtual mobility)'.
- 2.7 In addition, Section 10 of the Transport Assessment states that '*there is a reduced traffic growth [between TEMPro 7.2 and TEMPro 8.0] as a result of falling population... as a result there is a need to review and comment and define the possible difference in predicted changes in travel demand in the future... as the model may have overestimated the potential future impacts*'. It continues '*the data indicates that the levels of traffic growth expected within Chichester are lower in each of these scenarios than currently have been modelled*' (Para 10.2.1 of the 2023 Transport Statement).

2.8 To evidence the above, an interrogation of the Department for Transport (DFT) traffic counts along the A27 Chichester Bypass Annual Average Daily Flow (AADT) has been undertaken. The review took 2019 and 2023 AADT's as a pre and post COVID-19 year to understand if the background growth that has been assumed within the Transport Assessment has occurred. Two sites, 36297 and 99154, used 2015 as the 2019 data was either an estimate or an automatic count and these were discounted to ensure the same methodology was used on all sites. The site locations are shown on **Figure 2**. The AADT is shown below in **Table 1**.



**Figure 2:** DFT AADT Traffic Count Locations

Site Number	2019 manual count (unless otherwise stated)	2023 manual count	Net change in trips
46298	49,166	47,140	-2,026
26300	46,022	45,024	-998
6296	42,869	40,770	-2,099
36297	38,525 (2015)	35,293	-3,232
99154	44,206 (2015)	42,785	-1,421

**Table 1:** DFT AADT data

- 2.9 It can be seen within **Table 1** that every count along the A27 Chichester Bypass has seen a reduction in the daily flow in vehicles.
- 2.10 The suggestion by Stantec in the 2023 Transport Assessment that traffic volumes may have been overestimated is clearly the case. These inflated traffic volumes are used within the baseline models, generating outputs that are not an accurate reflection of the current situation, as evidenced at **Table 1** above. The inaccurate modelling outputs have led to flawed assumptions regarding capacity for growth in the southern plan area and an artificial limitation of 535 dwellings per annum.
- 2.11 Even if the significant flaws outlined above are set aside, the 2023 Transport Assessment suggests that 700 dwellings per annum could be accommodated in the southern plan area by the mitigation proposed for the 535 dwellings per annum scenario, although additional mitigation *may* be needed at the Portfield roundabout and the Oving junction, albeit the Oving junction mitigation improves the A27 flow. This reflects previous sensitivity testing in 2022 which stated that “*in the main, the 700dpa demands can generally be accommodated by the mitigation for the 535 dpa scenario, although at the Portfield roundabout and Oving junction capacity issues get worse with the 700dpa demands and these junctions may need to consider further mitigation*” (Para 5.40 of the TBP)
- 2.12 Paragraph 7.14 within the TBP recognises that “*the model is inherently less reliable than when it was updated in 2018... and a new model is needed going forward to inform work... in informing the prioritisation and design of any mitigation schemes agreed as part of that process*”. CDC state that undertaking a new model would not have been feasible due to timescales.
- 2.13 Despite indications and acknowledgements by Stantec (2023 Transport Assessment) and CDC that the key transport evidence supporting the Local Plan is outdated and unreliable (corroborated by our analysis), the TBP goes on to say that the Council believes “*that the outputs and analysis of the model are sufficiently robust to demonstrate the likely scale of impact of development growth set out within the plan*”. This is not agreed and has a significant impact on the level of growth in housing numbers that CDC are proposing in certain areas, such as 535 dpa, when they are relying on assumptions that are and out of date. This is also not in line with NPPF (December 2023) para 31 which states that “*The preparation of and review of all policies should be underpinned by relevant and up-to-date evidence*”.
- 2.14 The mitigation schemes that have been identified have been designed to mitigate the impact of the growth, which are based on a scenario which has been over inflated and is not robust. The over inflated assessment makes the level of contribution not in keeping with CIL tests;

- necessary to make the development acceptable in planning terms
- directly related to the development
- fairly and reasonably related in scale and kind to the development

2.15 Since the above work being undertaken, CDC have produced an updated report Chichester Transport Study 2024. The base year for this updated transport study is still 2014. It is noted that new surveys were conducted in November 2023 along the A27 corridor, and it is understood that additional localised surveys were programmed for June 2024, however it is not known if these were undertaken. These were carried out for comparative purposes and to validate against the previous traffic data, which as set out in **Section 2** are concluded to be out of date and not robust due to the overall reduction in traffic on the road network. It is positive that CDC have recognised that this exercise needs to be complete, however the Local Plan examination is scheduled to be heard October 2024 which not provide sufficient timescales for the existing model to be updated with validated surveys. It is therefore considered that the Local Plan is being put to examination without robust and up to date evidence.

2.16 To base (and significantly restrict) the level of development on outcomes produced by a transport model that all parties, including CDC, West Sussex County Council, National Highways and Stantec, recognise as *'is reaching the end of it's useful life'* is fundamentally flawed and should not be considered as a robust tool to support the Local Plan.

2.17 Within the TBP and the two CDC Transport Assessments, the justification for the 535dpa cap is due to higher scenarios (638dpa) showing a greater impact on junctions in the 2039 without mitigation scenario. The broad principles of this assumption is not disputed and follows a logical scenario in that additional growth will result in an increase in vehicular traffic/journey time/delay/queueing. However, from the information that is publicly available and conclusions within the TBP in paragraphs 7.20 to 7.23 and analysis in Section 8 of the Transport Assessment 2024 only provides outputs for the scenario of 638dpa, without mitigation. There does not appear to be any outputs or modelling scenarios publicly available that show anything other than 535dpa with mitigation.



2.18 Mitigation measures have been proposed from paragraph 4.4 in the TBP and goes on to set out six junctions which are the priority to be improved and which will deliver the best level of mitigation. These have been costed to a total of £134.03m. However, through the monitor and manage approach, these junctions may not be improved and other forms of mitigation may be decided to be more appropriate subject to future reviews. From the information that is publicly available, it has not been assessed that £134.03m worth of improvements could not deliver an increase in dpa, or even if 535dpa could be effectively mitigated against (in relation to the tests set out in NPPF) for a lower level of contributions.

### 3. MONITOR AND MANAGE METHODOLOGY

- 3.1 We have reviewed the ‘Monitor and Manage – Provisional Methodology (June 24 V1) Draft – Working Document’.
- 3.2 We have fundamental concerns regarding the suitability of a ‘monitor and manage’ approach when considering the proposed changes to the NPPF. Paragraph 112 of the draft NPPF promotes a more vision led and proactive approach to transport planning, rather than reactionary or precautionary approach adopted through ‘monitor and manage’. Through the draft NPPF, paragraph 112 sets out that “*A vision led approach promoting sustainable transport modes is taken, taking account of the type of development and its location*” and “*any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision led approach”.*
- 3.3 Setting aside our concerns regarding the merits of a ‘monitor and manage’ approach, it should also be noted that the Provisional Methodology document is still in draft, yet it forms a significant element of the transport evidence supporting the transport strategy being adopted in the Local Plan. There are obvious concerns regarding the Council’s introduction of draft evidence at this late stage in the plan-making process and adopting transport policies that are based upon this draft evidence. Whilst we question the merits of this approach for the reasons set out above, if a monitor and manage approach is considered appropriate for the Local Plan then further work should be undertaken to advance the draft methodology. It is accepted that this strategy will be subject to ongoing review, but the methodology need to be fixed at the outset in a form that is suitable and robust.
- 3.4 Given the identified flaws within the existing transport evidence, if the Inspector is minded to agreed that up to date traffic surveys are required, there is the possibility to provide a more up to date policy to ensure Local Plan growth is sufficiently mitigated against and the reliance on private car use reduces, rather than provide junction improvements which may only provide capacity for a finite number of years before they reach the same operational performance.

#### 4. INSPECTORS' MATTERS, ISSUES AND QUESTIONS

- 4.1 Within this section, the Inspectors' Matters, Issues and Questions (MIQs) will be referred to and a review of their transport and highway related questions will be undertaken. The MIQs can be found in **Appendix A**. The Inspectors put 16 questions to the Council and interested parties, which reflect various transport matters. Our professional opinion will provide a response to each of these MIQs.

*“Q20 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?”*

- 4.2 The Council's own evidence (Transport Background Paper – paras. 5.47 and 7.14) acknowledges that the model needs to be updated, and the evidence provided at Section 2 of this statement confirms that the baseline traffic flows within the model are incorrect. Consequently, it is unreliable for the purpose of properly understanding the impact of development scenarios and by extension it is inappropriate for understanding the required level of mitigation for development scenarios. A sound transport strategy cannot be developed in the absence of an accurate and reliable model. With these inherent flaws, the model cannot be relied upon as adequate and proportionate evidence.
- 4.3 On the subject of proportionality, should the Local Plan be found sound in its current form, it will at the point of adoption establish contributions via Policy T1 to fund junction improvements which have been derived from a model that is acknowledged to be out-of-date (based on traffic data that is 11 years old). This will lock in these contributions for a minimum of 5 years at which point the traffic data will be 16 years old. It is difficult to see how the development that comes forward through the current approach would allow for proportionate contributions in compliance with the CIL 122 tests.

*“Q.21 How has the employment growth set out in the Plan (as set out in Policies E1 and E3) been considered in the transport assessment and what if any part would it play in the monitor and manage approach?”*

4.4 Employment has been considered within the Transport Assessment 2024 and from initial review appears to be sound. However, there is no mention on employment sites directly contributing to the A27 Chichester Bypass within the draft SPD, even though the sites will have an impact on the strategic road network and other local roads. Whilst it can be expected that both West Sussex County Council and National Highways would secure contributions as necessary through planning applications and S106 legal agreements, the impact of the employment traffic has been included within the mitigation package identified. Therefore, housing sites are contributing towards mitigating the impact of the employment allocations, which is not considered CIL compliant, and it could be said that CDC are ‘double-dipping’ and collecting contributions twice.

*“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?”*

4.5 From our understanding of the TBP and the two CDC Transport Assessments (2023 and 2024), the justification for a growth scenario of 535dpa in the southern plan area is due to higher growth scenarios (including 638dpa scenario to meet the Standard Method) showing a greater impact on junctions in the 2039 without mitigation scenario. It is a reasonable assumption that additional growth will result in an increase in vehicular traffic/journey time/delay/queueing. However, from the information that is publicly available, including the conclusions within the TBP (paras. 7.20 to 7.23) and analysis in Section 8 of the Transport Assessment 2024, the Council’s evidence only provides outputs for the scenario of 638dpa without mitigation. There does not appear to be any outputs or modelling scenarios publicly available that test any other ‘with mitigation’ scenarios other than the Local Plan figure of 535dpa.

4.6 At this stage the Council’s transport evidence does not justify a cap on housing. Given the acknowledged flaws in the model, there is no sound basis for the proposed mitigation measures derived from that model. Setting aside that issue, the proposed mitigation measures are considered appropriate to achieve the standard method. Notwithstanding this, if the Inspector is minded to agree that the 2014 surveys are suitable for use, it is still necessary to see all other dpa scenarios with mitigation tested to see if a higher level of housing can be provided rather than restricted to 535dpa.

*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?*

- 4.7 Similar to the answer to question 22, there does not appear to be any information to suggest that there would be an unacceptable impact on highway safety and/or the residual cumulative impacts on the road network would be severe when considering a higher quantum of dpa without mitigation.

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- 4.9 A number of consultees are concerned that not enough evidence has been provided and the wording is not strong enough to deliver sustainable infrastructure and heavily relies upon the draft monitor and manage document. There does not appear to be a clear strategy to prioritise active travel modes and does not make sufficient provision for the delivery of transport infrastructure.

- 4.10 Through the draft NPPF, paragraph 112 sets out that “A vision led approach promoting sustainable transport modes is taken, taking account of the type of development and its location” and “any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision led approach”. The development of measures, as identified within Policy T1, does not suggest that it is in line with the draft NPPF.

*Q.26 Is there sufficient certainty regarding the effectiveness of the proposed transport mitigation measures to conclude that the Plan is sound?*

- 4.11 From the evidence presented within Section 2 of this report, the effectiveness of the proposed transport mitigation has not been fully considered and should be re-assessed using an updated transport model. Only once this is completed can an assessment of the effectiveness of the proposed transport mitigation be completed.

*Q.27 A number of potential transport mitigation schemes are described in the evidence base. What is the evidence that these schemes are feasible and could be delivered in the plan period?*

- 4.12 From review, West Sussex County Council have raised concern that two of the junctions within the mitigation package rely on land which is outside of existing highway boundaries. Furthermore, there are significant earthworks and structures required to achieve the junction improvements which have yet to be factored into the proposals. This could require additional land take (including third party land) or make the schemes unviable/undeliverable. Additionally, given the history and delays in delivering infrastructure through previous Local Plan periods, there is no certainty that the mitigation measures can be delivered within the plan period. West Sussex County Council also confirm this in their consultation response and state that *“not all the severely impacted A27 junctions have a reasonable prospect of being physically improved in the Plan period”*.
- 4.13 In addition, the reduction in traffic (Para 2.8 of this report) suggests that mitigation schemes of the extent to what have been provided may not be necessary and a different package of mitigation could be provided, including significant sustainable transport schemes, to allow for additional dpa.

*Q.28 How would the monitor and manage approach be implemented? How would cross boundary schemes and / or funding be dealt with?*

- 4.14 At present the monitor and manage approach is still in working draft format and there is no set policy on how this would work. However, from review of the monitor and manage methodology, the approach appears to be reasonable. From experience, cross boundary schemes/funding can be difficult, particularly if neighbouring authorities are not close in terms of similar Local Plan periods/bidding through separate funding streams for strategic mitigation. However, there is no reason to suggest that these authorities cannot work with each other productively and deliver infrastructure improvements.

*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?*

- 4.15 The structure of the policy does not raise any significant concerns. However, as noted above, the junction improvements and the associated costs are derived from an out-of-date model and therefore unreliable strategy.
- 4.16 Regarding the level of contribution being sought by paragraphs 8.20 and 8.2, no adjustment is made for brownfield sites which generate existing traffic flows. For example an office to residential conversion would still have to pay a full contribution even though the development may have a net reduction in vehicle trips. Whilst there is consideration for a reduction in Class C2 use, there does not appear to be any reduction for retirement living, or sites with considerable amenities on site and therefore reduce the use of private cars.

- 4.17 There is no mechanism to reduce the level of contribution should a development site provide infrastructure on site which will reduce levels of traffic on the A27 and actively remove trips from the network, such as schools, GP surgeries, sport pitches and supermarkets. Similarly, there is no mechanism to reduce the level of contribution if site internalisation is achieved. This approach directly conflicts with the requirements of Policy T2 which seeks these measures to reduce vehicle trips.
- 4.18 As set out above, employment site allocations are not required to pay a contribution in line with the draft SPD, however the mitigation package and methodology to calculate a per-dwelling contribution, includes mitigation of said employment trips.

*Q.30 What is the evidence that sufficient transport mitigation measures can be delivered to ensure that any significant impacts arising from the level of development proposed on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree?*

- 4.19 Within the Transport Assessment 2024, there are only two scenarios, without mitigation 2039 and with mitigation 2039 for 535dpa. There has been no additional modelling scenarios in the future 2039 year with mitigation for additional units, or a reduced mitigation package for 535dpa. The background evidence therefore lacks robustness in assessing various options throughout the timeline of the plan.

*Q.31 Are the suggested MMs necessary for soundness?*

- 4.20 As per the above answers, there is still a fundamental flaw in the background transport evidence and the suggested MMs still do not adequately address this.

*Q.32 Is Policy T2 clearly written and unambiguous, so it is evident how a decision maker should react to development proposals in respect of the following: a. What is meant by 'transport mitigation plan' in 1.j? b. What is meant by LCWIP in part 2 of the Policy?*

- 4.21 The structure of the policy does not raise any significant concerns. However, the requirements as set out above are unclear and it is for the Council to clarify this position should this policy be considered clear and unambiguous.

*Q.33 Are the suggested MMs necessary for soundness?*



- 4.22 As per the above answers, there is still a fundamental flaw in the background transport evidence and the suggested MMs still do not adequately address this.

*Q.34 Policy T3 refers to 'including the safeguarding delivery of current and planned cycle and walking routes as identified in the Chichester City Local Cycling and Walking Infrastructure Plan, the West Sussex Transport Plan 2022-2036, the West Sussex Walking and Cycling Strategy 2016- 2026 and the Chichester Area Sustainable Transport Package (including future updates/LCWIPs)'. Given that such schemes are not contained within the development plan, is the Policy clearly written and unambiguous, so it is evident how a decision maker should react to development proposals?*

- 4.23 This Policy is in contradiction to the transport evidence work that has been done to date and as explained previously, the Local Plan and background evidence is largely car-led and mitigation is mostly to provide additional vehicular capacity on the strategic road network. Additionally, there is a question of viability for sites that are proposed to contribute towards the A27 in line with the draft SPD and also provide site specific mitigation and sustainable transport measures. Should viability be questioned, this may lead to delivery of infrastructure not being provided which will be contrary to the Local Plan and NPPF.

*Q.35 Are the suggested MMs necessary for soundness?*

- 4.24 As per the above answers, there is still a fundamental flaw in the background transport evidence and the suggested MMs still do not adequately address this.

## 5. CONSULTATION REVIEW

5.1 This section of the report will consider some of the relevant consultee responses to the Local Plan Regulation 19 stage which are found on CDC website. The comments will be summarised and may not capture all of the points raised, however the most pertinent information relating to the above will be included.

5.2 National Highways object to the Local Plan as it currently stands and have raised the following comments:

- As it stands, National Highways do not consider that the proposed monitor and manage strategy is robust.
- Sustainable transport infrastructure should be delivered prior to occupation.
- The monitor and manage approach should set out a desired alternative scenario
- The framework must set out that the alternative to mitigation [unspecified] is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network.

5.3 Stagecoach (the public transport operator) object to the Local Plan as it currently stands and have raised the following comments:

- Despite the requirements in NPPF and contrary to the statement made by CDC, Stagecoach has not been approached or involved in a meaningful, collaborative or ongoing way in the preparation of the Local Plan
- Stagecoach services in the Chichester area are critical to existing and future local connectivity and for many in some areas of the district and Arun, bus is the only mass transit option.
- Improvements need to be made to protect buses from chronic delay even before the needs of any growth in the Chichester area are considered.
- Stagecoach object to their operational premises (head office, bus station and key interchange for passenger journeys) being allocated for development as there has been no agreed strategy to replace these facilities either in the Local Plan or elsewhere.
- Stagecoach's main concern is the plan strategy is neither back by sufficient transport evidence and the plan relies wholly on car-based transport mitigation.
- Long term changes in travel patterns and habits such as COVID, have not been evidenced and it is concluded that a refreshed transport evidence baseline of no earlier than 2022 should be used.
- Section 1b of Policy T2 is ineffective as it does not contain any measures to ensure buses can run reliably and efficiently.

5.4 West Sussex County Council in their role as local highway authority object to the Local Plan as it currently stands and have raised the following comments:

- From a highways and transport perspective there are three key issues that need to be addressed in order to make the plan sound.
  - There is insufficient evidence to demonstrate that key infrastructure will be deliverable,
  - The package of sustainable transport infrastructure and measures is not yet sufficiently well-developed to demonstrate that it is deliverable as part of the monitor and manage process,
  - There is insufficient evidence to demonstrate that the capacity of the transport network can accommodate the scale of development proposed as part of the Southbourne Broad Location for Development.
- The transport evidence base does not yet provide sufficient assurance that the proposed scale of development can be accommodated. This is because the base level of traffic flow has not been compared to local traffic counts, either in the initial validation of the strategic model or through a new count which West Sussex County Council has previously requested.