

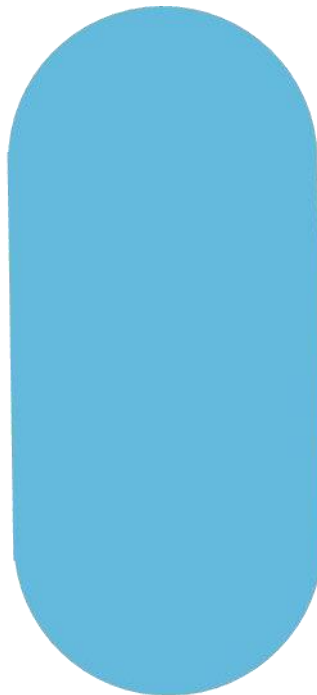


 Part of Shakespeare Martineau

CHICHESTER LOCAL PLAN EXAMINATION MATTER 4C HEARING STATEMENT

PREPARED ON BEHALF OF GLEESON LAND

September 2024





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1. INTRODUCTION

- 1.1 This Matter Statement has been prepared on behalf of Gleeson Land in respect of Matter 4C relating to the approach Chichester District Council (CDC) has taken to housing needs and how the Plan seeks to accommodate these.
- 1.2 Gleeson Land has interests in the District across 3no. sites, as set out below, and have submitted representations at earlier stages of Plan preparation through Regulation 18 and 19 consultations:
- Land west of Clay Lane, Fishbourne – SHLAA ref. HFB0018a;
 - Land south of Scant Road (West), Hambrook – SHLAA ref. HCH0024; and
 - Land South of Lagness Road, Runcton, not previously submitted for consideration but subject to an Outline application being submitted in October 2024.
- 1.3 More detail on these sites is provided in our response to Matter 3.
- 1.4 This Matter Statement responds to the Inspectors' questions and have been considered in the context of the tests of 'Soundness' as set out at Para 35 of the NPPF (December 2023). These require that a Plan is:
- Positively Prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
 - Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
 - Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
 - Consistent with National Policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.



2. MATTER 4C: HOUSING – HOUSING NEEDS

Local Housing Need

Q.60 Is there any substantive evidence to demonstrate that it would be appropriate to plan for a higher housing need figure than the standard method indicates in this case as per advice set out in the PPG (Paragraph: 010 Reference ID: 2a-010-20201216)?

2.1 As set out in the referenced PPG, the standard method sets the minimum starting point in determining the number of homes needed in an area. There may be circumstances where it is appropriate to consider whether actual housing need is higher than the standard method indicates. Circumstances where this may be appropriate include:

- growth strategies for the area (e.g. Housing Deals);
- strategic infrastructure improvements that are likely to drive an increase in the homes needed locally; or
- an authority agreeing to take on unmet need from neighbouring authorities.

2.2 As detailed at para 21 of the Executive Summary of the HEDNA (April 2022, H06) there are “no circumstances in Chichester District relating to growth funding, strategic infrastructure improvements or affordable housing need which indicate that ‘actual’ housing need is higher than the standard method indicates”.

2.3 However, the HEDNA identifies at para 4.39 that “Chichester should consider any unmet need from neighbouring authorities when setting their housing need in their Local Plan”. It should be noted that this was the position as of April 2022, and there is no update to this despite over 2-years lapsing.

2.4 There appears to be no further consideration for what this unmet need means for the housing need figure.

2.5 This is in contrast to the previous HEDNA (September 2020, H07) which identified the level of unmet need arising from the South Downs National Park Authority, the agreement to this (through Statement of Common Ground) and what this means for the overall Local Housing Need figure for Chichester District.

2.6 Despite the findings of the HEDNA we consider the Council has not adequately considered whether actual housing need is higher than the standard method indicates accounting for unmet need from neighbouring authorities.



Unmet needs of neighbouring areas

Q.61 Is there any substantive evidence that the Plan should be accommodating unmet need from neighbours, and if so, would it be sound to do so?

2.7 As detailed in the Duty to Cooperate Statement of Compliance (April 2024, SD06) there are clear issues across the region with authorities not being able to meet their own needs in full. At various stages of Plan-making, authorities have formally requested Chichester District accommodate unmet needs. This includes:

- South Downs National Park Authority in February 2018;
- Worthing Borough Council in January 2021;
- Crawley Borough Council in April 2023; and
- Lewes District Council in April 2024.

2.8 The Council had previously, at the time of the Preferred Approach Regulation 18 consultation in 2020, indicated it would include provision for accommodating some unmet need from the South Downs National Park Authority area. A Statement of Common Ground was agreed on this basis.

2.9 Subsequently, however, the Council changed its stance indicating there was “significant infrastructure issues regarding delivery of the level of development to meet Chichester’s own housing needs” and therefore it would not be able to accommodate any unmet needs from the National Park or elsewhere.

2.10 As set out elsewhere, we do not agree with this position.

2.11 Further, we consider this position maintained by the Council since 2021, has underpinned Duty to Cooperate discussions with other authorities such that these have focused on constraints, rather than opportunities for assisting in reducing the significant unmet needs of the region.

2.12 On this basis, we consider it necessary unmet needs are accommodated, to ensure the Plan is positively prepared, effective and consistent with national policy.

2.13 This should, as a minimum, address the unmet need arising from the South Downs National Park Authority as the only neighbouring authority to formally request support in doing so. Previously this was identified in the HEDNA 2020 as an additional 44 dwelling per annum, but this number is likely to have increased in the interim period and should be clarified with the National Park Authority.



3. **MATTER 4C: HOUSING – POLICY H1 MEETING HOUSING NEEDS**

The housing requirement

Q.64 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?

3.1 As set out in our Matter 4A Hearing Statement we consider the ‘cap’ applied to the southern area has not been justified.

3.2 The Council should be looking to maximise all opportunities for accommodating housing needs in full (plus any unmet needs if this can be accommodated) in both the northern and southern parts of the plan area.

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?**

3.3 The Framework is clear at paragraph 7 that the purpose of the planning system is to:

Contribute to the achievement of sustainable development, including the provision of homes, commercial development, and supporting infrastructure in a sustainable manner

3.4 It goes on to establish what this means in terms of the three overarching objectives of the planning system (economic, social and environmental) and how the presumption in favour should be applied to pursue this in a positive way.

3.5 Paragraph 11 is clear that for plan-making this means:

a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;



b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area⁷; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

- 3.6 Footnote 7 referenced above relates to habitats sites, SSSI, Green Belt, Local Green Space, AONB (National Landscapes), National Park / Broads Authority / Heritage Coast, irreplaceable habitats, designated heritage assets, and areas at risk of flooding or coastal change.
- 3.7 Whilst a number of these apply across the District area, the Council has not sought to reduce housing requirements on the basis of Para 11 b) i).
- 3.8 It has however concluded there would be an adverse impact of accommodating housing needs in full, in accordance with Para 11 b) ii). This is on the basis growth of the scale needed to meet needs in full would lead to a “severe” impact on the road network, at which point paragraph 115 directs that development should be prevented or refused.
- 3.9 As set out in our Matter 4A Hearing Statement we consider the ‘cap’ applied to the southern area has not been justified. Conversely, the actual quantum of development which can be accommodated on the road network is likely considerably higher.
- 3.10 Further, the results of the Transport Assessment identify the 535dpa scenario testing would, in many locations, achieve betterment above baseline conditions. This assessment, undertaken in the context of an overestimation of baseline and development traffic flows, demonstrates an overall improvement in the operation of local network some of which are by a large margin.
- 3.11 The proposed highway mitigation strategy could therefore comfortably accommodate an increase in the number of dwellings that could be delivered.
- 3.12 A greater quantum of development would, alongside wider social, environmental and economic benefits, have the beneficial effect of enabling transport mitigation costs to be spread across a greater number of dwellings, enhancing viability and enabling the delivery of other infrastructure required to support the growth strategy.



- 3.13 As set out throughout our Matter Statements, the Council should be looking for all opportunities to meet its housing needs in full and, where practicable, accommodate unmet needs from neighbouring authorities (including the South Downs National Park) and wider region.
- 3.14 The is not currently achieved, and the Plan is not justified, positively prepared, effective or consistent with national policy.
- 3.15 The consequences of this are potentially significant when considering the local and regional context, noting:
- There is known unmet need across the region, including but not limited to those authorities who have formally requested Chichester accommodate this – this will only increase with the additional of any unmet needs of Chichester District;
 - The District is experiencing growing unaffordability, with the affordability ratio increasing from 11.13 in 2013 to 13.51 in 2023 – not addressing housing needs in full risks exacerbating this persistent issue;
 - The Standard Method calculation being a ‘capped’ figure with the maximum 40% uplift arising from affordability – this is unlikely to improve if housing needs are not being met in full, thereby not reducing the need for the next Plan-making exercise; and
 - There is a significant affordable housing need in the District, as detailed in the HEDNA (April 2022, H06) of 278 homes for social / affordable rent per annum and 301 homes for affordable home ownership per annum – this is a considerable level of need which will only worsen if opportunities are not taken to maximise housing and affordable housing delivery.
- 3.16 There are clear benefits which would be delivered in respect of housing and affordable housing delivery if a higher housing requirement is set and achieved through the Plan. Further, there are notable other opportunities which could be achieved through this strategy including the provision of additional social facilities, services and infrastructure, delivery of additional public open spaces, green and blue infrastructure, and biodiversity enhancement (including through net gain), and significant economic benefits arising from additional direct and indirect construction costs (including employment) and post construction from economic output generated by residential population in employment, commercial expenditure and council tax.
- 3.17 We would anticipate any Sustainability Appraisal which reflects our conclusions on the transport evidence base and addresses housing needs in full (or housing needs + unmet needs) would support the comments above. The Council should revisit its approach to the Spatial Strategy on this basis.



4. MATTER 4C: HOUSING – 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.68 Are the components of the overall housing land supply set out in Policy H1 (as updated in BP07 Housing supply background paper) justified?

4.1 The Plan identifies both sites for allocations and housing requirement for future DPDs and / or Neighbourhood Plans. It is unclear why this strategy has been chosen, and why the Council has not sought to address its housing requirement in full through a single plan-making exercise.

4.2 In light of the significant housing needs of the District, compounded by the issues relating to the 'cap' in housing requirements, we do not consider it a positively prepared or effective strategy for circa. 1,271 homes in 'Strategic Locations' to be deferred to later Plan-making exercises (823 dwellings through Policy A13 and 448 dwellings through neighbourhood plans, Policies A2, A12 and A15, on the basis of the Housing Supply Background Paper, July 2024, BP07).

4.3 Outside of completions and existing commitments (as of 31 March 2024), this equates to 38% of the remaining housing supply for the Plan period.

4.4 In addition, if windfalls are included (720 dwellings) this equates to 59% of the remaining housing supply for the Plan period being on sites not identified by the Local Plan. Including non-strategic parish housing requirements (248 dwellings) the number of unallocated sites relied on by the Plan to meet the housing requirement increases to 67%.

4.5 We consider there to be no justified reason for why strategic housing allocations should be deferred to another plan-making process. There is no clear commitment to the timeframes for which these come forward, and no certainty they will. This is a clear risk to the strategy of the Plan which should be looking to deliver housing and addressed housing needs (or in part as it is currently proposing) as swiftly as possible.

4.6 The Council has through its own evidence base assessed the suitability and deliverability of sites in these locations. It should therefore come to its own conclusions on where housing should be delivered, thus providing more certainty as to how and when housing needs would be met, thereby speeding up the delivery in these locations.

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



- 4.7 On the basis of the 'capped' housing requirement of 575dpa the Council is currently identifying (within the Housing Supply Background Paper, BP07) a rolling housing land supply of between 5.15 – 5.77 years across the period 2023/24 – 2027/28. It is therefore identifying a marginal buffer above the 5-year requirement.
- 4.8 Notwithstanding our wider comments on the housing requirement, which would inevitably result in there not being a 5-year supply on the basis of the submission Plan, we do not consider the Council has taken the correct approach to assessing housing land supply.
- 4.9 The Council's position on 5-year supply is dependent on 'oversupply' from previous years of the Plan period being carried forward across the years 2024/25 – 2028/29.
- 4.10 Whilst the PPG is currently unclear on how oversupply should be considered for the purpose of housing land supply, the Government announced in its August 2024 proposed reforms to national planning policy framework that it would be removing reference to past oversupply from the Framework to ensure it is not set against upcoming supply:

Given the chronic need for housing we see in all areas, we should celebrate strong delivery records without diluting future ambitions.

These changes will be pro-supply measures, ensuring a pipeline of deliverable sites is maintained at all times

[Para 20 – 21 of "Proposed reforms to the National Planning Policy Framework and other changes to the planning system", August 2024]

- 4.11 Should it be considered oversupply can be soundly considered as part of the housing land supply calculation, this should be spread across the remaining Plan-period so as to not unduly delay the delivery of suitable and sustainable housing sites (inc. windfall sites). The aim of the Plan should be to address the significant housing and growth needs of the District as soon as practicable, which would potentially not be the case if the housing requirements are reduced in the first 5-years of the Plan.
- 4.12 The distribution of oversupply across 15-years (required post-adoption timeframe), rather than 5-years, results in a reduction of 62 dwellings per year from the supply across 2024/25 – 2028/29 as set out below:



	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29
Annual net housing target	575	575	575	575	575	575	575	575
Cumulative net housing requirement	575	1150	1725	2300	2875	3450	4025	4600
Net completions	712	904						
Cumulative net completions	712	1616						
Cumulative completions above housing requirement	137	466						
Projected housing supply			607	574	649	522	446	451
Completions above housing requirement (average over 5 year supply period)				31	31	31	31	31
Total housing supply			607	605	680	553	477	482

4.13 On this basis, the Plan would not be delivering a 5-year supply figure across years 2023/24 – 2025/26 of the Plan period, as set out below.

Projected Five Year Supply Position	2023/24	2024/25	2025/26	2026/27	2027/28
Projected five year housing supply	2922	2797	2997	3139	3455
Adjusted five year housing requirement (+buffer)	3019	3019	3019	3019	3019
Projected years housing supply	4.84	4.63	4.93	5.2	5.72

4.14 Whilst the Plan would, as of 2026/27, demonstrate a 5-year supply, table 18 of the Housing Supply Background Paper identifies this would only be up to 2030/31 after which supply would decrease across the remainder of the Plan-period.

4.15 The Plan therefore is at risk of being considered out of date immediately on adoption. This should be remedied by further suitable and deliverable housing sites being identified through the Plan and / or the inclusion of a positively worded windfall policy which supports development adjoining sustainable settlements where it meets the expectations of other policies of the Plan (as discussed in our Matter 3 statement).



Policy H3 Non-Strategic Parish Housing Requirements 2021 – 2039

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

- 4.16 As set out in our Matter 3 statement, we do not consider it justified that Fishbourne is identified as a non-strategic parish location within Policy H3. Despite its location in the settlement hierarchy, Fishbourne has been overlooked as a 'Strategic Location' due to the Strategic Wildlife Corridor being proposed in the Plan.
- 4.17 Whilst we have no objection to the principle of the proposed Strategic Wildlife Corridors we do not consider these to be positively prepared, justified or consistent with national policy if their purpose is to suppress development in what may otherwise be potentially sustainable locations.
- 4.18 The Council now appears to, through its proposed modifications, accept that development can suitably come forward in / adjacent to Wildlife Corridors. This contradicts the conclusion of the Sustainability Appraisal which justified the suppressed housing requirement for Fishbourne on this basis.
- 4.19 Further, it is a material change from the position set out in the Housing Distribution Background Paper (July 2024, BP05) that as a consequence of the proposed Wildlife Corridor available land in the settlement was "now markedly reduced" (para 4.25) and the housing number for Fishbourne Parish has been significantly reduced to a non-strategic parish housing figure "largely due to the location of the strategic wildlife corridors now proposed" (para 4.38).
- 4.20 Fishbourne should therefore be recognised as a 'more sustainable' location where additional growth can and should occur. The Regulation 18 Preferred Approach (December 2018) consultation identified Fishbourne as a "larger and more sustainable settlement", alongside Bosham, Hambrook / Nutbourne and Hunston, with an allocation of a "minimum of 250 dwellings".

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?

- 4.21 As set out in our response to Question 68, there is no clear commitment to the timeframes for which these come forward, and no certainty they will. Whilst a lower quantum of housing overall when compared to the 'Strategic Locations', the non-strategic parish requirements nevertheless cumulatively equate to a significant number of homes (248 dwellings remaining as per 31 March 2024).
- 4.22 In light of the 'capped' nature of the housing requirement, we consider the Council should be either allocating these sites now as part of this Plan process or committing to a quick timeframe



(i.e. 2 – 3 years post adoption of the Plan) for which neighbourhood plans come forward before the Council steps in and progresses as DPD (which itself is not a quick process).

- 4.23 As it stands, we do not consider the strategy would be effective in addressing housing needs / the housing requirement.