

**Chichester District Local Plan EIP – Matter 4C:
Housing**

Wates Developments: Representor ID 4762

September 2024

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Client
Wates Developments

Our reference
WATS3003

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1. Introduction

- 1.1 This Statement has been prepared by Turley on behalf of our client, Wates Developments Ltd, in relation to Matter 4C – Housing.
- 1.2 Wates Developments have land interests in the District, including those to the east of Southbourne within the Broad Location for Development that Chichester District Council propose to deliver under Local Plan Policy A13.
- 1.3 We set out our response to the questions posed by the Inspectors, where relevant to our client's previous submissions (which at the time were made by Barton Willmore, now Stantec jointly with Seaward Properties (now acquired by Elivia Homes). This Statement is purely on behalf of Wates Developments Ltd. Our comments have regard to national planning policy and other material considerations.

2. Matters to be Examined – Matter 4C: Housing

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

Policy H1 Meeting Housing Needs

The housing requirement

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?

- 2.1 The Council have acknowledged that the Plan will not provide for the District's own objectively assessed housing needs (OAHN), nor assist adjacent LPAs who have requested assistance with their unmet needs. No adjacent LPAs have offered to assist CDC with their unmet needs. It is clear that this will lead to adverse impacts through the need for new homes (including the evidenced¹ acute need for affordable homes) not being met, which must be weighed against the adverse impacts which the Council consider would result from meeting the objectively assessed housing need in full.
- 2.2 As is made clear in the Council's Housing Need Background Paper (July 2024, BP06) the adverse impacts of meeting the OAHN in full are as a result of the adverse impacts on the highway network (paragraph 5.29) which they consider would significantly and demonstrably outweigh the benefits.
- 2.3 Whilst paragraph 5.6.5 of the January 2023 Chichester Transport Study (Stantec, TA04.01-06) seemingly indicated that 700dpa could well be possible in the southern area (165dpa more than currently planned for in the submission Local Plan) it is understood from the Transport Background Paper (July 2024, BP14) that the subsequent viability assessment work concluded that *"there was not an increased level of housing that it would be possible to provide within the Local Plan which could deliver a level of contributions that would deliver the full mitigation scheme, whilst still remaining financially viable and being able to sufficiently mitigate the impact of the development on the A27 and local highway network."* (para 5.45)
- 2.4 As such the Council have proposed a lower quantum of housing based on a deliverable package of highways mitigation measures that would be deliverable through the likely available funding. The Council therefore reverted to the 575dpa requirement.
- 2.5 Paragraph 7.3 of the Transport Background Paper (July 2024, BP14) highlights that work to review the 2024 Transport Study on the package of sustainable transport infrastructure and measures as part of the monitor and manage process as well the deliverability of key infrastructure is ongoing.

¹ 579 dpa according to the Sustainability Appraisal (January 2023, SD03.01)

- 2.6 Whilst transport matters have been addressed separately under Matter 4a (including the Hearing Statement by i-Transport on behalf of Wates) should it be determined that a higher quantum of development is capable of being accommodated then modifications are likely to be required to accommodate this additional growth which will have implications for the balance of adverse impacts versus the benefits of delivery additional homes to meet identified needs.
- 2.7 Given the anticipated adoption of the Local Plan in Spring 2025, it will at best be marginal whether the Local Plan will have 15 years supply post adoption. Any potential shortfall in this regard, coupled with the currently planned for shortfall against LHN and any additional needs arising from the revisions to the LHN calculation (pending the final outcome of the current NPPF consultation) will need to be addressed via a review of the Local Plan at the earliest opportunity post adoption of this current Plan. This should be subject to a main modification tied to the commencement and completion of the Local Plan Review.
- 2.8 To further ensure that new homes can be provided ahead of the completion of this process, and noting the uncertainty with the robustness of the transport evidence base on which the proposed housing requirement is predicated, it is considered a further main modification should be introduced to allow the development of new homes to come forwards on sites not allocated in the Plan or a Neighbourhood Plan. This should include sites both within the built-up area or outside the built-up area but well-related to a settlement. Proposals should be permitted provided the proposal accords with all relevant development plan policies and can demonstrate that it will not be prejudicial to highway safety or have a severe residual cumulative impact on network capacity. We would be happy to work with the Council on the development of a policy to be included as a main modification on this basis.
- 2.9 As such at the current time it is not clear that the adverse impacts of the Plan not providing for objectively assessed housing needs would significantly and demonstrably outweigh the benefits of doing so when assessed against the policies in the NPPF taken as a whole. Further clarity is required on the outcomes of the ongoing workstreams and any additional capacity this may result in, in order to conclude whether the Plan is positively prepared, justified and effective. The proposed additional main modifications discussed above would seek to ensure that additional growth can be delivered in the interim where it can be demonstrated not to result in a severe residual cumulative impact whilst work is progressed on an early review of the Local Plan to ensure additional growth is planned for in a comprehensive manner at as early a time as possible.

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

- 2.10 Notwithstanding our comments above regarding the housing requirement more generally, we consider the exclusion of these figures from Policy H1 to be effective. If the split were to be introduced in Policy 1 it is unclear how this could be implemented in practice given the timescales for implementation of planning permissions will vary across sites and therefore it would not be possible, or appropriate, to artificially restrict the delivery of sites to these delivery levels per annum. Nor do we consider such a split

is justified for the purposes of assessing the five year housing land supply position going forwards for these reasons.

- 2.11 Whilst the total split across the Plan period could be expressed in the Policy, the broad spatial distribution is already provided in the second table in Policy H1, although without reference to the southern plan area specifically. Furthermore, the housing target for the plan area as a whole is expressed as a minimum and as such, provision above these housing requirements can be delivered. As such it is not considered that the split in the housing requirement needs to be expressly stated within Policy H1 in order for the Plan to be effective.

Housing Land Supply

Policy H1 Meeting Housing Needs sets out the broad sources of supply to meet the housing requirement. Housing land supply will be provided by the Plan, the existing site allocation DPD, a new DPD and Neighbourhood Plans. The Plan therefore is not singly providing for all the supply in the plan period, though it is setting the overall housing requirement.

Q. Are the components of the overall housing land supply set out in Policy H1 (as updated in BP07 Housing supply background paper) justified?

Specially:

Is footnote 29 as set out in the submitted Plan regarding Site Allocation DPD allocations correct given that policies of that plan are not to be superseded by this Plan?

What is the compelling evidence that windfall sites will make the anticipated contribution to housing land supply over the plan period?

- 2.12 In light of the decision to proceed with the preparation of the Southbourne Allocations DPD (SADPD), the sources of supply should be updated to reflect this process.
- 2.13 It is noted that the Housing Supply Background Paper (July 2024, BP07) highlights in respect of the Southbourne Broad Location for Development (BLD) that as a result of consented sites (totalling 227 dwellings) the number of remaining dwellings in supply from Policy A13 is 823 dwellings. Given the significant reliance on the windfall allowance, and the recognition of the sustainability of Southbourne as a location to accommodate additional growth, it is considered that additional flexibility should be provided through the use of “approximately 1,050”. This is further emphasised by our commentary above on the Council’s proposed approach to the housing target and the shortfall against identified LHN. It is notable that since the Proposed Submission Plan (Regulation 19) was published, 3 sites have gained planning permission for Southbourne parish, totalling 227 dwellings. The Council’s Housing Supply Background Paper (July 2024, BP07) identifies these as being capable of being delivered within the first five years of the Plan (2024/25-2028/29), with the remaining 823 dwellings (of the 1,050) capable of being delivered over the remainder of the Plan period.
- 2.14 Whilst the Housing Supply Background Paper sets out that the windfall allowance of an average of 54 net dwellings per year is based on historical trends for small site

completions over the 10 years from 2011/12 – 2021/22, this covered a period when the Council at times have been unable to demonstrate a five year housing land supply. This will have therefore led to an increased delivery from windfall sites which beyond an average rate. Should it be demonstrated through the ongoing transport assessment work that additional growth can be accommodated than the current proposed target, there will need to be further allocations to meet this rather than relying on a further inflated windfall allowance given our concerns above. As such the additional flexibility suggested in respect of the Southbourne BLD will seek to assist in mitigating any reduction in supply which could be experienced.

Q.69 Will there be a five-year supply of deliverable housing sites on adoption of the Plan?

- 2.15 The Council's updated housing supply trajectory at Appendix 6 to the Council's suggested modifications schedule, suggests delivery at the Southbourne BLD (excluding the parts which already benefit from planning permission) would not commence delivery until 2030/2031. Given the Council anticipate adoption of the Local Plan Spring 2025 it is considered this is a conservative estimate and that delivery on the site could commence from 2028/2029.

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