
Examination Statement

Savills on behalf of Elivia Homes Eastern

Chichester District Council Local Plan
Examination in Public
Main Matter 4C: Housing

Examination Statement

Chichester District Council Local Plan



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Chichester District Council Local Plan



GLOSSARY

Chichester District Council	CDC
Emerging Chichester Local Plan	The Plan
Housing and Employment Land Availability Assessment	HELAA
Housing Distribution Background Paper (Date July 2024)	HDBP
Housing Need Background Paper (Date July 2024)	HNBP
Matters, Issues and Questions	MIQs
National Planning Policy Framework (Date December 2023)	NPPF
Regulation 18	R18
Regulation 19	R19
South Downs National Park	SDNP
Sustainability Appraisal (Date January 2023)	SA

1. Introduction

- 1.1. This Examination Statement has been prepared on behalf of Elivia Homes (Eastern) who acquired Millwood Design Homes in January 2023. Representations to the emerging CDC Local Plan (“**The Plan**”) have previously been made on behalf of Millwood Designer Homes.
- 1.2. Elivia Homes are promoting two sites in the northern area of Chichester District:
- Land East of St Peter's Church, Wisborough Green (Site Reference: HWG0011)
 - Land at Loxwood House, Loxwood (Site Reference: HLX0004)
- 1.3. The sites themselves have not been allocated within The Plan. However, The Plan makes allowance for sites to be allocated through neighbourhood plans in the villages the sites above are located. Each site has been identified as developable in the HELAA, and Site HLX004 had a draft allocation in the abandoned Loxwood Neighbourhood Plan. Draft Policy A15 identifies that land will be allocated for a minimum of 220 dwellings in Loxwood.
- 1.4. This Examination Statement provides answers to relevant questions raised by the Inspector under Matter 4C of the MIQs. The following questions have been answered:
- Policy H1 Meeting Housing Needs
The Housing Requirement:
- 64
 - 65
 - 66
- Policy H3 Non-Strategic Parish Housing Requirement 2021-2039
- 73
 - 74
- 1.5. Recommended changes to Policy H1 have been identified.
- 1.6. For the avoidance of doubt, any policies referred to within this Statement relate to The Plan unless otherwise stated.



2. Response to the Inspectors Questions

Issue: Is the proposed approach to housing development positively prepared, justified, effective, and consistent with national policy?

Q64. Policy H1 Meeting Housing Needs sets a housing requirement for the full plan period 2021 – 2039 of at least 10,350 dwellings. This is below the local housing need for the area as determined by the standard method.

The justification for the proposed provision of 535 dpa in the southern area has been considered under Matter 4A Transport. Is the proposed figure of 40 dpa in the northern part of the plan area justified?

- 2.1. The introductory sections of The Plan explain that the objective for the Northern Plan Area is to maintain the rural character of the existing villages; enable the local communities to become more self-reliant in meeting their local needs; and conserving and enhancing the historic and natural environment. It is recognised in paragraph 3.22 that the northern area must accommodate some housing need. The Plan does not however, provide justification as to how the distribution of 40 dwellings per annum (dpa) to the northern area has been calculated and we would suggest that this number is too low.
- 2.2. The supporting evidence base should provide justification as to how CDC has arrived at the spatial distribution of housing to ensure The Plan is sound in line with NPPF paragraph 35. No evidence to justify the population growth and corresponding housing need in this area has been provided. The SA considers growth between 200 homes – 1,800 homes in the northern area. The larger of these numbers is defined as the level of growth available in the northern area of CDC within the Water Neutrality Mitigation Strategy. Whilst the delivery of 40dpa falls within the assessed growth option, there has been no assessment of the proposed growth level nor an explanation as to why this growth would score best against the SA objectives.
- 2.3. The HDBP seeks to explain CDC’s approach to the distribution of housing but does not detail the level of housing that can be accommodated in these areas. The HNBP then explains that the process and

conclusions from testing a higher level of growth in the northern Plan area are outlined in the HDBP. This is disputed as the HDBP simply refers to paragraphs 4.127-4.132 of the R18 consultation document. These paragraphs simply describe the area and do not link to any evidence which justifies that the rural character could not accommodate growth, nor does it provide evidence to justify that limited services / transport opportunities in the area would restrict growth. Moreover, the evidence does not consider the population growth that is required in these areas to maintain the vitality of the settlements and their services. For example, the Settlement Hierarchy Paper (May 2024) details that Wisborough Green no longer has a bus route available despite it being available in 2018; whereas we would argue that housing growth could provide the demand or funding needed to bring this service back into operation.

2.4. The possibility of delivering additional facilities and services in this area to improve sustainability in Loxwood and Wisborough Green has not been fully explored, nor has there been a full audit of facilities available in adjacent authorities which could also serve the area.

2.5. Concern is also raised as to how the figures in Policy H1 relate to Policies H2 and H3. Policy H1 sets out the spatial distribution of homes in each sub area. 679 homes across the Plan Period have been identified for the North of the Plan Area. The North of the Plan area comprises areas within the SDNP, Plaistow Parish, Loxwood Parish, Wisborough Green Parish, and the areas outside the SDNP in Kirdford Parish, Plaistow Parish, North Chapel Parish and Petworth Parish (as per Map A3). Paragraph 3.25 of the SLP sets out that:

The following locations, which are all service villages, have been identified as being capable of accommodating lower growth to come forward through the neighbourhood planning process:

- *Kirdford – 50 dwellings*
- *Wisborough Green – 75 dwellings*
- *Plaistow and Ifold – 25 dwellings*

2.6. Paragraph 3.27 of the SLP continues to explain that 220 dwellings is an appropriate level of growth in Loxwood. These figures are confirmed in Policy H2 and H3. In total, these figures equate to 370 homes in the Northern Area. It is unclear if the additional homes required to achieve 679 dwellings set out in Policy H1 are expected to come forward as windfall development or relate to committed development. This should be defined and justified.

2.7. Finally, no evidence has been provided to demonstrate that the delivery of homes through Neighbourhood Plans is effective in this location. Thus, concern is raised about the delivery of new homes in the Northern Plan Area through Neighbourhood Plans alone.

2.8. Consequently, the strategy for delivering sufficient homes in the Northern Plan Area is not effective or justified. Consequently, The Plan is not sound. Elivia Homes consider that the housing allowance in the Northern Plan Area should be increased and that allocations should be made within The Plan to ensure the delivery of sites.

Q.65 Would the adverse impacts of the Plan not providing for objectively assessed housing needs significantly and demonstrably outweigh the benefits of doing so when assessed against the policies in the NPPF taken as a whole? That is to say is the overall housing requirement justified?

2.9. It is not considered that the overall housing requirement, below that of CDC's Standard Method and as set out in The Plan, is justified. This is with specific reference to the limited housing growth assigned to the Northern Plan Area which has not been fully justified through evidence. The SA, the HELAA and the HDBP demonstrate that there is capacity in the Northern Plan Area to accommodate additional growth. CDC has failed to assess the improvements to community infrastructure and connections to larger centres (such as Billingshurst) in the Northern Plan Area. Improvements could be funded via new development which would be a benefit to both new and existing residents in the area. With this in mind, Elivia Homes do not consider that CDC has provided exceptional circumstances to justify an alternative method to calculating their housing need in accordance with NPPF paragraph 61 and that the local characteristics of the Northern Plan Area have not been assessed through evidence. Therefore, the overall housing requirement is not sound.

Q.66 Paragraph 5.2 of the Plan sets out that the housing requirement would be made up of 535 dpa in the southern area and 40 dpa in the northern area. These figures are not included in Policy H1. Is this effective?

2.10. Elivia Homes do not consider that all components of the overall housing land supply are effective. This is on the basis that the proposed housing supply relies on dwellings being brought forward via neighbourhood plans. Specifically, Policy H2 includes the strategic delivery of 790 homes in Chichester City, Nutbourne &

Hambrook and Loxwood. Policy H3 defines the non-strategic delivery of 310 homes via neighbourhood plans. There is no certainty that these neighbourhood plans will come forward or, where they do, that they will accommodate the growth required. No background papers or correspondence with neighbourhood plan groups has been issued as part of the supporting evidence base. It is not sufficient evidence that these areas have historically prepared a neighbourhood plan to demonstrate the homes will be delivered. There are recent instances, such as in Loxwood, where the progress of the Plan has resulted in the abandonment of the emerging Neighbourhood Plan to allow for greater growth in the area. Whilst the updated position on the Loxwood Neighbourhood Plan is considered beneficial in terms of the revised housing figure set out in The Plan, it is likely that it will take a number of years to progress to referendum and adoption.

- 2.11. In respect of the Northern Plan Area, it is recognised that due to the allocation of homes through neighbourhood plans, it is unlikely that any new growth could come forward in the first 5 years of the Plan Period. However, insufficient evidence has been provided to demonstrate that there is no need for homes to be delivered during early part of the Plan Period. This essentially allows the Northern Plan Area to stagnate over the early Plan Period and could result in the loss of services and facilities that require the additional foot fall. This is an oversight when there are clearly sites that have been identified as deliverable in the early part of the Plan Period in these areas. For example, sites such as HWG0011 and HLX0004 are immediately available to deliver up to 100 dwellings.
- 2.12. A further example of the risk associated with the allocation of housing via neighbourhood plans is contained at paragraph 4.30 of the HDBP whereby an Examiner concluded that the Southbourne Neighbourhood Plan was not in conformity with the adopted Development Plan. The Southbourne Neighbourhood Plan was subsequently abandoned and the housing requirement assigned back to CDC.
- 2.13. The CDC Local Plan (2014- 2029) adopted on 14 July 2015 sought to deliver growth via Neighbourhood Plans. On 22 September 2019, CDC adopted their Site Allocations DPD which allocated 365 homes that had not come forward because no neighbourhood plan had been progressed. In this case 8 neighbourhood plans had failed to allocate the required homes. This demonstrates the risk associated with allocating housing growth through neighbourhood plans alone. It also indicates the importance of ensuring that growth can come forward via a DPD.

2.14. In this case, it is recognised that both Policy H2 and H3 state:

“If draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress, the council will allocate sites within a development plan document in order to meet the requirements of this Local Plan.”

2.15. However, this statement is ambiguous as it does not specify what ‘demonstrable progress’ means nor does it provide a timeframe for an alternative solution to be provided to ensure the delivery of homes in neighbourhood plan areas.

2.16. Finally, it is clear through Parish Council meeting minutes that several are unhappy with the increased housing targets for their area. Given this, the production of neighbourhood plans could stall in an effort to delay or prohibit the delivery of homes in their areas.

2.17. On the basis of the above, Elivia Homes is concerned that progress will not be made on Neighbourhood Plans in a timely manner to allow for the housing need to be delivered. It is recommended that to ensure the Housing Supply detailed in Policy H1 can come forward, the following amendment should be made to Policy H2 and H3 to ensure effectiveness:

*“If draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not ~~made demonstrable progress~~ **reached a Regulation 16 consultation within 2 years of the Local Plan adoption or the neighbourhood plan is abandoned at any point following the adoption of the Local Plan**, the council will **consider planning applications favourably within the relevant Neighbourhood Plan area and will seek to** allocate sites within a development plan document in order to meet the requirements of this Local Plan.”*

Q.73 What is the justification for the parish housing requirements set out in Policy H3?

2.18. It is not clear how the housing targets in Policy H3 have been derived. The SA has analysed various levels of growth in the parish areas but not the specific numbers set out within Policy H3. The HNBP only sets out how the neighbourhood plan areas’ housing targets have increased since the R18 consultation and does

not provide justification in terms of the capacity of the neighbourhood plan area to accommodate growth. An opportunity for higher targets may have therefore been missed.

2.19. The SA details that Wisborough Green is able to accommodate up to 125 dwellings via Scenario 3 (Appendix V of the SA). This is greater than the number which has been assigned to Wisborough Green via Neighbourhood Plan allocations (75 dwellings). Scenario 2 and 3 detail the delivery of site HWG0011. The allocation of this site is supported within the document, demonstrating that there are sites available for allocation in the area to support the housing requirements in the Northern Plan Area.

2.20. The parish housing requirements within Policy H3 have not been supported by sufficient and robust evidence to demonstrate how CDC has arrived at the figures. The evidence base documents demonstrate that there is sufficient capacity to accommodate greater growth and increase the parish housing required. In this respect, The Plan is not sound and further housing should be allocated within the parish areas.

Q.74 Is the statement in the last paragraph of the policy concerning what the Council would do in the event of demonstrable progress not being made in providing for the minimum housing numbers effective?

2.21. As per the answer to Question 68, Elivia Homes is concerned that the delivery of homes via Neighbourhood Plan areas is not effective. The paragraph is ambiguous and does not provide certainty that the homes in the neighbourhood plan areas will come forward during the Plan Period. Therefore, it is recommended that the text is amended to that outlined in paragraph 2.16 of this Examination Statement.

3. Conclusion

- 3.1. This Examination Statement is written on behalf of Elivia Homes with regards to sites HWG0011 and HLX0004. It provides answers questions raised by the Planning Inspectors under Matter 4C (housing) of the MIQs.
- 3.2. Concerns are raised regarding the spatial approach to the Northern Plan Area, the evidence available to justify the proposed housing growth in the Northern Plan Area and the reliance on Neighbourhood Plans to deliver growth in the Northern Plan Area.
- 3.3. Alternative wording has been provided in paragraph 2.16 of this Examination Statement to clarify that where Neighbourhood Plans do not come forward within a set timeframe, CDC will seek to allocate sites in the area via different means, such as a Development Plan Document or Interim Policy Statement.
- 3.4. Elivia Homes would like to thank Inspectors P Lewis and J Ayres for this opportunity to provide comments on The Plan.

