

Chichester Local Plan Review (2021 – 2039)

Examination Hearing Statement

Matter 4C: Housing


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

Hearing date: Thursday 3rd October 2024

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1. Introduction

1.1. This statement has been prepared by Nova Planning Limited on behalf of Metis Homes (hereafter referred to as 'Metis') who have land interests in Southbourne. All of this land, as shown at Figure 1 below, is located in the proposed Southbourne Broad Location for Development (BLD). It comprises two adjoining parcels - an eastern parcel (shown edged red) known as 'Harris Scrapyard & Oaks Farm' (HSOF) and a western parcel (shown edged blue) known as 'Land East of Inlands Road' (LEOIR).

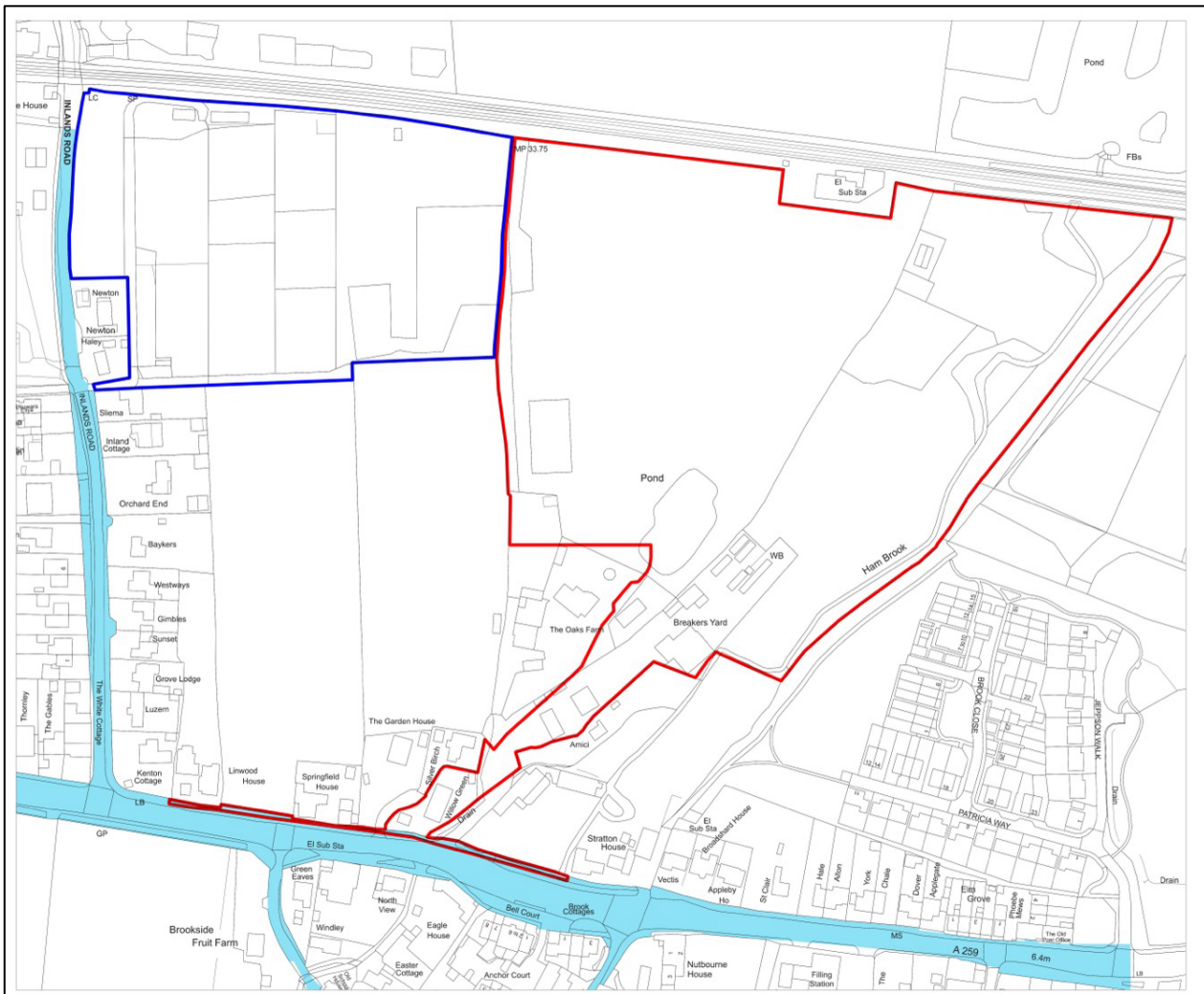



Figure 1: Site Location Plan

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- 1.2. HSOF benefits from planning permission for 103no. dwellings, a children's nursery and associated works including provision of a section of the proposed Ham Brook Strategic Wildlife Corridor. The land has been acquired and development is due to commence in the coming months.
- 1.3. LEOIR is the subject of a current outline planning application under CDC application Ref. 24/01161/OUTEIA. for 49no dwellings, with all matters reserved except for access. The site is sustainably located within walking and cycling distance of existing facilities and services in the 'Settlement Hub' of Southbourne. The current planning application includes a new vehicular and pedestrian access to Inlands Road which the Highway Authority (West Sussex County Council) have confirmed is acceptable. The site represents a logical location for residential development given its position between the recently built out housing allocation at Priors Orchard and the approved development at HSOF which is due to commence within the next 6 months. It lies between and the A259 to the south and the railway line to the north, which provides a clear physical barrier to the remainder of the land within the wider BLD allocation.
- 1.4. The statement follows representations submitted by Nova Planning Limited on behalf of Metis Homes in March 2023 in response to Chichester District Council's (CDC) Regulation 19 Local Plan Review (Local Plan) consultation.
- 1.5. Section 2 addresses the Inspectors' Matters, Issues and Questions (MIQs) in relation to Matter 4C 'Housing'.

2. The Inspectors Matters, Issues and Questions


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?

- 2.1. It is notable that CDC had committed to meeting some of the unmet need from the neighbouring South Downs National Park Authority (SDNPA). The Local Plan Preferred Approach (December 2018) included an allowance for 44dpa in the SDNPA. However, in the most recent Statement of Common Ground between CDC and SDNPA (June 2024), it is explained that this is no longer possible due to the Local Plan transport evidence leading CDC to consider a housing requirement below the Standard Method. Consequently, CDC withdrew their previous undertaking to meet some of the unmet housing need arising from that part of the National Park within Chichester District.
- 2.2. CDC's decision not to meet any of the SDNPA unmet need is based solely on the assumption that CDC cannot meet its own housing needs in accordance with the Standard Method due to the limitation on housing in the southern plan area that has been identified in the transport evidence accompanying the Local Plan.
- 2.3. We are making separate submissions on behalf of Metis in relation to 'Matter 4A: Transport' which highlight significant flaws in the transport evidence underpinning the Local Plan and in particular the unnecessary and unjustified limitation of housing in the southern plan area. By their own admission, CDC have used an out-of-date traffic model (para. 9.3 of the Transport Background Paper) which has overestimated the impacts on the A27 and led to a mitigation approach which does not accurately reflect the true impact of development. CDC have also acknowledged that the proposed mitigation package for 535dpa, albeit based on a flawed transport model for the reasons stated above, would adequately address the needs generated by 700dpa (para. 5.40 of Transport Background Paper). As such, even if CDC's flawed transport evidence were to be accepted, it would not justify a limitation in the southern plan area.
- 2.4. With these considerations in mind, there is no reasonable justification for CDC not planning for housing delivery in accordance with the Standard Method whilst also having scope to accommodate some unmet need from the SDNPA or other neighbouring authorities.

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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?


- 2.5. As noted in our separate submissions relating to Matter 3: Spatial Strategy, the Housing Need Background Paper (HNBP) and Housing Distribution Background Paper (HDBP) set out the process that has been undertaken to establish the proposed distribution of housing across the plan area.
- 2.6. The submitted Local Plan includes 40dpa to the northern plan area, which represents a modest increase on the level of housing originally distributed to this area when the plan was making housing provision in accordance with the Standard Method. This increase is a direct consequence of the limitation placed on housing provision in the southern plan area (limited to 535dpa). For the reasons set out in our separate submissions in relation to 'Matter 3: Spatial Strategy' and 'Matter 4A: Transport', the transport evidence underpinning the Local Plan is flawed. There is a reasonable alternative to the proposed approach that would allow the redistribution of housing from the northern plan area to the southern plan area, resulting in a more sustainable pattern of development.
- 2.7. By following the flawed transport evidence and failing to adopt a reasonable alternative that would have resulted in more sustainable pattern of development, the Local Plan is not justified, nor is it positively prepared or consistent with national policy.

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?

- 2.8. Paragraphs 5.1 to 5.4 of the Housing Need Background Paper (HNBP) set out CDC's position on this issue. It states that providing housing in accordance with the Standard Method would engage Paragraph 11(b)(ii) of the NPPF, i.e. the adverse impacts of providing

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this level of development would significantly and demonstrably outweigh the benefits when assessed against the framework as a whole. The HNBP identifies “adverse impacts on the highway network” and cites Paragraphs 104 and 110 of the framework when explaining why these adverse impacts justify a constrained housing requirements below the Standard Method. It appears that the references to Paragraphs 104 and 110 should instead reference Paragraph 108 and 114. Paragraph 5.7 of the HNBP concludes that provision of housing in accordance with the Standard Method would conflict with Paragraph 104 (Paragraph 108).

- 2.9. Firstly, for the reasons set out in our separate submissions in relation to Matter 3 ‘Spatial Strategy’ and Matter 4A ‘Transport’, the Council’s transport evidence is out-of-date and unreliable. This is acknowledged by CDC and other key consultees. In the absence of up-to-date and reliable evidence, CDC cannot accurately assess the balance in accordance with Paragraph 11.
- 2.10. Secondly, the balancing exercise undertaken by CDC makes no reference to Paragraph 115 of the NPPF. This makes clear that the threshold for preventing development on highways grounds is only met in situations where the evidence confirms that “there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”. The reference to “severe” aligns with the “significant and demonstrable” threshold in Paragraph 11.
- 2.11. As set out above, it is not possible for CDC to evidence a severe impact due to the absence of reliable evidence to do so. However, when the transport evidence is taken at face value there is still no clear basis to support a conclusion that the impact is “severe”. Taking the ‘without mitigation’ comparative assessment at page 26 of the Chichester Transport Study 2024, the impact associated with an increase from 535dpa to 638dpa amounts to additional delays or queuing time of 1min 30secs – 2mins on the relevant A27 junctions. This does not constitute a “severe” impact in the context of Paragraph 11 of the framework, and it is important to note that these impacts (delays/queuing) are overestimated due to the post Covid reductions in the 2014 baseline data. This is detailed in our separate submissions on Matter 4A ‘Transport’. There is no ‘with mitigation’ comparative assessment. However, it is worth noting the sensitivity testing in 2022 (para. 5.40 of the Transport Background Paper) which confirmed that 700dpa could be accommodated in the southern plan area with the planned mitigation package for 535dpa. It is important to note again that this position was taken on the basis of overestimated baseline traffic flows, so the mitigation package could provide even more capacity but would at the very least accommodate housing provision in accordance with the Standard Method. As such the ‘with mitigation’ scenario would see development fully mitigated in line with Paragraph 108 of the framework.

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2.12. Finally, even if there was evidence that 638dpa could not be accommodated without severe impacts, CDC should then have tested other growth scenarios between 535dpa and 638dpa to maximise housing delivery against the Standard Method. There is no evidence of this work being undertaken and as such reasonable alternatives have not been fully considered by CDC.

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?

2.13. Policy H1 includes the overall requirement, and the residual requirement is distributed to each of the plan areas (southern plan area including two sub areas). Whilst the requirement is presented in an effective way, the requirement itself is not positively prepared for the reasons set out elsewhere in this submission.

Q.67 Are the suggested MMs necessary for soundness?

2.14. The proposed main modifications do not address the fundamental issues outlined above.

Policy H2 Strategic Location/ Allocation 2021 - 2039

Q.71 Were the proposed strategic housing locations/allocations selected on the basis of an understanding of what land is suitable, available and achievable for housing in the plan area using an appropriate and proportionate methodology, and are there clear reasons why other land which has not been allocated has been discounted?


2.15. This is a matter for the Council.

Q.72 Is the MM to paragraph 5.6 necessary for soundness?

2.16. No comments.

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