**A27 Contribution Supplementary Planning Document**

**Statement of Consultation**

**www.chichester.gov.uk/planningpolicy September 2024**

# Introduction and Summary

* 1. This Statement of Consultation explains how Chichester District Council has undertaken consultation and stakeholder involvement to produce the A27 Chichester Bypass Mitigation Supplementary Planning Document (SPD). It explains how on-going consultation and engagement has shaped the SPD. This statement is a legal requirement prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012. The Regulations require that the documents published for consultation on an SPD should include a statement setting out:

1. the persons the local planning authority consulted when preparing the supplementary planning document;
2. a summary of the main issues raised by those persons; and
3. how those issues have been addressed in the supplementary planning document
   1. This Statement explains how consultation has been carried out as the SPD has been developed. It includes an explanation of how the council has come to prepare the SPD as this aids understanding of the consultation that has been undertaken. It explains the consultation that has been undertaken at each stage of the document’s evolution, including the methods used, the people involved, the outcome of the consultation and how this has influenced the formation of the SPD.

# Purpose of amendment to SPD

## The Planning Obligations & Affordable Housing SPD was adopted by Council in its current form on 19 July 2016. It sets out Chichester District Council’s proposed guidance for securing developer contributions from new developments that required to meet the requirements of policies within the Local Plan, in order to make that development acceptable. It is currently an important material consideration in determining planning applications.

2.2 Whilst the 2016 SPD has been successful in securing the original target level of developer contributions for A27 improvement works, the remaining improvement works to Fishbourne, Bognor, Stockbridge and Whyke roundabouts have not been possible to deliver as the costs have increased very significantly, well beyond the funding that has been secured through the 2016 SPD, and beyond the ability of the 2016 SPD to collect in the future within the quantum of development envisaged by the adopted Local Plan (2014-2029).

## The draft A27 Chichester Bypass Mitigation SPD addresses this by providing guidance on the application of contributions to all net increases in dwellings within the south of the District, and seeking to increase the level of contributions sought to mitigate the additional traffic impact on the A27 Chichester Bypass as a result of the adopted Chichester Local Plan (2014-2029). The new SPD will replace the wording at Paragraphs 4.46 – 4.54 of the Planning Obligations & Affordable Housing SPD and sets out guidance for securing contributions necessitated by, and in accordance with, the policies in the adopted Chichester Local Plan.

# Consultation process – who was consulted and how the issues raised by respondents have been addressed in the SPD.

## 3.1 Two six-week consultations were undertaken to inform the production of the SPD, the first from 22 September to 3 November 2023 (the 2023 consultation) and the second from 30 May to 11 July 2024 (the 2024 consultation).

3.2 The purpose of the consultations was to seek comments from stakeholders and members of the public on the proposed amendment to the SPD. All statutory consultees were notified (City/Town/Parish Councils including those which adjoin the District in neighbouring local authority areas, relevant county authorities, adjoining local authorities, specific consultation bodies) as well as registered individuals and organisations on the Local Plan database, local agents, Elected members and various District Council and West Sussex County Council staff. The consultations were advertised on the Council’s website and the local press giving all those not on the council’s database an opportunity to take part in the consultation.

The 2023 Consultation

3.3 The draft A27 Chichester Bypass Mitigation SPD (September 2023) sought to secure developer contributions from all uncommitted residential development coming forward in the south of the District, both before and after the new Local Plan is adopted. That draft SPD was based on securing funding for the reduced A27 mitigation package that was developed as part of preparing the new Local Plan, involving improvements only to the junctions at Fishbourne and Bognor Roads, with an estimated cost of up to £43.4M.

3.4 There was a total of 130 responses received to the public consultation on the previous draft SPD. Many of these had some concerns about the proposed approach. The most significant concerns were received from developers and from some parish councils and are summarised below.

3.5 The approach was seen as contrary to the Town and Country Planning (Local Planning) (England) Regulations 2012 in that the draft SPD allegedly created a new development management policy without undergoing an Examination. This concern arose because the draft SPD sought to apply the developer contributions not only to dwellings coming forward under the adopted Local Plan, but also to those coming forward under the new Local Plan, which at that time had not been submitted for examination. It was also considered that references in the draft SPD to a ‘cap’ on development were not appropriate to include until this approach had been fully tested at the Local Plan Examination.

3.6 The approach to calculating contributions in the draft SPD was criticised as it was not based on the ‘proportional impact’ that development has on the Chichester Bypass, based on proximity to the A27, but instead treated every development site across the District equally. This was said to give rise to conflict with the ‘tests’ set out within CIL Regulation 122 as there was no evidence to demonstrate that all dwellings would have a ‘broadly equal’ impact on the A27 junctions. This approach was also considered to be a retrograde step in that it moved away from what was seen as a reasonable and robust approach in the 2016 SPD, which did focus the calculation of contributions on the proportional impact of development coming forward, based on the development’s location.

3.7 The previous draft SPD was also criticised as it proposed a sliding scale of contributions, based on the number of bedrooms in each dwelling This applied a linear scale of contributions, such that a 2-bed dwelling would pay half the contribution of a 4-bed dwelling. This was not thought to be consistent with the CIL Regulation 122 ‘tests’ as there is no clear or linear relationship between the number of dwelling bedrooms and the impact that dwellings have on the A27. Resolving this would require use of a measure more closely related to traffic impact, such as car ownership.

3.8 These concerns and all of the other points made in response to the public consultation, were carefully considered and informed the preparation of a revised draft SPD. The revised document sought to overcome the concerns of significance by;

* Ensuring the revised SPD seeks address the increased costs in delivering the schemes required to support the adopted Local Plan only.
* Restricting the application of the new SPD to those dwellings (comprising windfall sites and parish housing sites) that may still come forward under Policy 4 of the adopted Local Plan within the period before the new Local Plan is adopted.
* To proportionately link the contribution level set out in the SPD to the scale and location of development, relative to the impact that it would have on the A27 Chichester Bypass.
* Ensuring that the evidence base for a household size approach was linked to the proportionate impact of the number of bedrooms on the A27 Chichester Bypass.

The 2024 Consultation

* 1. The revised draft A27 Chichester Bypass Mitigation SPD (May 2024) was made available for public consultation for a period of six weeks. There was a total of 121 responses received. Whilst some of these had concerns about the proposed approach, many were merely commenting on the current state of traffic on the A27 Chichester Bypass and on the need to ensure that improvements were delivered as soon as possible. There were also a significant number of comments which supported the approach taken by the draft SPD.
  2. Of those raising concerns, there were no issues raised which have resulted in any significant change of approach being required from that proposed in the draft SPD. Careful account was taken of all representations made and have provided detailed responses to these where appropriate. As the most recent consultation on the SPD, the full set of consultation comments made and the Council’s response to these are set out within Appendix 1.
  3. As a result of the consultation comments, a number of minor changes were made to the SPD;
* Paragraph 1.1 was revised to include additional wording proposed by National Highways to clarify the nature of the impact of development coming forward.
* Paragraph 1.2 was revised to include a reference to ‘Smarter Choice’ and demand management measures to encourage sustainable transport use, as requested by West Sussex County Council.
* Paragraph 4.1 was revised to include additional wording proposed by West Sussex County Council to clarify that the supporting evidence base for the Local Plan refers to ‘Smarter Choice’ and promoting sustainable transport and that it will therefore be appropriate for funding secured through the SPD to be spent on these measures as part of mitigating the impact of development on the A27.
* Paragraph 5.2 was revised to include additional wording proposed by National Highways to clarify the current position with Government funding sources and the role of Chichester District Council in the governance of delivering the infrastructure improvement works.
* Paragraph 5.3 was partially deleted as a consequential change to Paragraph 5.2 (above).
* Paragraph 5.9 was revised to clarify that indexation will apply from the date that the SPD is adopted, rather than the date on which any given s106 Agreement is signed.

A27 Contribution Supplementary Planning Document: Statement of Consultation

Appendix 1

Summary of representations to the 2024 Consultation, including Council response

| **Rep id** | **Respondent id** | **Respondent formatted name** | **Representation text** | **Support / Object** | **Council’s response** | **Action needed? E.g revision, discussions, meetings?** |
| --- | --- | --- | --- | --- | --- | --- |
| 6457 | 8259 | Mr Cllr Andrew Kerry-Bedell [8259] | Why were no housing sites allocated north of the A27 and South of the SDNP? This seems a serious omission of the previous Conservative run CDC Council. By allocating all new housing along the A27 and A259 corridor this has placed undue pressure on both roads. The A27 has seen large increases in traffic volumes, driven by new and much of it unplanned development won on appeal (I.e. not in the CDC Local Plan) The A259 has also gone from 11,000 vehicles per day a decade ago to 14,500 a day now, with peaks of 1200 vehicles at rush hour. | Comment | The comments are noted. However, decisions on the allocation of developments sites is a matter for the new Local Plan and not for this SPD. | No changes to the SPD are required. |
| 6462 | 7799 | Mr Martin Stern [7799] | I’m very Sirportive of bypass improvements. We must be careful not to over plan, I’ m not in favour of a bridge | Support | The support is noted. | No changes to the SPD are required. |
| 6479 | 5237 | Mr Christopher Page [5237] | Here we go again. The perennial Chichester problem of improving traffic chaos with no money. No Government help despite their imposition of huge housing needs with no money for infrastructure improvement. CDC proposes to raise from developers, whose costs will be inevitably transferred to purchasers. So-called improvements to the A27 under this plan will last for years, entailing chaos while works are in hand, and permanent inconvenience to locals when finished. | Object | The comments are noted. In the absence of Government funding, the purpose of the new SPD is to secure the funds that will be required to address the impact of traffic that has been caused by development identified within the adopted Local Plan. | No changes to the SPD are required. |
| 6485 | 915 | Fishbourne Parish Council (Parish Clerk) [915] | Para 1.1 We welcome the recognition that the additional traffic as a result of new building will impact on “the A257 Chichester Bypass junctions and the associated local highway network. This is particularly so where the road is “already at full capacity” (A27 and A259) and country lanes whose design and quality of foundation render them unfit for purpose. | Comment | The comments are noted. | No changes to the SPD are required. |
| 6509 | 6669 | West Wittering Parish Council (Mrs Susan Hawker, Clerk) [6669] | West Wittering Parish Council support this introduction to the SPD. | Support | The support is noted. | No changes to the SPD are required. |
| 6533 | 7883 | Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883] | The Environment Agency has no comments to make on this updated A27 Chichester Bypass Mitigation SPD (version 2). Thank you very much. | Comment | N/A | No changes to the SPD are required. |
| 6534 | 6276 | Mr Anthony Nordberg [6276] | Against the DfT's forecast of traffic congestion rising inexorably by ~2.5% per year I suggest that any expensive and disruptive 'improvements' to the A27 will soon be swamped. Instead, the Council need to lok at the introduction of a new faster cheaper and cleaner transport mode that will reduce congestion and by increasing social and economic opportunities, especially for the younger generation, to catalyse growth.     The proposal is laid out in the attached 550-word article. | Comment | The purpose of the new SPD is to secure the funds that will be required specifically to address the impact of traffic that has been caused by development identified within the adopted Local Plan. The emerging Local Plan Review sets out a new approach that involves prioritising sustainable transport improvements which will aim to reduce pressure on the A27 Bypass. | No changes to the SPD are required. |
| 6537 | 8227 | Natural England (Ms Sharon Jenkins, Operations Delivery) [8227] | Natural England does not have any specific comments on the Publication of draft A27 Chichester Bypass Mitigation Supplementary Planning Document | Comment | N/A | No changes to the SPD are required. |
| 6538 | 8273 | Stephen Kane [8273] | This really needs some kind of summary … I understand planning but even I lost interest after a few pages … highly technical … btw … I first got involved in consultations on options for the A27 Chichester Bypass in 1995! … hasn’t really progressed much ! | Object | The comments are noted. A summary of the SPD was provided within the covering report to Cabinet on 12th May 2024. | No changes to the SPD are required. |
| 6539 | 8274 | Surrey County Council (Tamas Gyorfi, Planning Policy Technical Support Officer) [8274] | Please note that we have no comments to raise. | Comment | N/A | No changes to the SPD are required. |
| 6540 | 6936 | Cassons Restaurant (Mr Dunslay Casson, Partner) [6936] | As far as I can ascertain in this draft document there is no mention of industrial developments having any effect on traffic volumes on the A27. I would draw your attention to the recently agreed expansion at Rolls Royce at Westhampnett. This must increase both the number of HGV’s entering and exiting the site as well as additional employees who may not live in the Chichester area travelling to the expanded operation. May I suggest that this key element is included in any traffic projections for both employees and potential deliveries etc.  The council should ascertain the number of additional number of vehicle movements any proposed industrial developments will generate an add those to projected numbers. | Comment | The impact on the A27 of recent commercial and industrial development is a matter for the emerging Local Plan to deal with. The draft SPD relates only to the adopted Local Plan.  The reasons why the SPD only seeks to secure contributions from residential development is first, that this is the only form of development for which the Council has viability evidence available to inform the level of contributions. Second, seeking contributions from other development types would give rise to ‘double counting issues’, for example, where employment uses were asked to contribute even though their employees lived within the District in homes that had already contributed to the A27 mitigation. | No changes to the SPD are required. |
| 6541 | 6936 | Cassons Restaurant (Mr Dunslay Casson, Partner) [6936] | Completed works to the Portfield and Oving Road junctions do not appear to have improved traffic flow to any great degree. This could be due to all improvements not being completed. However, the tenure of this document does not seem to suggest that there will be any ‘quick fixes’ to this whole issue. It could be construed that housing developments could be completed way before any A27 improvements are completed. It is difficult to comment on the other junctions – Fishbourne, Stockbridge, Wyke and Bognor as there are as far as I can ascertain there are no finalised plans to view. Due to the close proximity of housing to the Wyke and Stockbridge junctions it is difficult for the layman to comment on what might be envisaged. Previous documents on the subject have suggested that properties would have to be demolished. Is this still the case? There was thoughts on flyovers/donut roundabouts at some of the junctions. One has to assume that this has been now shelved? Is this the case? One could see improvements at Bognor and Fishbourne and nothing at Wyke and Stockbridge which would not improve the situation at all. In actual fact it would make it worse! It would lead to funnelling traffic in from both ends of junctions under consideration only for it to ‘jam’ in the middle. Is it envisaged that some dwellings would have to be demolished in these proposals?  The council along with WSCC and National Highways should with all speed publish all plans for all the proposed junction improvements along with all back up information justifying the proposals. | Comment | The junction improvements to the A27 Bypass are each detailed within the Transport Study of Strategic Development Options and Sustainable Transport Measures (2013) which is available on the Council’s website. This is the evidence base that supported the adopted Local Plan. | No changes to the SPD are required. |
| 6542 | 6936 | Cassons Restaurant (Mr Dunslay Casson, Partner) [6936] | There has to be a concern that this document only majors on the situation within the Chichester District. As far as I can see there are no assumptions included for the amount of traffic that will be generated from neighbouring councils that will be using the A27 to either access new work spaces in Chichester or to travel to areas such as Portsmouth/ Southampton/ Brighton. Assuming also that people may want to go into the centre of Chichester. That currently from the Portfield junction is more than often subject to traffic jams! Also there appears to be no calculations made to the expected rise in traffic levels using the A27. I have to assume that these are included somewhere and have not been forgotten. The A27 is the main South Coast arterial road and as such will attract increased traffic level experientially. On this issue of the A27 being the main South Coast highway. It would be a concern that there is not as far as one can see from any documentation that is in the public domain any overall plan for the A27 from East of Worthing, through Arundel and to the West of Chichester. Unless there is and overall plan, all that will happen is that you will move traffic issues from one location to another as improvements happen (hopefully!). It also may be difficult to review any options with the potential change of government and priorities. | Comment | It is not possible for the draft SPD to apply to local authority areas outside of Chichester District (or indeed within the National Park). The Council works, on a continuing basis, with those neighbouring authorities and in some cases (such as in Arun District) they have their own mechanisms in place to secure mitigation funding for the A27. | No changes to the SPD are required. |
| 6555 | 7778 | Wates Developments [7778] | We write in response to the above consultation on behalf of our client, Wates Developments, who have a range of land interests in the District. Wates have been engaged throughout the process of the SPD including the submission of representations to the previous round of consultation in November 2023.   As is made clear in the introduction to the consultation document, the SPD is seen as a temporary measure until the adoption of the Local Plan Review. The draft SPD is therefore prepared in the context of policies 4 (Housing Provision), 8 (Transport and Accessibility) and Policy 9 (Development Infrastructure Provision) of the adopted Chichester Local Plan: Key Policies 2014-2029 (2015).   The Local Plan Review was submitted for independent examination on 3rd May 2024, with the Inspectors appointed later that month. Given the sensitivities around the General Election, whilst an initial letter was issued by the Inspectors on 12 June 2024, this was focused on factual and procedural points. At the current time therefore, no indication has been provided of the Inspectors’ matters, issues and questions or the timing of the Examination hearings. It is however noted that the Council’s latest Local Development Scheme (approved 19 March 2024) anticipates the hearings being held over Summer/Autumn 2024 with adoption in Spring 2025. Based on these timings, and assuming the SPD is adopted in the Summer, the SPD is likely to be in place for an approximately 9-12 month period, although clearly if the Examination is protracted this could be extended. The draft SPD advises that the Council anticipate the number of dwellings affected by the SPD in this interim period would be in the region of 250.   As per our previous submissions (enclosed) we remain concerned that the proposed approach the Council are seeking to pursue through the SPD does not accord with the legislative framework as detailed within the 2004 Planning and Compulsory Purchase Act (as amended). Concern is raised that the SPD seeks to collect financial contributions for growth anticipated in an emerging (and unadopted) Local Plan. It is noted that the Local Plan Review does not propose to fully meet the housing needs of the District and this has yet to be tested through Examination. Should it be found through this process that a greater quantum of growth can be accommodate, this could bring down the costs on a ‘per dwelling’ basis. Such matters can only be appropriately tested through the Examination process and as such it is not considered the SPD is an appropriate mechanism to seek to introduce this tariff.   Notwithstanding the above, if the Council continue to pursue the SPD, it is important that the SPD is produced in accordance with national guidance and does not hinder the delivery of sites relied upon in the Council’s submitted Local Plan. As set out in Planning Practice Guidance, SPDs ‘should not add unnecessarily to the financial burdens on development.’ Clearly should the adoption of the Local Plan Review be delayed for any reason (such as an extended Examination Period or changes in national policy) the SPD could remain in place for a longer period than currently envisaged. In such a circumstance it would not be unexpected for a greater quantum of development to come forward than the 250 homes, including allocations proposed through the Local Plan Review as well as larger windfall sites to ensure the Council are able to maintain a five-year housing land supply.   The draft SPD would seek financial contributions from all new dwellings (rather than developments of over 50 homes as per the current situation) in wards south of the National Park. £8,000 per dwelling is proposed to be used as a ‘Target Contribution Level’ against which other factors, such as the location of development and the size of the dwelling will be applied. Applying these, the maximum contribution which would be sought for a single dwelling would therefore be £12,160. Notably the size of dwelling is stated to be tied to the increased number of vehicles associated with larger dwellings. We note that the SPD has sought to address the previous comments from Wates regarding the correlation of bedroom spaces to the costs proposed to better reflect the proportional increase in vehicle ownership which can be expected. The mix and quantum of homes to be delivered through the Local Plan review remains to be examined and found sound, as such the expected level of overall contributions secured is subject to change.   Notwithstanding our comments above in respect of the principle of the SPD, we now turn to more detailed considerations. At this stage no specific viability evidence has been prepared in respect of this interim SPD and instead the Council seek to rely on the viability evidence prepared for the Local Plan Review. These viability assessments have been prepared using the adopted charging rates (as indexed for 2023) within their assumptions. The Stage 2 Viability Assessment (January 2023) appears to have only tested on the basis of a flat rate of £8,000 per dwelling rather than the more nuanced approach actually proposed through the SPD. The smallest scheme that has been assessed is for 6 dwellings.   Specific viability testing should be undertaken to assess the approach proposed through the draft SPD. This should include testing of smaller schemes (including below 6 dwellings). During this interim phase it is likely to be smaller windfall schemes which will come forwards and be subject to the SPD, ahead of the adoption of the Local Plan Review, and these should be appropriate assessed. The assessment should however also consider larger schemes in case the adoption of the Local Plan Review is delayed and some of these sites are to be brought forwards under this interim SPD ahead of the Local Plan Review adoption.   In light of the above we consider that the Council should reconsider the preparation of the SPD and instead focus its efforts and resources on the forthcoming Local Plan Examination to seek to ensure the Plan is adopted in a  +timely manner as the appropriate mechanism to consider mitigation measures for the A27. This will allow such a strategic matter to be addressed more comprehensively through the Local Plan process including a review of CIL and the IDP that sits alongside the Local Plan Review, and robustly tested through the Examination process.   We trust that the above information is of assistance in your preparation of the SPD. We look forward to continuing to work with the Council through the preparation of the SPD (if pursued) and Local Plan. | Object | The comments are noted. It is not the case that the draft SPD seeks to collect contributions from growth anticipated in the emerging Local Plan and it is clear from the Introduction of the SPD that it will only apply to residential development coming forward under the adopted Local Plan (Policy 4: Housing Provision).  In relation to the ‘per dwelling’ costs of the infrastructure, the adopted Local Plan sets out a specific level of infrastructure that is designed to mitigate the level of housing set out in Policy 4. The draft SPD would only apply to that quantum of development. Any development that comes forward (ahead of the new Local Plan) which is in excess of the quantum set out in Policy 4 would require additional mitigation measures that are not covered by the adopted Local Plan or the draft SPD. In such cases the Council would seek guidance from National Highways as to the how the impact of such development should be mitigated.  We note the comments in relation to the Council’s viability evidence. However, it should be noted that the evidence used to support the draft SPD is the same evidence as is currently supporting the emerging Local Plan. Whilst it is acknowledged that this has not been subject to Examination, it is nevertheless comprehensive and is the most up-to-date evidence available. It is therefore considered to be proportionate evidence to support the draft SPD.  The contributions proposed within the draft SPD have been carefully set at levels that take full account of and respond to the available viability evidence. With regard to smaller schemes, it should be noted that these benefit from inherently better viability headroom as they are not required to provide for affordable housing, which is by some margin, the most significant ‘policy impact’ on residential development viability.  With regard to the focus of the Council on the draft SPD, it should be noted work on the 2nd draft of the SPD was undertaken after the Local Plan had been prepared for Submission and so it is indeed the case that the Council’s first priority has continued to be on progressing the preparation of the emerging Local Plan. | No changes to the SPD are required. |
| 6558 | 888 | Donnington Parish Council (Mrs Nicola Swann (Parish Clerk)) [888] | 1.4 it is suggested that the works completed at Portfield roundabout mean that this roundabout requires no further improvement. However the Chichester Transport Study 2024, Local Plan 2021-2039 Transport assessment by Stantec on page 8 states that “the modelling shows that all junctions on the A27 Chichester bypass are well over capacity”. In section 1.3.2 of the Transport Study, it states there have been minor works at Portfield roundabout and table 5-1 highlights the Portfield roundabout in red, indicating mitigation is deemed necessary. Therefore, the assumption in the SPD that Portfield requires no further mitigation does not appear correct.  The Chichester Transport Study 2024, Local Plan 2021-2039 Transport assessment by Stantec states the data for Portfield Roundabout and journey times between Portfield and Bognor Road Roundabouts are not typical, therefore this data is not used in any further analysis. The previous model is now reaching the end of its useful life but a verification exercise has taken place; but this would have excluded the Portfield to Bognor roundabouts times because they are a typical. Further verification of the impact on the Portfield improvements are required if the local Plan believes no further improvements are required. | Comment | The comments are noted. The purpose of the draft SPD is simply to secure the funds that will be required specifically to address the impact of traffic that has been caused by development identified within the adopted Local Plan. The infrastructure improvements to be funded by the new SPD are those referred to in the adopted Local Plan and the supporting Transport Study of Strategic Development Options and Sustainable Transport Measures (2013).  The Chichester Transport Study 2024 referred to provides updated evidence to support the emerging Local Plan which includes a revised approach to mitigating the impact of development on the A27 and a new mechanism for securing developer funding. | No changes to the SPD are required. |
| 6560 | 1084 | Historic England (Alan Byrne, Historic Environment Planning Adviser) [1084] | Historic England does not wish to comment on the content of the A27 Chichester Bypass Mitigation SPD which deals with matters beyond our remit. | Comment | N/A | No changes to the SPD are required. |
| 6564 | 8277 | Linden Downland Graylingwell LLP – c/o Vistry Southern [8277] | These representations should be read in conjunction with representation ID: 6379 submitted in November 2023 on behalf of Linden Downland Graylingwell LLP – c/o Countryside Partnerships.   The revised SPD does not address the previous representations in full and raises new issues. The key concerns are,   • Improvements to the A27 should not be the sole responsibility of housebuilders.  • A proper justification to exclude other uses from contributions has still not been provided.  • The current Local Plan is still in force and does not suggest that 700 dwellings per annum would have an unacceptable highway impact.  • The emerging Local Plan is the correct process for introducing the need for additional contributions towards the A27, where the evidence can be properly assessed and considered. The SPD is prematurely introducing these contributions in the interim.  • The draft SPD remains in conflict with the Community Infrastructure Levy tests and the conflicts set out in the original November 2023 representations and the original have not been resolved.  Please can you give very careful consideration to these representations as part of the further consideration of the draft SPD. | Object | It is acknowledged that it would be preferable to fund the required mitigation through a range of sources without having to rely on development funding entirely. Unfortunately, the continued lack of any other sources of funding has necessitated a continuation of the approach that was first introduced through the Planning Obligations and Affordable Housing SPD in 2016.  The reasons why the SPD only seeks to secure contributions from residential development is first that this is the only form of development for which the Council has viability evidence available to inform the level of contributions. Even if viability evidence for other development types was undertaken it is considered that these uses would have very limited viability headroom to be able to contribute to A27 mitigation. Further, seeking contributions from other development types would give rise to ‘double counting issues’ for example where employment uses were asked to contribute even though their employees lived within the District in homes that had already contributed to the A27 mitigation.  The purpose of the draft SPD is simply to secure the funds that will be required specifically to address the impact of traffic that has been caused by development identified within the adopted Local Plan, as an update to the 2016 SPD. The emerging Local Plan includes a revised approach to mitigating the impact of development on the A27 and a new mechanism for securing developer funding. | No changes to the SPD are required. |
| 6565 | 8279 | Mr Steve Lawrence MRTPI [8279] | Having reviewed the modified SPD on A27 bypass developer contributions, The Conservancy has no comments to make | Comment | N/A | No changes to the SPD are required. |
| 6579 | 8239 | National Highways (Matthew Lewis, Assistant Spatial Planner) [8239] | Revision to para 1.1:  “The A27 is part of the Strategic Road Network and is therefore the responsibility of National Highways. All new housing development coming forward under the Local Plan is generating additional traffic impacts on the A27 Chichester Bypass junctions and the associated local highway network. These additional impacts require mitigation ~~and, in~~ to ensure that the traffic growth associated with development in the Chichester Local Plan area to does not result in unacceptable road safety risk or is otherwise severe. This is consistent with the Governments National Planning Policy Framework. In the absence of any Government funding for ~~mitigation works,~~ improvements to the A27 corridor within Chichester, the Council is dependent on securing financial contributions from new development to fund the necessary works.” | Comment | The respondent’s suggested change to paragraph 1.1 of the draft SPD provides a helpful clarification and is accepted. | Revised paragraph 1.1 as suggested by National Highways. |
| 6587 | 855 | Gleeson Strategic Land (Mr Peter Rawlinson, Strategic Planner) [855] | These representations are submitted by Gleeson Land in response to Chichester District Council’s (CDC) A27 Chichester Bypass Mitigation SPD Consultation. Gleeson Land has interests in the District. Nonetheless, this response is provided in an objective manner.   As set out in Gleeson’s previous response to the SPD consultation in 2023 the principle of development funding mitigation required to accommodate planned growth is accepted. However, whilst it is appreciated that further technical work has been undertaken there are still several fundamental questions. The following concerns raised in our previous response remain:   • The modelling evidence base, upon which the infrastructure is based, does not make appropriate allowances in travel behaviour, nor does it seek to mitigate impacts through sustainable travel initiatives;  • The impact of all non-residential travel has not been addressed.   • The emerging Local Plan has not been adopted and it is unknown whether the submitted Plan is ‘sound’. Gleeson considers that the housing target should be increased and a 535 dwellings per annum (dpa) ‘cap’ would artificially inflate the contribution per dwelling. The proposed infrastructure is capable of accommodating a greater quantum of development;  The document attached to this cover letter titled “A27 Contributions Supplementary Planning Document Consultation – 2024” (26th June 2024) prepared by I-Transport, sets out our further response and unanswered questions to the A27 Contributions SPD consultation; namely:   • The contributions on windfall development will only make a minor contribution towards the now much larger funding gap to provide the A27 upgrades and the SPD makes it clear that no other funding sources of funding have been made available to address the remaining 85%-92% shortfall. Without this detail it is uncertain which of the required upgrades are deliverable and what the implications are if the funding shortfall is not resolved. The SPD needs to provide clarity as to how the remainder of the shortfall is to be funded.   • The Council has failed to secure sufficient funding from approved development to deliver the A27 improvements, so there would be a disproportionate burden placed on future development which may not have a severe impact on the network. This raises the question whether the proposed approach complies with CIL Reg 122 tests of both proportionality and relatedness.   • The A27 mitigation package is based on 10 year old evidence prepared for the current Local Plan which was adopted in 2016. Travel patterns have likely changed in the interim and the mitigation requirements should be reviewed to ensure they are up to date and fit for purpose.   • There are no transition arrangements in place to secure contributions from development between when the emerging Local Plan is adopted and a new charging mechanism is in place. There is also no process identified for the SPD to be reviewed if the Local Plan is not adopted as the Council expects.   The following is therefore considered necessary prior to the SPD being adopted:  • The emerging Local Plan housing target should be increased and the artificial 535 dpa cap should be lifted to at least 700 dpa to ensure the contributions are more fairly distributed and new development is not over compensating for any traffic impacts that may arise;  • Further modelling of traffic impacts should be undertaken to confirm, or otherwise, that the package of A27 mitigation measures is still necessary;  • If the mitigation measures are still necessary clarity needs to be provided as to how the remainder of the funding shortfall will be secured. The Council should set out a business case for securing the additional funding.   • The impact of non-residential development traffic such as commercial or industrial traffic on the A27 should be reviewed to ensure other types of development provide proportionate contributions towards any mitigation identified to be necessary.   • A review mechanism needs to be included in the SPD in the event that the emerging Local Plan is not adopted as the Council expects.   I trust that the information provided as part of these representations is clear and provides a reasonable way forward to allow the SPD to be adopted. | Comment | The purpose of the draft SPD is simply to secure the funds that will be required specifically to address the impact of traffic that has been caused by development identified within the adopted Local Plan. This provides an update to the Planning Obligations and Affordable Housing SPD 2016, which also applied only to residential development.  The emerging Local Plan includes a revised approach to mitigating the impact of development on the A27, supported by an up-to-date evidence base. The emerging Local Plan also proposes a new mechanism for securing developer funding that is entirely separate to and will replace the draft SPD, is that is adopted.  The level of funding required to deliver the A27 junction improvements identified within the adopted Local Plan is set out within the SPD. It is acknowledged that if the emerging Local Plan is adopted within the anticipated timescale, the SPD would be replaced before it is able to secure sufficient funding to fully deliver the junction improvements. However, in that case, all of the funding secured would be put towards delivery of the revised mitigation approach that is set out within the new Local Plan. The proposed SPD is required precisely to avoid the ‘gap’ in funding that is referred to within the response; in other words, ensuring that development that comes forward now, ahead of the new Local Plan contributes fairly and reasonably to the mitigation of its impact on the A27 Bypass.  Should the emerging Local Plan not be adopted as anticipated, the Council will keep the SPD under review and, in full consultation with National Highways, West Sussex County Council and others, will revise the approach if that is required and appropriate. | No changes to the SPD are required. |
| 6469 | 7799 | Mr Martin Stern [7799] | We must do something | Support | The support is noted. | No changes to the SPD are required. |
| 6562 | 5361 | Chichester and District Cycle Forum (Mr Ian Sumnall, Retired) [5361] | The SPD is aimed at bringing about junction improvements to the A27. It assumes a growth in traffic from the new housing developments based on existing modal splits and assumes that car trip projections will stay roughly the same as at presence. The proposed new junction improvements are not designed to achieve any diversion to alternative forms of transport other than the car. My objection is that this is against national planning policy which encourages greater use of sustainable and active travel methods.  The policy needs to require at least 25% of contributions to be spent on sustainable and active modes of travel improvements, either as specific infrastructure measures or in terms of financial incentives. Such a change in use of contributions will result in a reduction of car trips and greater longevity to the necessary improvements, which will give better value for money. | Object | The purpose of the draft SPD is simply to secure the funds that will be required specifically to address the impact of traffic that has been caused by development identified within the adopted Local Plan. The infrastructure improvements to be funded by the new SPD are those referred to in the adopted Local Plan and the supporting Transport Study of Strategic Development Options and Sustainable Transport Measures (2013) and include reference to ‘Smarter Choice’ and demand management measures to encourage public transport use and walking / cycling.  The emerging Local Plan includes a revised approach to mitigating the impact of development on the A27, including prioritisation of sustainable modes of travel. The new Local Plan also provides for a new mechanism for securing developer funding. | No changes to the SPD are required. |
| 6563 | 6728 | Sustrans (Mr Ian Sumnall, Volunteer) [6728] | The SPD is aimed at bringing about junction improvements to the A27. It assumes a growth in traffic from the new housing developments based on existing modal splits and assumes that car trip projections will stay roughly the same as at presence. The proposed new junction improvements are not designed to achieve any diversion to alternative forms of transport other than the car. My objection is that this is against national planning policy which encourages greater use of sustainable and active travel methods.  The policy needs to require at least 25% of contributions to be spent on sustainable and active modes of travel improvements, either as specific infrastructure measures or in terms of financial incentives. Such a change in use of contributions will result in a reduction of car trips and greater longevity to the necessary improvements, which will give better value for money. | Object | The purpose of the draft SPD is simply to secure the funds that will be required specifically to address the impact of traffic that has been caused by development identified within the adopted Local Plan. The infrastructure improvements to be funded by the new SPD are those referred to in the adopted Local Plan and the supporting Transport Study of Strategic Development Options and Sustainable Transport Measures (2013) and include reference to ‘Smarter Choice’ and demand management measures to encourage public transport use and walking / cycling.  The emerging Local Plan includes a revised approach to mitigating the impact of development on the A27, including prioritisation of sustainable modes of travel. The new Local Plan also provides for a new mechanism for securing developer funding. | No changes to the SPD are required. |
| 6484 | 20 | East Wittering & Bracklesham Parish Council (Mrs Tracey Glithero, Parish Clerk) [20] | East Wittering and Bracklesham Parish Council would like to ask has any further action been taken on the separation of local and through traffic? | Comment | The issue referred to is not a matter that can be dealt with by the draft SPD and is a matter that would need to be addressed by the Highway Authorities. | No changes to the SPD are required. |
| 6554 | 8272 | West Sussex County Council (Olamide Olayinka, Assistant Transport Planner) [8272] | The County Council does not have any fundamental concerns about the SPD. However, CDC is requested to consider the following potential improvement (as shown in Section 6):  Paragraph 4.1 of the Draft SPD requires funding to be secured towards delivery of A27 junction mitigation measures, but the evidence base (i.e. Transport Study of Strategic Development Options and Sustainable Transport Measures) sets out the case for highway and sustainable transport measures to mitigate the impacts of development in the Chichester Local Plan 2014. The Draft SPD currently does not give sufficient emphasis to the sustainable transport measures that form part of the mitigation package, which potentially leads towards delivery of only highway mitigation measures and over-reliance on car-based trips within the network.   There is potential for sustainable transport measures to reduce demands on the highway network and the need for highway mitigation measures, in line with Policy 8 (Transport and Accessibility) of the Adopted Chichester Local Plan. Therefore, it is suggested that Paragraph 4.1 is amended to additionally recognise the potential role of sustainable transport measures in mitigating development and ensure that developer contributions could be directed to highway and/or sustainable transport measures.   This change to the SPD would ensure there is greater flexibility in the strategy and the scale of measures used to mitigate the impacts of development on the transport network, which is likely to be helpful given the level of uncertainty about the cost of highway mitigation measures. | Comment | The comments are noted and it is acknowledged that the Transport Study of Strategic Development Options and Sustainable Transport Measures (2013) includes reference to ‘Smarter Choice’ and demand management measures to encourage public transport use and walking / cycling. It is therefore agreed that this should be reflected within the SPD prior to adoption. This could allow for a portion of the funding secured by the new SPD to be used to deliver sustainable transport measures to reduce demands on the highway network and the need for highway mitigation measures, in line with Policy 8 (Transport and Accessibility) of the Adopted Chichester Local Plan. | Revise paragraphs 1.2, the draft SPD to include references to funding secured through contributions to be used to deliver sustainable transport measures to reduce demands on the highway network and the need for highway mitigation measures, in line with Policy 8 (Transport and Accessibility) of the Adopted Chichester Local Plan. |
| 6556 | 7778 | Wates Developments [7778] | We write in response to the above consultation on behalf of our client, Wates Developments, who have a range of land interests in the District. Wates have been engaged throughout the process of the SPD including the submission of representations to the previous round of consultation in November 2023.   As is made clear in the introduction to the consultation document, the SPD is seen as a temporary measure until the adoption of the Local Plan Review. The draft SPD is therefore prepared in the context of policies 4 (Housing Provision), 8 (Transport and Accessibility) and Policy 9 (Development Infrastructure Provision) of the adopted Chichester Local Plan: Key Policies 2014-2029 (2015).   The Local Plan Review was submitted for independent examination on 3rd May 2024, with the Inspectors appointed later that month. Given the sensitivities around the General Election, whilst an initial letter was issued by the Inspectors on 12 June 2024, this was focused on factual and procedural points. At the current time therefore, no indication has been provided of the Inspectors’ matters, issues and questions or the timing of the Examination hearings. It is however noted that the Council’s latest Local Development Scheme (approved 19 March 2024) anticipates the hearings being held over Summer/Autumn 2024 with adoption in Spring 2025. Based on these timings, and assuming the SPD is adopted in the Summer, the SPD is likely to be in place for an approximately 9-12 month period, although clearly if the Examination is protracted this could be extended. The draft SPD advises that the Council anticipate the number of dwellings affected by the SPD in this interim period would be in the region of 250.   As per our previous submissions (enclosed) we remain concerned that the proposed approach the Council are seeking to pursue through the SPD does not accord with the legislative framework as detailed within the 2004 Planning and Compulsory Purchase Act (as amended). Concern is raised that the SPD seeks to collect financial contributions for growth anticipated in an emerging (and unadopted) Local Plan. It is noted that the Local Plan Review does not propose to fully meet the housing needs of the District and this has yet to be tested through Examination. Should it be found through this process that a greater quantum of growth can be accommodate, this could bring down the costs on a ‘per dwelling’ basis. Such matters can only be appropriately tested through the Examination process and as such it is not considered the SPD is an appropriate mechanism to seek to introduce this tariff.   Notwithstanding the above, if the Council continue to pursue the SPD, it is important that the SPD is produced in accordance with national guidance and does not hinder the delivery of sites relied upon in the Council’s submitted Local Plan. As set out in Planning Practice Guidance, SPDs ‘should not add unnecessarily to the financial burdens on development.’ Clearly should the adoption of the Local Plan Review be delayed for any reason (such as an extended Examination Period or changes in national policy) the SPD could remain in place for a longer period than currently envisaged. In such a circumstance it would not be unexpected for a greater quantum of development to come forward than the 250 homes, including allocations proposed through the Local Plan Review as well as larger windfall sites to ensure the Council are able to maintain a five-year housing land supply.   The draft SPD would seek financial contributions from all new dwellings (rather than developments of over 50 homes as per the current situation) in wards south of the National Park. £8,000 per dwelling is proposed to be used as a ‘Target Contribution Level’ against which other factors, such as the location of development and the size of the dwelling will be applied. Applying these, the maximum contribution which would be sought for a single dwelling would therefore be £12,160. Notably the size of dwelling is stated to be tied to the increased number of vehicles associated with larger dwellings. We note that the SPD has sought to address the previous comments from Wates regarding the correlation of bedroom spaces to the costs proposed to better reflect the proportional increase in vehicle ownership which can be expected. The mix and quantum of homes to be delivered through the Local Plan review remains to be examined and found sound, as such the expected level of overall contributions secured is subject to change.   Notwithstanding our comments above in respect of the principle of the SPD, we now turn to more detailed considerations. At this stage no specific viability evidence has been prepared in respect of this interim SPD and instead the Council seek to rely on the viability evidence prepared for the Local Plan Review. These viability assessments have been prepared using the adopted charging rates (as indexed for 2023) within their assumptions. The Stage 2 Viability Assessment (January 2023) appears to have only tested on the basis of a flat rate of £8,000 per dwelling rather than the more nuanced approach actually proposed through the SPD. The smallest scheme that has been assessed is for 6 dwellings.   Specific viability testing should be undertaken to assess the approach proposed through the draft SPD. This should include testing of smaller schemes (including below 6 dwellings). During this interim phase it is likely to be smaller windfall schemes which will come forwards and be subject to the SPD, ahead of the adoption of the Local Plan Review, and these should be appropriate assessed. The assessment should however also consider larger schemes in case the adoption of the Local Plan Review is delayed and some of these sites are to be brought forwards under this interim SPD ahead of the Local Plan Review adoption.   In light of the above we consider that the Council should reconsider the preparation of the SPD and instead focus its efforts and resources on the forthcoming Local Plan Examination to seek to ensure the Plan is adopted in atimely manner as the appropriate mechanism to consider mitigation measures for the A27. This will allow such a strategic matter to be addressed more comprehensively through the Local Plan process including a review of CIL and the IDP that sits alongside the Local Plan Review, and robustly tested through the Examination process.   We trust that the above information is of assistance in your preparation of the SPD. We look forward to continuing to work with the Council through the preparation of the SPD (if pursued) and Local Plan. | Comment | The comments are noted. It is not the case that the draft SPD seeks to collect contributions from growth anticipated in the emerging Local Plan and it is clear from the Introduction of the SPD that it will only apply to residential development coming forward under the adopted Local Plan (Policy 4: Housing Provision).  In relation to the ‘per dwelling’ costs of the infrastructure, the adopted Local Plan sets out a specific level of infrastructure that is designed to mitigate the level of housing set out in Policy 4. The draft SPD would only apply to that quantum of development. Any development that comes forward (ahead of the new Local Plan) which is in excess of the quantum set out in Policy 4 would require additional mitigation measures that are not covered by the adopted Local Plan or the draft SPD. In such cases the Council would seek guidance from National Highways as to the how the impact of such development should be mitigated.  We note the comments in relation to the Council’s viability evidence. However, it should be noted that the evidence used to support the draft SPD is the same evidence as is currently supporting the emerging Local Plan. Whilst it is acknowledged that this has not been subject to Examination, it is nevertheless comprehensive and is the most up-to-date evidence available. It is therefore considered to be proportionate evidence to support the draft SPD.  The contributions proposed within the draft SPD have been carefully set at levels that take full account of and respond to the available viability evidence. With regard to smaller schemes, it should be noted that these benefit from inherently better viability headroom as they are not required to provide for affordable housing, which is by some margin, the most significant ‘policy impact’ on residential development viability.  With regard to the focus of the Council on the draft SPD, it should be noted work on the 2nd draft of the SPD was undertaken after the Local Plan had been prepared for Submission and so it is indeed the case that the Council’s first priority has continued to be on progressing the preparation of the emerging Local Plan. | No changes to the SPD are required. |
| 6578 | 7523 | Barratt David Wilson Homes [7523] | This representation provides a response to the A27 Chichester Bypass Mitigation Supplementary Planning Document (SPD) Consultation on behalf of our client Barratt David Wilson (BDW). The representation is a general submission and is not site specific, although it is relevant to all sites promoted by BDW in the District.   This representation provides a written response in relation to the proposal to introduce a new charging schedule in respect of contributions towards improvements to the A27. The proposed charging schedule sits outside of the Council’s adopted CIL charging schedule and seeks to replace an existing adopted infrastructure SPD.   This consultation document follows a previous consultation in October 2023 for a similar draft document, albeit the overall figures have been updated. The previous SPD was being introduced ahead of the Local Plan Review with its intention to come forward ahead of the Local Plan Review, but then become the SPD in relation to that Local Plan, which clearly is the incorrect approach, when taking account of relevant legislation and Planning Practice Guidance (PPG).   Whilst the draft Plan has been submitted for Examination and Inspectors have been appointed, no response has been provided by the Inspector, beyond procedural matters, on the key matters and issues for the Examination. Also, there is no timescales set out for Examination at the time of writing.   The current proposed SPD is now framed as an interim document. As we set out in our representations submitted in October 2023, we remain of the view that the approach to the SPD would not accord with the legislative framework. The proposed SPD seeks to collect financial contributions for growth anticipated in an emerging (and unadopted) Local Plan. The Local Plan Review document does not propose to meet the full housing needs of the district, this is subject to many unresolved objections and is yet to be tested through Examination.   In terms of the Council’s approach to introduce an SPD to secure contributions, this is directly contrary to the below PPG which states:   Policies for planning obligations should be set out in plans and examined in public. Policy requirements should be clear so that they can be accurately accounted for in the price paid for land.   Such policies should be informed by evidence of infrastructure and affordable housing need, and a proportionate assessment of viability. This evidence of need can be standardised or formulaic (for example regional cost multipliers for providing school places. See the guidance from the Department for Education on ‘Securing developer contributions for education’. However, plan makers should consider how needs and viability may differ between site typologies and may choose to set different policy requirements for different sites or types of development in their plans.   It is not appropriate for plan-makers to set out new formulaic approaches to planning obligations in supplementary planning documents or supporting evidence base documents, as these would not be subject to examination. Whilst standardised or formulaic evidence may have informed the identification of needs and costs and the setting of plan policies, the decision maker must still ensure that each planning obligation sought meets the statutory tests set out in regulation 122. This means that if a formulaic approach to developer contributions is adopted, the levy can be used to address the cumulative impact of infrastructure in an area, while planning obligations will be appropriate for funding a project that is directly related to that specific development. (my emphasis)   Planning obligations assist in mitigating the impact of development which benefits local communities and supports the provision of local infrastructure. Local communities should be involved in the setting of policies for contributions expected from development.   See related guidance: Viability and Plan-making   Paragraph: 004 Reference ID: 23b-004-20190901   Revision date: 01 09 2019   The Council seeks to introduce much increased contributions, outside of any formal Examination process. As a result, no parties have the ability to test the proposed SPD, which has a significant financial burden upon developments. The SPD seeks contributions from all new dwellings, rather than for 50 homes of more in the current SPD. £8,000 is highlighted as a target figure, although specific viability evidence is not provided alongside the draft SPD.   The Council rely on the viability evidence prepared for the Local Plan Review, with their stage 2 assessment (January 2023) having only tested a figure of £8,000. As noted above, this is a minimum figure, with a maximum figure per dwelling being £12,160. It should also be noted that the smallest scheme the viability work considers is 6 units, therefore, there is no consideration of how this SPD will affect small scale schemes of 1-5 homes.   Additionally, the viability testing gives no consideration to alternate housing falling within a C3 use class, such as Sheltered Housing. Payments for this type of housing was excluded from the previous SPD as the traffic impact from such housing is very different from that of general C3 housing. No consideration has been given to such housing, which is a further a shortcoming of the draft document.   Specific viability testing is required to assess the impact of this SPD. This should include testing of a mix of scenarios, including smaller sites (sub 6 dwellings) and include an assessment of different areas and types of sites in this area, given the significant variation in contributions sought in the schedule.   There is clearly a long way to go before the Draft Local Plan housing number are fixed and therefore introducing an SPD at this stage, which relies on compressed housing figures is inappropriate, is not appropriate. Mitigation may also need to be reconsidered, based on a different housing quantum.   The introduction of this untested (viability) SPD, which is clearly contrary to the legislative framework and planning practice guidance relevant, should not be progressed at this time. The appropriate strategic highway mitigation should form part of the Council’s future CIL charging schedule, which must follow the Local Plan process and be subject to appropriate Examination.   We appreciate the nature of the comments, but our client would like to work with the Council on these matters going forward as part of the Local Plan review. | Object | The comments are noted. It is not the case that the Draft SPD seeks to collect contributions from growth anticipated in the emerging Local Plan and it is clear from the Introduction of the SPD that it will only apply to residential development coming forward under the adopted Local Plan (Policy 4: Housing Provision).  In preparing the draft SPD, the Council has carefully considered the relevant national policy and guidance and an explanation is provided in Section 3 of the draft SPD of the extent to which it is considered that the proposed SPD guidance does and does not comply and the reasons for that.  We note the comments in relation to the Council’s viability evidence. It should be noted that this evidence is available on the Council’s website and has been since March 2023. Whilst it is acknowledged that the viability evidence has not been subject to Examination, it is nevertheless comprehensive and is the most up-to-date evidence available. It is therefore considered to be proportionate evidence and capable of supporting the draft SPD, including the change in guidance to seek A27 mitigation contributions from schemes smaller than 50 dwellings, where these have an impact on the A27.  The contributions guidance proposed within the draft SPD have been carefully set at levels that take full account of and respond to the available viability evidence. It is not the case that £8,000 is the minimum contribution that would be payable. Application of the methodology set out in Section 4 of the draft SPD would result in schemes in most parts of the District contributing less than this on a ‘per dwelling’ basis for a typical dwelling mix.  With regard to smaller schemes of less than 6 units, it should be noted that these benefit from inherently better viability headroom as they are not required to provide for affordable housing, which is by a long way the most significant ‘policy impact’ on residential development viability.  The viability evidence did undertake an appraisal for a typical sheltered housing scheme and this included the application of £8,000 per dwelling for A27 mitigation. However, in all areas where these dwellings would be two-bed or smaller, the level of contribution guidance applicable under the draft SPD would be significantly less than £8,000 per dwelling. Further, as the draft SPD is only guidance, there would be opportunities for applicants to demonstrate that the particular nature of car ownership at a given scheme warranted a reduced level of contribution. | No changes to the SPD are required. |
| 6586 | 8282 | Teren Project Management Ltd (Mr Martin Curry, Director) [8282] | This representation provides a response to the A27 Chichester Bypass Mitigation Supplementary Planning Document (SPD) Consultation. The representation is a general submission and is not site speci?c.   This representation provides a written response in relation to the proposal to introduce a new charging schedule in respect of contributions towards improvements to the A27. The proposed charging schedule sits outside of the Council’s adopted CIL charging schedule and seeks to replace an existing adopted infrastructure SPD.   This consultation document follows a previous consultation in October 2023 for a similar draft document, albeit the overall ?gures have been updated. The previous SPD was being introduced ahead of the Local Plan Review with its intention to come forward ahead of the Local Plan Review, but then became the SPD in relation to that Local Plan, which clearly is the incorrect approach, when taking account of relevant legislation and Planning Practice Guidance (PPG).   Whilst the draft Plan has been submitted for Examination and Inspectors have been appointed, no response has been provided by the Inspector, beyond procedural matters, on the key matters and issues for the Examination. Also, there is no timescales set out for Examination at the time of writing.   The current proposed SPD is now framed as an interim document. We are of the view that the approach to the SPD would not accord with the legislative framework. The proposed SPD seeks to collect ?nancial contributions for growth anticipated in an emerging (and unadopted) Local Plan. The Local Plan Review document does not propose to meet the full housing needs of the district, this is subject to many unresolved objections and is yet to be tested through Examination.   In terms of the Council’s approach to introduce an SPD to secure contributions, this is directly contrary to the below PPG which states:   Policies for planning obligations should be set out in plans and examined in public. Policy requirements should be clear so that they can be accurately accounted for in the price paid for land.   Such policies should be informed by evidence of infrastructure and a?ordable housing need, and a proportionate assessment of viability. This evidence of need can be standardised or formulaic (for example regional cost multipliers for providing school places. See the guidance from the Department for Education on ‘Securing developer contributions for education’. However, plan makers should consider how needs and viability may di?er between site typologies and may choose to set di?erent policy requirements for di?erent sites or types of development in their plans.   It is not appropriate for plan-makers to set out new formulaic approaches to planning obligations in supplementary planning documents or supporting evidence base documents, as these would not be subject to examination. Whilst standardised or formulaic evidence may have informed the identi?cation of needs and costs and the setting of plan policies, the decision maker must still ensure that each planning obligation sought meets the statutory tests set out in regulation 122. This means that if a formulaic approach to developer contributions is adopted, the levy can be used to address the cumulative impact of infrastructure in an area, while planning obligations will be appropriate for funding a project that is directly related to that speci?c development. (my emphasis)   Planning obligations assist in mitigating the impact of development which bene?ts local communities and supports the provision of local infrastructure. Local communities should be involved in the setting of policies for contributions expected from development.   See related guidance: Viability and Plan-making Paragraph: 004 Reference ID: 23b-004-20190901 Revision date: 01 09 2019   The Council seeks to introduce much increased contributions, outside of any formal Examination process. As a result, no parties have the ability to test the proposed SPD, which has a signi?cant ?nancial burden upon developments. The SPD seeks contributions from all new dwellings, rather than for 50 homes of more in the current SPD. £8,000 is highlighted as a target ?gure, although speci?c viability evidence is not provided alongside the draft SPD.   The Council rely on the viability evidence prepared for the Local Plan Review, with their stage 2 assessment (January 2023) having only tested a ?gure of £8,000. As noted above, this is a minimum ?gure, with a maximum ?gure per dwelling being £12,160. It should also be noted that the smallest scheme the viability work considers is 6 units, therefore, there is no consideration of how this SPD will a?ect small scale schemes of 1-5 homes.   Additionally, the viability testing gives no consideration to alternate housing falling within a C3 use class, such as Sheltered Housing. Payments for this type of housing was excluded from the previous SPD as the tra?c impact from such housing is very di?erent from that of general C3 housing. No consideration has been given to such housing, which is a further a shortcoming of the draft document.   Speci?c viability testing is required to assess the impact of this SPD. This should include testing of a mix of scenarios, including smaller sites (sub 6 dwellings) and include an assessment of di?erent areas and types of sites in this area, given the signi?cant variation in contributions sought in the schedule.   There is clearly a long way to go before the Draft Local Plan housing number are ?xed and therefore introducing an SPD at this stage, which relies on compressed housing ?gures is inappropriate. Mitigation may also need to be reconsidered, based on a di?erent housing quantum.   The introduction of this untested (viability) SPD, which is clearly contrary to the legislative framework and planning practice guidance relevant, should not be progressed at this time. The appropriate strategic highway mitigation should form part of the Council’s future CIL charging schedule, which must follow the Local Plan process and be subject to appropriate Examination.   We appreciate the nature of the comments, but we would like to work with the Council on these matters going forward as part of the Local Plan review. | Object | The comments are noted. It is not the case that the Draft SPD seeks to collect contributions from growth anticipated in the emerging Local Plan and it is clear from the Introduction of the SPD that it will only apply to residential development coming forward under the adopted Local Plan (Policy 4: Housing Provision).  In preparing the draft SPD, the Council has carefully considered the relevant national policy and guidance and an explanation is provided in Section 3 of the draft SPD of the extent to which it is considered that the proposed SPD guidance does and does not comply and the reasons for that.  We note the comments in relation to the Council’s viability evidence. It should be noted that this evidence is available on the Council’s website and has been since March 2023. Whilst it is acknowledged that the viability evidence has not been subject to Examination, it is nevertheless comprehensive and is the most up-to-date evidence available. It is therefore considered to be proportionate evidence and capable of supporting the draft SPD, including the change in guidance to seek A27 mitigation contributions from schemes smaller than 50 dwellings, where these have an impact on the A27.  The contributions guidance proposed within the draft SPD has been carefully set at levels that take full account of and respond to the available viability evidence. It is not the case that £8,000 is the minimum contribution that would be payable. Application of the methodology guidance set out in Section 4 of the draft SPD would result in schemes in most parts of the District contributing less than this on a ‘per dwelling’ basis for a typical dwelling mix.  With regard to smaller schemes of less than 6 units, it should be noted that these benefit from inherently better viability headroom as they are not required to provide for affordable housing, which is by a long way the most significant ‘policy impact’ on residential development viability.  The viability evidence did undertake an appraisal for a typical sheltered housing scheme and this included the application of £8,000 per dwelling for A27 mitigation. However, in all areas where these dwellings would be two-bed or smaller, the level of contribution applicable under the draft SPD would be significantly less than £8,000 per dwelling. Further, as the draft SPD is only guidance, there would be opportunities for applicants to demonstrate that the particular nature of car ownership at a given scheme warranted a reduced level of contribution. | No changes to the SPD are required. |
| 6584 | 8239 | National Highways (Matthew Lewis, Assistant Spatial Planner) [8239] | See 6 representation forms attached.  With regard to Section 5 of the SPD:  The identification and delivery of improvements to the A27, which are necessary to safely accommodate development which CDC permits through the planning system is the responsibility of CDC as owners of the Local Plan. NH and the local highway authority (West Sussex County Council) will work with CDC to identify acceptable transport solutions.  In terms of delivery of necessary schemes, the Highways Act 1980 provides a mechanism through a Section 6 agreement for National Highways to effectively delegate certain powers to enable Local Authorities to carry out schemes on the SRN. The A27 mitigation contributions, set out in the SPD, will therefore remain with CDC, and will not be passed onto National Highways in the absence of a RIS programme A27 improvement scheme.  NH would expect CDC or WSCC to be the ‘Scheme Promoter’ in agreement with NH and for CDC to provide clarity on how schemes will be developed and delivered on the SRN.  We note the statement in Paragraph 5.5 of the SPD that there is a need to ensure that sufficient funding is available at the point that it is required. How this is to be ensured is not clear and other parts of the SPD, eg paragraph 5.12, infer that sufficient funding will not be available for extended periods of time. As advised in NH’s letter of 6th September 2023, the SPD should include a forward funding mechanism, this would form a contingency to cover the eventuality that sufficient funding is not available at the point that it is required. | Comment | The comments are noted. It is acknowledged that, in the absence of a RIS programme improvement scheme for the A27, the funding secured through the SPD would be held by CDC and this is reflected in the text set out in Section 5.  CDC is not the Local Highways Authority and must therefore rely on National Highways, West Sussex County Council and others to help the Council identify and secure a ‘Scheme Promoter’. Until that step is taken it is not within CDC power or competence to provide any clarity on how the schemes will be developed and delivered on the SRN.  The funding to deliver the improvement work (absent any additional external funding sources) will depend on the ability to secure developer funding through the SPD and later through the Local Plan once that is adopted. The SPD is planning guidance for the purpose of guiding the determination of planning applications only. It is not an appropriate document to identify or secure a mechanism to ‘forward fund’ infrastructure improvements on the SRN. | No changes to the SPD are required. |
| 6553 | 6936 | Cassons Restaurant (Mr Dunslay Casson, Partner) [6936] | I have some sympathy for the issues of this draft document and the whole planning process. Trying to get imposed housing targets into a narrow coastal strip with the constraints of the SDNP and the English Channel has to be seen as a challenge. This against the background of lack of central government funds. A cursory search of the internet will show that this has been an issue for many years and documentation seems to be in some cases contradictory in its content and conclusions. However, there are several major concerns that are not addressed in this document, which I have identified in the comments in what I hope was the appropriate section. In summary:  • The funds will not provide a solid enough solution for the traffic issues going forward. Original estimates for improvements have in the past ranged from £280m to £47m.  • It is at best a ‘sticking plaster’ solution that will not keep pace with housing and other developments. Traffic levels will only increase over the next planning period.  • I have the question whether the most up to date information has been used in putting together this draft.  • Developments to the North of the A27 have not been considered. There is also no mention of industrial developments. Any development has to have an impact on the A27, whether to the North or South of the A27.  • By allowing developments to the South of the A27. Any option for a bypass to the South has now been in effect blocked.  • It would appear that any improvements to the A27, as yet undefined, will ‘follow’ housing developments. Not sure whether this is the ‘cart before the horse’ or vice versa!  • There is no mention at all I this draft of the environmental impacts of these mitigating measures. It appears to be recognised by CDC, by information in the public domain that CDC Environmental Health Officers have concerns over developments in close proximity to the A27 due to noise. It therefore must follow that concerns are evident for existing residents. Plus, there must also be increased concern for noise/air pollution if the amount of traffic increases for residents next to the A27 due to increased housing and traffic on the A27. Estimates seem to suggest that this may be up to 25% above current levels. It would be concern if these pollution issues were not considered in the short and medium term. Long term the advent of electric vehicles may lead to some noise reductions.  • It would be imperative to get the exact position of the CDC Environmental Health Department as to their exact stance on this issue. In effect – is living in close proximity to the A27 today and in the medium term are the living conditions acceptable?  • If the above is the case what is CDC proposing to alleviate those living conditions.  • There is no consideration in this document of a 50mph speed limit from Tangmere to Fishbourne junction.  • Unless there are some concrete proposals for the junctions concerned then the whole purpose of this consultation is open to question.  There must be a full environmental impact study conducted to assess what this large increase in traffic will have on properties that will be ‘at risk’. This will concentrate on both noise and air pollution. Also following this study consideration must be given to ‘at risk’ properties that will be affected and what measures are to be taken to safeguard residents from air and noise pollution. Until this is done, results reviewed by all parties and solid recommendations made I have to object to this draft proposal. | Object | The comments are noted. However, the purpose of the new SPD is to secure the funds that will be required specifically to address the impact of traffic that has been caused by development identified within the adopted Local Plan.  Many of the issues and matters raised in this response relate to current planning issue would need to be dealt with the new Local Plan. The emerging Local Plan Review sets out a new approach to securing developer contributions for the A27 that involves prioritising sustainable transport improvements which will aim to reduce pressure on the A27 Bypass.  The new Local Plan is supported by a comprehensive evidence base that has been used to inform and guide the various policies that are proposed. | No changes to the SPD are required. |
| 6575 | 8278 | Amy Wolanski [8278] | States that in some instances, there can be a justified reduction in affordable housing when a development is deemed not viable. However, it is questionable that national infrastructure should take precedence over the importance of affordable housing for local residents. The suggestion of a pre-application service is unlikely to enhance viability or reduce costs for developers, as it is a paid service that primarily benefits the Council. | Comment | The comments are noted. The need to engage in negotiations on Planning Obligations where evidence demonstrates that there is insufficient viability to meet all expectations is a matter that can only be considered in a case-by-case basis and this is allowed for by the proposed guidance (which is unchanged from the 2016 Planning Obligations and Affordable Housing SPD.) | No changes to the SPD are required. |
| 6478 | 35 | Mr Joseph O'Sullivan [35] | As wards north of Chichester benefit from the east to west traffic being funneled south of Chichester and benefit from the south of Chichester bearing the brunt of new housing then the wards north of Chichester should expect to bear part of the costs of the proposed A27 changes | Object | The infrastructure improvements referred to in the draft SPD are the same as those identified by the adopted Local Plan. It is not the role of the SPD to reconsider what interventions should be taken forward. That is a matter for the evidence base supporting the emerging Local Plan. | No changes to the SPD are required. |
| 6480 | 8261 | Mr Dan Ashdown [8261] | A comment on the presentation of this paper. It would be very helpful if a one page summary brief could be provided to give quick, clear and unambiguous information to the uninformed, unpracticed people who are not well acquainted with the jargon and nature of such documents. The language and constant references to different parts and dates of legislation is confusing and obfuscating of the main points at hand, which, If I understand what is suggested here is that there will be a penalty attached to all new properties to be built within the affected area to help subsidise much needed improvements to the A27 to improve traffic flow. | Support | The comments are noted. A summary of the draft SPD was provided within the covering report to Cabinet on 12th May 2024. | No changes to the SPD are required. |
| 6522 | 8229 | Mr Ian Johnston [8229] | The Target Contribution Level of £8,000 applied to 250 dwellings will raise only £2 million while the amount required to achieve mitigation is between £13.56 million and £33.66 million. The planning contributions proposed cannot achieve the stated objective of mitigating the impact of proposed development on A27 junctions | Object | Whilst the figure of 250 homes is referred to, this is an indicative level of development. The actual level very much depends on how fast new schemes come forward and how long it will take for the emerging Local Plan to be adopted. The Council is seeking to ensure that in the event of any delay to the new Local Plan, there is up-to-date guidance in place to allow development to be permitted with appropriate strategic highways mitigation being secured. | No changes to the SPD are required. |
| 6551 | 6936 | Cassons Restaurant (Mr Dunslay Casson, Partner) [6936] | Data being used as at 2021 post covid has to be of questionable validity.  The latest data should be used for modelling. The data mentioned in the draft is 3 years out of date. This has to bring into question the assumptions made in section 4.11. | Object | The 2021 Census data is the most comprehensive and up-to-date demographic data that is available. It is considered to be sufficient for the purpose required. | No changes to the SPD are required. |
| 6572 | 8278 | Amy Wolanski [8278] | This means some units will be paying over £8,000, which was not viable for some tested scenarios. | Comment | The contributions guidance proposed within the draft SPD has been carefully set at levels that take full account of and respond to the available viability evidence. Application of the methodology guidance set out in Section 4 of the draft SPD would result in schemes in most parts of the District contributing less than £8,000 on a ‘per dwelling’ basis for a typical dwelling mix. Where the contribution is greater than this, it is only in cases where there is sufficient viability headroom. | No changes to the SPD are required. |
| 6589 | 8283 | Obsidian Strategic Asset Management [8283] | Section 4 – Planning Contributions (Parts 4.5 / 4.9 / 4.14)  Whilst the principles the Council is promoting to secure financial contributions to the improvement of the A27 (to mitigate the impact of growth) is fully supported, the approach presented does not properly and fairly reflect the requirements of the CIL Regulations (122) in promoting a fair and reasonable approach to the calculation of contributions or collection of funds. Specific commentary on relevant matters is outlined:   Part 4.5 – Target Contribution Level   The SPD approach is predicated on achieving a target contribution level of £8,000 per dwelling, which the Council states is concluded to be ‘viable for most development typologies’.   However, this approach takes no account of the impact of possible alternative funding sources on the requirement for funding in the first place. The A27 is an example where the relevant authorities (including CDC, WSCC and NH) are actively engaged in seeking long term improvements which may well lead to achieving funding from other sources, such as through National Highway’s RIS3 programme, or various future funding opportunities the new government may bring.   If external funding (i.e. RIS 3) were to be achieved for the improvements, the funding requirement may be lesser to that which informed this target contribution level, rendering the SPD approach unsuitable.   Part 4.9 – Use of Car Ownership Rates as proxy   The methodology for calculating contributions has been updated from the earlier SPD draft to now consider car ownership levels (at ward level), which it uses as a proxy for car trips and so traffic impact. This is justified by the Council on the basis it considers that car ownership rates will be influenced by site proximity to a good range of amenities or good sustainable transport links, so reflect likely impact.   There are two concerns with this approach:   • This approach considers that forthcoming development would replicate the existing development of the area within which it is located (and which generates the car ownership rate applied in the SPD Apportionment).  In many cases this will not be true with new development often comprising a different housing mix, density, and sustainability to the existing development in the area it is located. The ward areas used to establish car ownership in some cases are very large and comprise rural villages and settlements, albeit on the very edge of Chichester. New development would not likely reflect existing patterns in relation to car ownership and sustainability. Applying existing car ownership rates without reflecting the difference of new modern development is unsound.  • The application of car ownership rates as the proxy for apportionment makes no allowance for the delivery of mixed-use developments and sustainable transport schemes as part of development proposals which would reduce traffic demands on the A27 corridor. The Drayton Water (A8) site is one such example that would see housing delivered alongside a primary school, local centre, open spaces and community facilities, and follows a Vision based approach. This will serve to reduce the vehicle impact of the scheme which is not reflected in the approach promoted.  Therefore, the approach seeks contributions which would fail to meet the CIL Reg 122 tests by not being proportional in scale to the impact of development.   Part 4.14 – Target Contribution Level   The SPD seeks planning contributions from only residential uses and those only located within the south of the district. This fails to reflect the impact of wider residential and non-residential development in contributing to pressures on the A27 corridor, and so informing the calculation of the SPD contribution.   This approach is flawed and disproportionately loads the cost of infrastructure improvements on the A27 on specific residential developments in only parts of the district, without key traffic generators (for example commercial development) being required to mitigate the impact it creates, and without requiring cross-boundary development to mitigate its impact in Chichester.   In particular, the SPD approach does not seek to fairly and reasonably mitigate for the following types of development which will impact on the A27 corridor:   - Development in the north of the district – The A27 is a strategic route used across the sub-region. Development across the whole district will impact on its requirement for improvement and funding should be captured more widely.  - Development in neighbouring districts (i.e. Havant BC and Arun DC). The SPD recognises that growth in Chichester district is only one contributor to issues on the A27 which carries significant through traffic. By failing to recognise this in the approach to generate funding to improve the A27 corridor, the proposed SPD approach is unreasonable and burdens development in southern Chichester to address an issue it does not create alone.  - Non-residential development, such as commercial / employment – Employment uses particularly will generate traffic and impact on the A27 corridor yet are not required to fund improvements to mitigate the impact it creates. Whilst employment development can seek to rebalance traffic flows and commuting patterns, many types of commercial development would result in net traffic impacts on the A27 corridor and should reasonably be required to contribute to its improvement in the same manner as residential development.  he following changes are recommended to the SPD to address the soundness issues.   Part 4.5 – Target Contribution Level   The SPD should be amended to allow for the re-calculation of the target contribution level if alternative funding sources were identified and secured.   Part 4.9 - Use of Car Ownership Rates as proxy   SPD contributions should be attributed to an external vehicle trip rate, which would be a truer reflection of the likely impact on the A27 asset the SPD seeks to mitigate and improve. It is acknowledged that for smaller windfall sites there may not be a Transport Assessment produced and as such a benchmark trip rate for these schemes could be applied. However, for larger schemes, the SPD should reflect that the impacts of development will be determined through a Transport Assessment, which should form the basis of any contribution assessment.   Part 4.14 – Target Contribution Level   The SPD should be amended to:   - Capture contributions from the northern part of the District through applying a ‘Rest of Chichester’ apportionment and requirement to secure funding.  - Commit to seeking contributions from adjacent and nearby authorities where development proposals are shown to impact on the A27 corridor and contribute to its need for improvement.  - Include a contribution requirement on non-residential developments to secure proportionate funding to the impact these create. | Object | With regard to external funding sources, it is correct that the Council has continued (and will continue) to work with National Highways and others to secure alternative funding, but to date, none have been forthcoming. In the event that Government or other funds are secured in the future, this would trigger a review of the SPD.  The comments on the approach to the use of car ownership data are noted. However, the SPD can only be based on currently available data and cannot accurately predict future trends. Nevertheless, it is important to understand that the draft SPD is only guidance and will be kept under review. Should evidence emerge of significantly different development patterns in the future, these could result in a review of the SPD or justify a departure from the SPD methodology, on a case-by-case basis. However, even where schemes provide on-site facilities or separate improvements to sustainable transport modes, the future residents will still impact on the A27 Bypass or its connecting local highway network.  The evidence demonstrates (and National Highways has agreed) that the impact of homes within the north of the District (north of the National Park) are significantly lower than those of the areas to the south of the National Park. This is considered to justify the decision not to require contributions from homes delivered in this area.  It is not possible for the draft SPD to apply to local authority areas outside of Chichester District (or indeed within the National Park). The Council works, on a continuing basis, with those neighbouring authorities and in some cases (such as in Arun District) they have their own mechanisms in place to secure mitigation funding for the A27.  The reasons why the SPD only seeks to secure contributions from residential development is first, that this is the only form of development for which the Council has viability evidence available to inform the level of contributions. However, even if viability evidence for other development types was undertaken, it is considered that these uses would have very limited viability headroom to be able to contribute to A27 mitigation. Second, seeking contributions from other development types would give rise to ‘double counting issues’, for example, where employment uses were asked to contribute even though their employees lived within the District in homes that had already contributed to the A27 mitigation. | No changes to the SPD are required. |
| 6573 | 8278 | Amy Wolanski [8278] | The criteria for charging care homes and student accommodations seem vague, as the Council retains discretion in these cases. However, there is a clear decision not to charge holiday lets, based on the assumption that users live nearby which is questioned, as holiday lets are inherently for people who are travelling. | Comment | The comment is noted. Schemes such as care homes and student accommodation need to be taken on a case-by-case basis as there can be significant variations in the intended level of occupier car ownership. It is right that discretion is needed as the draft SPD is only guidance. Holiday lets are not ‘residential development’ even though they are often confused as such. This places them in a separate category to the other types of development referred to. | No changes to the SPD are required. |
| 6477 | 7799 | Mr Martin Stern [7799] | Demolition could be useful | Support | The support is noted. | No changes to the SPD are required. |
| 6527 | 8270 | Housing Delivery Team, CDC (Mrs Louise Williams, Housing Enabling Officer) [8270] | We support this approach. | Support | The support is noted. | No changes to the SPD are required. |
| 6581 | 8239 | National Highways (Matthew Lewis, Assistant Spatial Planner) [8239] | See 6 representation forms attached.  In relation to paragraph 4.15:  We note that there are no circumstances precluding Council from obtaining contributions from employment sites. | Comment | The comment is noted. | No changes to the SPD are required. |
| 6528 | 8270 | Housing Delivery Team, CDC (Mrs Louise Williams, Housing Enabling Officer) [8270] | Whilst we recognise that the occupants of care homes may not be car owners many care homes rely on employees who do need to travel from outside the area (because of affordability issues of living in Chichester) plus visitors. We feel these journeys should also contribute towards the A27 Mitigation. | Object | The comment is noted and acknowledged. The Council has decided to provide guidance only for the collection of contributions from residential development. It was considered impractical to apply this to employment development as there is no available viability evidence to support this and, in many cases, employment development would be expected to have limited viability headroom. In addition, seeking contributions from employment development raises the issue of ‘double counting’, for example, where employees live within the District in homes that have already paid a contribution.  In the case of care homes, these are residential developments, but which also serve as the setting for employment. There are similar situations with home-visit carers, domestic staff working in private homes and wardens of student accommodation and the suchlike. It would not be fair or equitable to seek contributions from care home staff, simply because they work in a residential building, and not also seek them in other employment settings. | No changes to the SPD are required. |
| 6476 | 7799 | Mr Martin Stern [7799] | We need to protect the park | Comment | The comment is noted. | No changes to the SPD are required. |
| 6526 | 8270 | Housing Delivery Team, CDC (Mrs Louise Williams, Housing Enabling Officer) [8270] | Bringing forward affordable housing in the district is a key priority for the Council, we are supportive of an approach that will take into account the viability of a development and hope that it will not lead to a decrease in the number of affordable homes being provided. | Support | The support is noted. | No changes to the SPD are required. |
| 6552 | 6936 | Cassons Restaurant (Mr Dunslay Casson, Partner) [6936] | To apply any additional costs to affordable homes and retirement homes for those who could be classed as potentially ‘vulnerable’ in our society may be looked on as unfair. There appears to be an assumption that the additional costs to fund the A27 will be a ‘developer’ contribution. This additional cost will be added to the cost of the dwelling. Therefore, the buyer will be paying!  Remove the contribution from affordable homes and retirement homes. | Object | All new dwellings in the south of the District have an impact on the A27 Chichester Bypass and the connecting local highway network. It has therefore important that all new dwellings contribute to mitigating their impact. The Council has undertaken viability evidence work to ensure that the level of contributions being proposed will not make residential development across the District as a whole unviable. | No changes to the SPD are required. |
| 6576 | 8281 | Ministry of Defence (Mrs Joanne Billingham, Senior Town Planner) [8281] | Please find set out below specific representations submitted on behalf of the Secretary of State for Defence on the above SPD. Please note that these comments should be read in addition to any provided by colleagues in respect of other MOD interests and by the MOD’s Agents for the Planning Application 23/02785/FULEIA. The comments set out below relate to wider MOD estate related interests.   Representations  2.1 The MOD is supportive in principle of the preparation of the A27 Chichester Bypass Mitigation Supplementary Planning Document Version 2 Draft May 2024. However, as the Draft A27 SPD has been interpreted by the Chichester District Council Development Management Team as being applicable to Military Single Living Accommodation (MOD SLA), the MOD has the following comments, corrections and concerns regarding sections of the SPD that would affect the operational abilities of the core MOD site of Baker Barracks, Thorney Island.   2.2 The MOD is concerned that the specific and unique needs of the MOD have not been taken into consideration, nor does it believe that the three tests for planning obligations have been met within the SPD as it relates to the MOD ie that they are   • necessary to make the development acceptable in planning terms  • directly related to the development and  • fairly and reasonably related in scale and kind to the development.  2.3 MOD development has not previously fallen within any charges made by either the 2016 Planning Obligations and Affordable Housing SPD or in the Chichester District CIL Charging Schedule 2016, which is based on the viability and other supporting evidence studies.   2.4 The Draft A27 SPD is silent on MOD SLA development. Furthermore, MOD SLA development does not fall within the scope of the proposed charge as it applies to ‘any net increase in new dwellings coming forward in the area to the south of the National Park (see Appendix 1).The contribution will be sought from all new dwellings, including from affordable homes, retirement homes,(such as sheltered housing) and from self or custom build homes” (Draft A27 SPD para 4.14 residential development).   2.5 The Draft SPD page 14, paras 4.16 to 4.19 lists development to which the contributions are unlikely to apply, specifically mentioned are Care Homes/Extra Care Facilities Use Class C2, Purpose Built Student Accommodation and Holiday Lets, although para 4.16 states that the ‘list below is not exhaustive’. Again, the Draft A27 SPD is silent on MOD SLA development.   2.6 However, the Draft A27 SPD has been interpreted by the Chichester District Council Development Management Team as applicable to MOD SLA as they determine the current planning application 23/02785/FULEIA which includes the provision of SLA for 140 bed spaces. (NB the MOD’s Agent is currently in separate discussions with the Chichester District Council Case Officer regarding this issue).   This is of concern and incorrect for the following reasons:   2.6.1 In Use Class terms (the Town and Country Planning (Use Classes) Order 1987 as amended) Military operational sites are Sui Generis and all uses within that are not separate planning units, they are subsidiary to the main use. Therefore, SLA, within a military site, is not a residential use, not Use Class C, nor can it be considered as constituting ‘dwellings’.   2.6.2 MOD SLA development is not typical of the usual traffic and commuting flows associated with residential development and would not have the associated impact on the highway network.   The provision of SLA on site allows military personnel to live and work in the same location, whilst aiding operational effectiveness, this also aids sustainable travel to the site by reducing the need to commute to the workplace. Traffic flow on the highway network is minimised and avoids peak times, with most personnel only leaving the base at weekends. The LPA’s junction modelling for the A27 Bypass Mitigation works demonstrates that it is peak times where the junctions are overloaded and require mitigation.   2.6.3 Viability testing. The primary purpose of the MOD is the defence of the nation. There is no financial gain from its operations and the MOD is wholly funded by the UK Government and UK Taxpayer.   The A27 Draft SPD is based upon the evidence within the LPA’s own viability testing for the emerging local plan (Chichester District Council Local Plan 2021-2039 Viability Assessment - Stage 2 Appendix II – Stage 2 full residential typologies review results tables January 2023 DSP21755 ). However, this viability testing has not included MOD SLA as a residential typology. If it had, it would have demonstrated that there is no financial gain made by the MOD in the provision of SLA, therefore no residual land value and no contribution that can be made that would be viable.   Indeed the MOD would submit that the LPA itself does not consider SLA as a residential typology or residential use, nor that it should contribute towards s106 contributions to the A27.   3. Conclusion  3.1 The DIO on behalf of the MOD respectfully:   1. submits the representations in section 2 above, specifically that the A27 Draft SPD does not  apply to the provision of MOD SLA on the grounds that:  • MOD SLA is not a residential use in planning terms,  • traffic generated by MOD SLA is not typical of the usual traffic and commuting flows, and indeed avoids the peak time congestion that are the subject of the A27 mitigation works; and  • the LPA has not provided any viability evidence for MOD SLA to pay s106 contributions towards the A27 Mitigation works  2. Would welcome the opportunity to discuss the representations with Chichester District Council to provide any clarification; and  3. Seeks assurance that the Charges set out within the Draft A27 SPD are not applicable to MOD SLA. | Object | The comments are noted. However, it is not appropriate here to comment on the merits or otherwise of any aspect of an on-going planning application.  It is noted that the respondent is not actually seeking any changes to the draft SPD, but only to how this would be interpreted. | No changes to the SPD are required. |
| 6580 | 8239 | National Highways (Matthew Lewis, Assistant Spatial Planner) [8239] | See 6 representation forms attached.  Representation in relation to paragraph 4.14:  We note that there are no circumstances precluding Council from obtaining contributions from employment sites. | Comment | The comment is noted. | No changes to the SPD are required. |
| 6590 | 8283 | Obsidian Strategic Asset Management [8283] | Section 4 – Planning Contributions (Parts 4.5 / 4.9 / 4.14)  Whilst the principles the Council is promoting to secure financial contributions to the improvement of the A27 (to mitigate the impact of growth) is fully supported, the approach presented does not properly and fairly reflect the requirements of the CIL Regulations (122) in promoting a fair and reasonable approach to the calculation of contributions or collection of funds. Specific commentary on relevant matters is outlined:   Part 4.5 – Target Contribution Level   The SPD approach is predicated on achieving a target contribution level of £8,000 per dwelling, which the Council states is concluded to be ‘viable for most development typologies’.   However, this approach takes no account of the impact of possible alternative funding sources on the requirement for funding in the first place. The A27 is an example where the relevant authorities (including CDC, WSCC and NH) are actively engaged in seeking long term improvements which may well lead to achieving funding from other sources, such as through National Highway’s RIS3 programme, or various future funding opportunities the new government may bring.   If external funding (i.e. RIS 3) were to be achieved for the improvements, the funding requirement may be lesser to that which informed this target contribution level, rendering the SPD approach unsuitable.   Part 4.9 – Use of Car Ownership Rates as proxy   The methodology for calculating contributions has been updated from the earlier SPD draft to now consider car ownership levels (at ward level), which it uses as a proxy for car trips and so traffic impact. This is justified by the Council on the basis it considers that car ownership rates will be influenced by site proximity to a good range of amenities or good sustainable transport links, so reflect likely impact.   There are two concerns with this approach:   • This approach considers that forthcoming development would replicate the existing development of the area within which it is located (and which generates the car ownership rate applied in the SPD Apportionment).  In many cases this will not be true with new development often comprising a different housing mix, density, and sustainability to the existing development in the area it is located. The ward areas used to establish car ownership in some cases are very large and comprise rural villages and settlements, albeit on the very edge of Chichester. New development would not likely reflect existing patterns in relation to car ownership and sustainability. Applying existing car ownership rates without reflecting the difference of new modern development is unsound.  • The application of car ownership rates as the proxy for apportionment makes no allowance for the delivery of mixed-use developments and sustainable transport schemes as part of development proposals which would reduce traffic demands on the A27 corridor. The Drayton Water (A8) site is one such example that would see housing delivered alongside a primary school, local centre, open spaces and community facilities, and follows a Vision based approach. This will serve to reduce the vehicle impact of the scheme which is not reflected in the approach promoted.  Therefore, the approach seeks contributions which would fail to meet the CIL Reg 122 tests by not being proportional in scale to the impact of development.   Part 4.14 – Target Contribution Level   The SPD seeks planning contributions from only residential uses and those only located within the south of the district. This fails to reflect the impact of wider residential and non-residential development in contributing to pressures on the A27 corridor, and so informing the calculation of the SPD contribution.   This approach is flawed and disproportionately loads the cost of infrastructure improvements on the A27 on specific residential developments in only parts of the district, without key traffic generators (for example commercial development) being required to mitigate the impact it creates, and without requiring cross-boundary development to mitigate its impact in Chichester.   In particular, the SPD approach does not seek to fairly and reasonably mitigate for the following types of development which will impact on the A27 corridor:   - Development in the north of the district – The A27 is a strategic route used across the sub-region. Development across the whole district will impact on its requirement for improvement and funding should be captured more widely.  - Development in neighbouring districts (i.e. Havant BC and Arun DC). The SPD recognises that growth in Chichester district is only one contributor to issues on the A27 which carries significant through traffic. By failing to recognise this in the approach to generate funding to improve the A27 corridor, the proposed SPD approach is unreasonable and burdens development in southern Chichester to address an issue it does not create alone.  - Non-residential development, such as commercial / employment – Employment uses particularly will generate traffic and impact on the A27 corridor yet are not required to fund improvements to mitigate the impact it creates. Whilst employment development can seek to rebalance traffic flows and commuting patterns, many types of commercial development would result in net traffic impacts on the A27 corridor and should reasonably be required to contribute to its improvement in the same manner as residential development.  he following changes are recommended to the SPD to address the soundness issues.   Part 4.5 – Target Contribution Level   The SPD should be amended to allow for the re-calculation of the target contribution level if alternative funding sources were identified and secured.   Part 4.9 - Use of Car Ownership Rates as proxy   SPD contributions should be attributed to an external vehicle trip rate, which would be a truer reflection of the likely impact on the A27 asset the SPD seeks to mitigate and improve. It is acknowledged that for smaller windfall sites there may not be a Transport Assessment produced and as such a benchmark trip rate for these schemes could be applied. However, for larger schemes, the SPD should reflect that the impacts of development will be determined through a Transport Assessment, which should form the basis of any contribution assessment.   Part 4.14 – Target Contribution Level   The SPD should be amended to:   - Capture contributions from the northern part of the District through applying a ‘Rest of Chichester’ apportionment and requirement to secure funding.  - Commit to seeking contributions from adjacent and nearby authorities where development proposals are shown to impact on the A27 corridor and contribute to its need for improvement.  - Include a contribution requirement on non-residential developments to secure proportionate funding to the impact these create. | Object | With regard to external funding sources, it is correct that the Council has continued (and will continue) to work with National Highways and others to secure alternative funding, but to date, none have been forthcoming. In the event that Government or other funds are secured in the future, this would trigger a review of the SPD.  The comments on the approach to the use of car ownership data are noted. However, the SPD can only be based on currently available data and cannot accurately predict future trends. Nevertheless, it is important to understand that the draft SPD is only guidance and will be kept under review. Should evidence emerge of significantly different development patterns in the future, these could result in a review of the SPD or justify a departure from the SPD methodology, on a case-by-case basis. However, even where schemes provide on-site facilities or separate improvements to sustainable transport modes, the future residents will still impact on the A27 Bypass or its connecting local highway network.  The evidence demonstrates (and National Highways has agreed) that the impact of homes within the north of the District (north of the National Park) are significantly lower than those of the areas to the south of the National Park. This is considered to justify the decision not to require contributions from homes delivered in this area.  It is not possible for the draft SPD to apply to local authority areas outside of Chichester District (or indeed within the National Park). The Council works, on a continuing basis, with those neighbouring authorities and in some cases (such as in Arun District) they have their own mechanisms in place to secure mitigation funding for the A27.  The reasons why the SPD only seeks to secure contributions from residential development is first, that this is the only form of development for which the Council has viability evidence available to inform the level of contributions. However, even if viability evidence for other development types was undertaken, it is considered that these uses would have very limited viability headroom to be able to contribute to A27 mitigation. Second, seeking contributions from other development types would give rise to ‘double counting issues’, for example, where employment uses were asked to contribute even though their employees lived within the District in homes that had already contributed to the A27 mitigation. | No changes to the SPD are required. |
| 6455 | 6444 | Mr Stephen Bennett [6444] | This lack of funding is due in no small part to a lack of proper decision making over the past few years. It would seem that we are now at an impasse. This is very disappointing a a much clearer explanation of what went wrong should be publicised. | Comment | The comment is noted. | No changes to the SPD are required. |
| 6466 | 7799 | Mr Martin Stern [7799] | We must have Road before the houses | Support | The support is noted. | No changes to the SPD are required. |
| 6486 | 915 | Fishbourne Parish Council (Parish Clerk) [915] | We urge the District Council to continue to press for Central Government funding where costs are the direct result of Government target setting . | Comment | The comment is noted. The Council continues to work with National Highways and others to secure Government or alternative funding for the improvements required. | No changes to the SPD are required. |
| 6513 | 6669 | West Wittering Parish Council (Mrs Susan Hawker, Clerk) [6669] | WWPC acknowledges the amount secured so far and the liaison with central government on this important project. | Support | The comment is noted. The Council continues to work with National Highways and others to secure Government or alternative funding for the improvements required. | No changes to the SPD are required. |
| 6521 | 8229 | Mr Ian Johnston [8229] | The proposed contributions can only raise about £2 million (250 dwellings\*£8,000) which cannot achieve the objective of funding the proposed improvements at A27 junctions to mitigate development impact. Recognising this, reasonable options would be to restrict development, or prioritise which junctions should be improved and complete construction of proposed improvements at these locations with available funding before costs become even more unaffordable, or devise mitigation which can be afforded to meet priorities such as safety, encouraging active modes and encouraging use of public transport. To continue with the proposed approach results in all the development and no A27 mitigation | Object | Whilst the figure of 250 homes is referred to, this is an indicative level of development. The actual level very much depends on how fast new schemes come forward and how long it will take for the emerging Local Plan to be adopted. The Council is seeking to ensure that in the event of any delay to the new Local Plan, there is up-to-date guidance in place to allow development to be permitted with appropriate strategic highways mitigation being secured. | No changes to the SPD are required. |
| 6543 | 6936 | Cassons Restaurant (Mr Dunslay Casson, Partner) [6936] | It is stated that the Oving and Portfield junction have been completed. As with any project there should be a review of whether the objectives were met. Has this been completed and if so will the results be published? As a comment I do use this section on a reasonably regular basis. If I can give a ‘worked’ example. If I have an appointment at St. Richards Hospital, a distance of around 4 miles I leave myself an hour for the journey to ensure I don’t miss the appointment! Not it must be said an improvement!  A review of whether the shutting of the Oving junction and improvements to The Portfield junction have actually improved traffic flow and management. | Comment | The comments are noted. The matter of post completion reviews on Portfield and Oving junctions are the responsibility of National Highways and WSCC. | No changes to the SPD are required. |
| 6544 | 6936 | Cassons Restaurant (Mr Dunslay Casson, Partner) [6936] | At the time of writing, we are in the throes of a General Election. The economic forecasts for certainly the next three years show slow growth for the UK. It would appear highly unlikely that there would be any significant government funding for this project. However, I would suggest that any monies raised by this housing levy will not address the issues of the A27 in the long-term.  By allowing development to the South of the A27 it is by default cutting that out as an option if, and it is a very big if, a decision is ever made and funds are made available for another by pass. The only option would be to the North of the existing A27. That will bring into play issues which will relate to SDNP and The Goodwood Estate. We are in effect left with trying to make an existing four lane by pass with numerous junctions work with traffic levels expected to increase considerably in the next few years. A ‘sticking plaster’ approach seems the most appropriate phrase to use! | Comment | The comments are noted. The purpose of the new SPD is to secure the funds that will be required specifically to address the impact of traffic that has been caused by development identified within the adopted Local Plan. The emerging Local Plan Review sets out a new approach that involves prioritising sustainable transport improvements which will aim to reduce pressure on the A27 Bypass. | No changes to the SPD are required. |
| 6460 | 8258 | Mrs susan Shaw [8258] | Any new short term lets are likely to have an impact on the A27 as it is more likely that the people using holiday accommodation do not live in the area. | Comment | The comment is noted. However, in addition to the issue of any ‘double counting’ planning applications intended for holidays lets would be subject to a planning condition or removal of ‘Permitted Development Rights’ that would prevent such a development being used as ‘a dwelling’ until planning consent is achieved. It is also widely anticipated that the Government will introduce a new specific ‘Use Class’ for short-term Holiday Lets and if this happens that would also reinforce the difference between this kind of development and ‘dwelling houses’. Finally, there is no available viability evidence to support the level of contribution that a holiday let development would be able to provide. Therefore, the Council continues to consider that this type of development should not be expected to contribute. | No changes to the SPD are required. |
| 6529 | 8270 | Housing Delivery Team, CDC (Mrs Louise Williams, Housing Enabling Officer) [8270] | We do not agree with the assumption that many of those using holiday lets will already live within the south of the district. Chichester is a tourist destination and we feel that some contribution should be made to reflect the use of holiday accommodation. | Comment | The comment is noted. However, in addition to the issue of any ‘double counting’ planning applications intended for permanent holidays lets would be subject to a planning condition or removal of ‘Permitted Development Rights’ that would prevent such a development being used as ‘a dwelling’ until planning consent is achieved. It is also widely anticipated that the Government will introduce a new specific ‘Use Class’ for short-term Holiday Lets and if this happens that would also reinforce the difference between this kind of development and ‘dwelling houses’. Finally, there is no available viability evidence to support the level of contribution that a holiday let development would be able to provide. Therefore, the Council continues to consider that this type of development should not be expected to contribute. | No changes to the SPD are required. |
| 6520 | 8229 | Mr Ian Johnston [8229] | The proposed indexation does not cover inflation between 2024 and the date the agreement is signed, or between the date the payment is made and the date of construction of the A27 mitigation. The indexation should be extended to cover the period between 2024 and the date of payment using ROADCON, and between the date of payment and date of construction using the Department for Transport guidance in TAG A1-2 at https://www.gov.uk/government/publications/webtag-tag-unit-a1-2-scheme-costs-july-2017 | Object | The comment is noted and acknowledged. A change to paragraph 5.9 of the draft SPD will be considered to give effect to this. | Change paragraph 5.9 to extend period of indexation to the adoption of the SPD. |
| 6548 | 6936 | Cassons Restaurant (Mr Dunslay Casson, Partner) [6936] | It has to be of concern that in this section there is doubt cast over whether previous numbers as they relate to the yet to be approved Strategic Housing plan. One can only assume that the numbers will not be going down! Therefore, one has to question whether any assumptions made in this document are valid given the uncertainty over future house numbers.  It is difficult to see how this document can be valid until the ‘plan’ is approved. This could be into 2025. | Comment | The level of new dwellings that will come forward in the period before the new Local Plan is inherently uncertain as it relies mainly on ‘windfall sites’. The estimates provided are based on the information currently available to the Council. | No changes to the SPD are required. |
| 6549 | 6936 | Cassons Restaurant (Mr Dunslay Casson, Partner) [6936] | As there is no mention in this draft of the environmental issues that will arise due to the increase in dwellings. I feel that I must draw your attention to a document presented by City Councillor Sarah Sharp to the Chichester City Council Planning and Conservation Committee on 18th August 2022 with regard to Reducing the Speed on the A27 around Chichester. It stated that the principal reasons to look at reducing the speed are linked to  • Noise reduction  • Traffic Smoothing  • Safety concerns  • Increasing population living near the road  • Reducing fuel consumption to reduce climate change  • Driver calming  • New exit from Shopwyke Lakes.  I do not intend to repeat this report here but would suggest that this report is considered in the light of this draft document. I would be particularly concerned with regard to noise and air pollution. Having had a planning application for housing turned down in February 2024 due to noise is obvious that the council is aware of the problem for new housing but seems to ignore existing housing and their occupants. Not being a noise/air pollution expert, it would appear that any increase in the level of traffic will lead to an increase in both air pollution on the A27 but also on access roads where standing traffic at peak times is an issue. Also has the option of a 50mph limit been considered in this draft document as a mitigating measure? It is also noted that traffic modelling for the A27 shows that there will be an increase of 24% by 2035. Has this modelling been included in the proposed mitigation proposals? A study also shows that the A27 around Chichester is the 12th most congested road in England. Of the 11 most congested roads above the A27 in this ranking all bar one is in Greater London! On average the study suggests there is an average delay currently of 4.5 minutes for every mile travelled. It also appears that 2/3rds of the traffic using the A27 currently is through traffic.  • What measures are the council considering for existing properties close to the A27 for mitigating measures from increased noise/air pollution?  • Are the council concerned about the potential health risks to those residents living in close proximity to the A27?  • Has the imposition of a 50mph limit on the affected stretch of the A27 from say Tangmere to Fishbourne been considered as a mitigation option?  • No decisions should be made on any mitigating measures until a full investigation is made to ‘at risk’ dwellings that will be affected by the existing and projected traffic levels. | Object | The comments are noted. The purpose of the new SPD is to secure the funds that will be required specifically to address the impact of traffic that has been caused by development identified within the adopted Local Plan. The emerging Local Plan Review sets out a new approach that involves prioritising sustainable transport improvements which will aim to reduce pressure on the A27 Bypass.  The issues referred to within the response relate to matters that are dealt with by the new Local Plan and its supporting evidence base. | No changes to the SPD are required. |
| 6570 | 8278 | Amy Wolanski [8278] | Strategic transport projects should have national funding. | Comment | The comment is noted. | No changes to the SPD are required. |
| 6458 | 8258 | Mrs susan Shaw [8258] | 3.7 "Integrated" measures have not been developed! Bus and train needs to be better linked and the reality is that having a level crossing in the middle of the city DOES NOT help with congestion. With a new transport hub being planned - a traffic bridge or underpass should be considered to prevent the congestion that builds up all around the city due to the level crossing by the station | Comment | The comment is noted. The measures referred to are beyond the scope of the draft SPD and will be covered by the emerging Local Plan. | No changes to the SPD are required. |
| 6471 | 7799 | Mr Martin Stern [7799] | We must get this right | Support | The support is noted. | No changes to the SPD are required. |
| 6472 | 7799 | Mr Martin Stern [7799] | Very promising | Support | The support is noted. | No changes to the SPD are required. |
| 6489 | 915 | Fishbourne Parish Council (Parish Clerk) [915] | Para 3.9 We totally support the requirement in Policy 9 that all development must provide or fund new infrastructure, and where appropriate, mitigate the impact of the development on existing infrastructure, facilities or services. | Support | The support is noted. | No changes to the SPD are required. |
| 6546 | 6936 | Cassons Restaurant (Mr Dunslay Casson, Partner) [6936] | It is stated that the local Plan will deliver up to 2029 an additional 7,388 dwellings. Although there are mention of various other ‘windfall developments’ this is the only definite number included in this draft. One has to assume that this will not fall but potentially increase. I can find nothing in this draft that indicates what this will mean in terms of additional vehicle movements in the area. Pre covid the statistics indicate that there were in the UK an average of 953 vehicle movement per household in the UK. This number did drop during and after covid. It is a reasonable assumption to make that the numbers will now be up to or exceeding pre covid levels. Therefore, with the additional dwelling this will be: 7,388 x 953 = 7,040,764 additional vehicle movements from the increased housing alone. This does not take into account additional vehicle movements for service vehicles, couriers, post, refuse collection, visitors etc. It does not include the additional movements for vehicles entering and exiting new industrial premises. One could conjecture that the number of additional vehicle movement in the area are approaching 8,000,000 per annum. That is nearly 22,000 additional movements a day. I am afraid that the calculations made in the documentation very hard to believe and are not a true reflection of the situation.  That all calculations contained in this draft be reviewed by an independent traffic and housing expert(s) to ensure that the assumptions and hence the numbers are ‘fit for purpose’. | Comment | The comments are noted. It is correct that the draft SPD relates only to securing developer contributions to fund the A27 Chichester Bypass mitigation works required by the 7,388 dwellings that were identified in Policy 4 of the adopted Local Plan. | No changes to the SPD are required. |
| 6547 | 6936 | Cassons Restaurant (Mr Dunslay Casson, Partner) [6936] | Given the submission made in 3.6 with regard to the number of additional vehicle movements of 22,000 per day. Any mitigating measure within the monetary constraints identified in this report will fail to address the issues. I cannot support this in any way without being made aware of the background data used to support the assumptions made. There appears to be some gaps in the assumptions made. I refer again to the lack of any data for ‘industrial’ developments and associated traffic.  I repeat that any assumptions on traffic numbers should be assessed by an independent consultant. In addition, the effect on A27 traffic levels of developments outside of the CDC area such as Arun. One has to assume that they will be using the A27 around Chichester. It appears for free!!!! | Object | The comments are noted. It is not possible for the draft SPD to apply to local authority areas outside of Chichester District (or indeed within the National Park). The Council works, on a continuing basis, with those neighbouring authorities and in some cases (such as in Arun District) they have their own mechanisms in place to secure mitigation funding for the A27. | No changes to the SPD are required. |
| 6561 | 888 | Donnington Parish Council (Mrs Nicola Swann (Parish Clerk)) [888] | The proposals for Stockbridge roundabout, although these have been identified as not being possible to fund, do not meet Policy 8, because the suggested improvements at these roundabouts would restrict access to Chichester city and increase the traffic on the A27 to make local journeys.   The monitor and manage process (section 2.11 of the Draft A27 Chichester Bypass mitigation Supplementary Planning Documents August 2023) does not appear to have sufficient transparency and consultation with local residents. More information regarding the Traffic and Infrastructure Management group is needed, particularly as there is concern that the Local Plan is being used to implement National Highways schemes that have previously been rejected, using local funds. Proposals for improvements to the A27 appear to be improvements for the through traffic at the expense of local traffic. This process needs more transparency regarding how it will consult the local population, what the remit is, what the process will be for making recommendations, what small scale local highway network intervention are within the scope and such.  Anecdotally, local residents do not support that Portfield roundabout meets Policy 8; and there are concerns on the safety of this roundabout and road congestion still remains an issue. | Comment | The comments are noted. The purpose of the new SPD is to secure the funds that will be required specifically to address the impact of traffic that has been caused by development identified within the adopted Local Plan. The emerging Local Plan Review sets out a new approach (including the Monitor and Manage) that involves prioritising sustainable transport improvements which will aim to reduce pressure on the A27 Bypass. | No changes to the SPD are required. |
| 6531 | 8270 | Housing Delivery Team, CDC (Mrs Louise Williams, Housing Enabling Officer) [8270] | We agree with this approach | Support | The support is noted. | No changes to the SPD are required. |
| 6470 | 7799 | Mr Martin Stern [7799] | We need carful considered | Support | The support is noted. | No changes to the SPD are required. |
| 6488 | 915 | Fishbourne Parish Council (Parish Clerk) [915] | Para 3.4 We support the reason for action now, since waiting for the approval of the new Local Plan would mean applications would not need to mitigate the impact on the A27 and would therefore be in conflict with Policy 9 of the adopted Local Plan. | Comment | The comment is noted. | No changes to the SPD are required. |
| 6517 | 6669 | West Wittering Parish Council (Mrs Susan Hawker, Clerk) [6669] | WWPC fully supports this section. | Support | The support is noted. | No changes to the SPD are required. |
| 6569 | 8278 | Amy Wolanski [8278] | The Community Infrastructure Levy (CIL) has historically been effective in raising necessary funds, surpassing the initial targets. While it is acknowledged that the costs for the remaining improvements have risen, CIL should remain the primary funding mechanism if local sources are in fact necessary in the absence of national funding.   The increased costs of housing construction also raise concerns about the viability of small sites. Utilising this SPD to impose charges on windfall sites disproportionately impacts small developments, which typically involve limited numbers of units. | Comment | The comments are noted. Section 3 of the draft SPD explains that the Council carefully considered the case for using CIL to secure funding for the A27, but decided that would not be effective or feasible.  The contributions proposed within the draft SPD have been carefully set at levels that take full account of and respond to the available viability evidence. With regard to smaller schemes, it should be noted that these benefit from inherently better viability headroom as they are not required to provide for affordable housing, which is by a long way the most significant ‘policy impact’ on residential development viability. | No changes to the SPD are required. |
| 6459 | 8259 | Mr Cllr Andrew Kerry-Bedell [8259] | Does this mean a change in the proportion of affordable housing in the Local Plan (minimum 30% under current CDC policies)? If so I object. If not then this is OK | Comment | The comment is noted. The draft SPD will not impact the level of affordable homes that are being sought under the adopted Local Plan. The matter of any changes to the level of affordable housing sought in the future is for the emerging Local Plan to consider. | No changes to the SPD are required. |
| 6463 | 7799 | Mr Martin Stern [7799] | We need a local plan in place. | Support | The support is noted. | No changes to the SPD are required. |
| 6510 | 6669 | West Wittering Parish Council (Mrs Susan Hawker, Clerk) [6669] | West Wittering parish Council support these changes. | Support | The support is noted. | No changes to the SPD are required. |
| 6577 | 7523 | Barratt David Wilson Homes [7523] | This representation provides a response to the A27 Chichester Bypass Mitigation Supplementary Planning Document (SPD) Consultation on behalf of our client Barratt David Wilson (BDW). The representation is a general submission and is not site specific, although it is relevant to all sites promoted by BDW in the District.   This representation provides a written response in relation to the proposal to introduce a new charging schedule in respect of contributions towards improvements to the A27. The proposed charging schedule sits outside of the Council’s adopted CIL charging schedule and seeks to replace an existing adopted infrastructure SPD.   This consultation document follows a previous consultation in October 2023 for a similar draft document, albeit the overall figures have been updated. The previous SPD was being introduced ahead of the Local Plan Review with its intention to come forward ahead of the Local Plan Review, but then become the SPD in relation to that Local Plan, which clearly is the incorrect approach, when taking account of relevant legislation and Planning Practice Guidance (PPG).   Whilst the draft Plan has been submitted for Examination and Inspectors have been appointed, no response has been provided by the Inspector, beyond procedural matters, on the key matters and issues for the Examination. Also, there is no timescales set out for Examination at the time of writing.   The current proposed SPD is now framed as an interim document. As we set out in our representations submitted in October 2023, we remain of the view that the approach to the SPD would not accord with the legislative framework. The proposed SPD seeks to collect financial contributions for growth anticipated in an emerging (and unadopted) Local Plan. The Local Plan Review document does not propose to meet the full housing needs of the district, this is subject to many unresolved objections and is yet to be tested through Examination.   In terms of the Council’s approach to introduce an SPD to secure contributions, this is directly contrary to the below PPG which states:   Policies for planning obligations should be set out in plans and examined in public. Policy requirements should be clear so that they can be accurately accounted for in the price paid for land.   Such policies should be informed by evidence of infrastructure and affordable housing need, and a proportionate assessment of viability. This evidence of need can be standardised or formulaic (for example regional cost multipliers for providing school places. See the guidance from the Department for Education on ‘Securing developer contributions for education’. However, plan makers should consider how needs and viability may differ between site typologies and may choose to set different policy requirements for different sites or types of development in their plans.   It is not appropriate for plan-makers to set out new formulaic approaches to planning obligations in supplementary planning documents or supporting evidence base documents, as these would not be subject to examination. Whilst standardised or formulaic evidence may have informed the identification of needs and costs and the setting of plan policies, the decision maker must still ensure that each planning obligation sought meets the statutory tests set out in regulation 122. This means that if a formulaic approach to developer contributions is adopted, the levy can be used to address the cumulative impact of infrastructure in an area, while planning obligations will be appropriate for funding a project that is directly related to that specific development. (my emphasis)   Planning obligations assist in mitigating the impact of development which benefits local communities and supports the provision of local infrastructure. Local communities should be involved in the setting of policies for contributions expected from development.   See related guidance: Viability and Plan-making   Paragraph: 004 Reference ID: 23b-004-20190901   Revision date: 01 09 2019   The Council seeks to introduce much increased contributions, outside of any formal Examination process. As a result, no parties have the ability to test the proposed SPD, which has a significant financial burden upon developments. The SPD seeks contributions from all new dwellings, rather than for 50 homes of more in the current SPD. £8,000 is highlighted as a target figure, although specific viability evidence is not provided alongside the draft SPD.   The Council rely on the viability evidence prepared for the Local Plan Review, with their stage 2 assessment (January 2023) having only tested a figure of £8,000. As noted above, this is a minimum figure, with a maximum figure per dwelling being £12,160. It should also be noted that the smallest scheme the viability work considers is 6 units, therefore, there is no consideration of how this SPD will affect small scale schemes of 1-5 homes.   Additionally, the viability testing gives no consideration to alternate housing falling within a C3 use class, such as Sheltered Housing. Payments for this type of housing was excluded from the previous SPD as the traffic impact from such housing is very different from that of general C3 housing. No consideration has been given to such housing, which is a further a shortcoming of the draft document.   Specific viability testing is required to assess the impact of this SPD. This should include testing of a mix of scenarios, including smaller sites (sub 6 dwellings) and include an assessment of different areas and types of sites in this area, given the significant variation in contributions sought in the schedule.   There is clearly a long way to go before the Draft Local Plan housing number are fixed and therefore introducing an SPD at this stage, which relies on compressed housing figures is inappropriate, is not appropriate. Mitigation may also need to be reconsidered, based on a different housing quantum.   The introduction of this untested (viability) SPD, which is clearly contrary to the legislative framework and planning practice guidance relevant, should not be progressed at this time. The appropriate strategic highway mitigation should form part of the Council’s future CIL charging schedule, which must follow the Local Plan process and be subject to appropriate Examination.   We appreciate the nature of the comments, but our client would like to work with the Council on these matters going forward as part of the Local Plan review. | Object | The comments are noted. It is not the case that the Draft SPD seeks to collect contributions from growth anticipated in the emerging Local Plan and it is clear from the Introduction of the SPD that it will only apply to residential development coming forward under the adopted Local Plan (Policy 4: Housing Provision).  In preparing the draft SPD, the Council has carefully considered the relevant national policy and guidance and an explanation is provided in Section 3 of the draft SPD of the extent to which it is considered that the proposed SPD guidance does and does not comply and the reasons for that.  We note the comments in relation to the Council’s viability evidence. It should be noted that this evidence is available on the Council’s website and has been since March 2023. Whilst it is acknowledged that the viability evidence has not been subject to Examination, it is nevertheless comprehensive and is the most up-to-date evidence available. It is therefore considered to be proportionate evidence and capable of supporting the draft SPD, including the change in guidance to seek A27 mitigation contributions from schemes smaller than 50 dwellings, where these have an impact on the A27.  The contributions guidance proposed within the draft SPD have been carefully set at levels that take full account of and respond to the available viability evidence. It is not the case that £8,000 is the minimum contribution that would be payable. Application of the methodology set out in Section 4 of the draft SPD would result in schemes in most parts of the District contributing less than this on a ‘per dwelling’ basis for a typical dwelling mix.  With regard to smaller schemes of less than 6 units, it should be noted that these benefit from inherently better viability headroom as they are not required to provide for affordable housing, which is by a long way the most significant ‘policy impact’ on residential development viability.  The viability evidence did undertake an appraisal for a typical sheltered housing scheme and this included the application of £8,000 per dwelling for A27 mitigation. However, in all areas where these dwellings would be two-bed or smaller, the level of contribution guidance applicable under the draft SPD would be significantly less than £8,000 per dwelling. Further, as the draft SPD is only guidance, there would be opportunities for applicants to demonstrate that the particular nature of car ownership at a given scheme warranted a reduced level of contribution. | No changes to the SPD are required. |
| 6585 | 8282 | Teren Project Management Ltd (Mr Martin Curry, Director) [8282] | This representation provides a response to the A27 Chichester Bypass Mitigation Supplementary Planning Document (SPD) Consultation. The representation is a general submission and is not site speci?c.   This representation provides a written response in relation to the proposal to introduce a new charging schedule in respect of contributions towards improvements to the A27. The proposed charging schedule sits outside of the Council’s adopted CIL charging schedule and seeks to replace an existing adopted infrastructure SPD.   This consultation document follows a previous consultation in October 2023 for a similar draft document, albeit the overall ?gures have been updated. The previous SPD was being introduced ahead of the Local Plan Review with its intention to come forward ahead of the Local Plan Review, but then became the SPD in relation to that Local Plan, which clearly is the incorrect approach, when taking account of relevant legislation and Planning Practice Guidance (PPG).   Whilst the draft Plan has been submitted for Examination and Inspectors have been appointed, no response has been provided by the Inspector, beyond procedural matters, on the key matters and issues for the Examination. Also, there is no timescales set out for Examination at the time of writing.   The current proposed SPD is now framed as an interim document. We are of the view that the approach to the SPD would not accord with the legislative framework. The proposed SPD seeks to collect ?nancial contributions for growth anticipated in an emerging (and unadopted) Local Plan. The Local Plan Review document does not propose to meet the full housing needs of the district, this is subject to many unresolved objections and is yet to be tested through Examination.   In terms of the Council’s approach to introduce an SPD to secure contributions, this is directly contrary to the below PPG which states:   Policies for planning obligations should be set out in plans and examined in public. Policy requirements should be clear so that they can be accurately accounted for in the price paid for land.   Such policies should be informed by evidence of infrastructure and a?ordable housing need, and a proportionate assessment of viability. This evidence of need can be standardised or formulaic (for example regional cost multipliers for providing school places. See the guidance from the Department for Education on ‘Securing developer contributions for education’. However, plan makers should consider how needs and viability may di?er between site typologies and may choose to set di?erent policy requirements for di?erent sites or types of development in their plans.   It is not appropriate for plan-makers to set out new formulaic approaches to planning obligations in supplementary planning documents or supporting evidence base documents, as these would not be subject to examination. Whilst standardised or formulaic evidence may have informed the identi?cation of needs and costs and the setting of plan policies, the decision maker must still ensure that each planning obligation sought meets the statutory tests set out in regulation 122. This means that if a formulaic approach to developer contributions is adopted, the levy can be used to address the cumulative impact of infrastructure in an area, while planning obligations will be appropriate for funding a project that is directly related to that speci?c development. (my emphasis)   Planning obligations assist in mitigating the impact of development which bene?ts local communities and supports the provision of local infrastructure. Local communities should be involved in the setting of policies for contributions expected from development.   See related guidance: Viability and Plan-making Paragraph: 004 Reference ID: 23b-004-20190901 Revision date: 01 09 2019   The Council seeks to introduce much increased contributions, outside of any formal Examination process. As a result, no parties have the ability to test the proposed SPD, which has a signi?cant ?nancial burden upon developments. The SPD seeks contributions from all new dwellings, rather than for 50 homes of more in the current SPD. £8,000 is highlighted as a target ?gure, although speci?c viability evidence is not provided alongside the draft SPD.   The Council rely on the viability evidence prepared for the Local Plan Review, with their stage 2 assessment (January 2023) having only tested a ?gure of £8,000. As noted above, this is a minimum ?gure, with a maximum ?gure per dwelling being £12,160. It should also be noted that the smallest scheme the viability work considers is 6 units, therefore, there is no consideration of how this SPD will a?ect small scale schemes of 1-5 homes.   Additionally, the viability testing gives no consideration to alternate housing falling within a C3 use class, such as Sheltered Housing. Payments for this type of housing was excluded from the previous SPD as the tra?c impact from such housing is very di?erent from that of general C3 housing. No consideration has been given to such housing, which is a further a shortcoming of the draft document.   Speci?c viability testing is required to assess the impact of this SPD. This should include testing of a mix of scenarios, including smaller sites (sub 6 dwellings) and include an assessment of di?erent areas and types of sites in this area, given the signi?cant variation in contributions sought in the schedule.   There is clearly a long way to go before the Draft Local Plan housing number are ?xed and therefore introducing an SPD at this stage, which relies on compressed housing ?gures is inappropriate. Mitigation may also need to be reconsidered, based on a di?erent housing quantum.   The introduction of this untested (viability) SPD, which is clearly contrary to the legislative framework and planning practice guidance relevant, should not be progressed at this time. The appropriate strategic highway mitigation should form part of the Council’s future CIL charging schedule, which must follow the Local Plan process and be subject to appropriate Examination.   We appreciate the nature of the comments, but we would like to work with the Council on these matters going forward as part of the Local Plan review. | Object | The comments are noted. It is not the case that the Draft SPD seeks to collect contributions from growth anticipated in the emerging Local Plan and it is clear from the Introduction of the SPD that it will only apply to residential development coming forward under the adopted Local Plan (Policy 4: Housing Provision).  In preparing the draft SPD, the Council has carefully considered the relevant national policy and guidance and an explanation is provided in Section 3 of the draft SPD of the extent to which it is considered that the proposed SPD guidance does and does not comply and the reasons for that.  We note the comments in relation to the Council’s viability evidence. It should be noted that this evidence is available on the Council’s website and has been since March 2023. Whilst it is acknowledged that the viability evidence has not been subject to Examination, it is nevertheless comprehensive and is the most up-to-date evidence available. It is therefore considered to be proportionate evidence and capable of supporting the draft SPD, including the change in guidance to seek A27 mitigation contributions from schemes smaller than 50 dwellings, where these have an impact on the A27.  The contributions guidance proposed within the draft SPD has been carefully set at levels that take full account of and respond to the available viability evidence. It is not the case that £8,000 is the minimum contribution that would be payable. Application of the methodology guidance set out in Section 4 of the draft SPD would result in schemes in most parts of the District contributing less than this on a ‘per dwelling’ basis for a typical dwelling mix.  With regard to smaller schemes of less than 6 units, it should be noted that these benefit from inherently better viability headroom as they are not required to provide for affordable housing, which is by a long way the most significant ‘policy impact’ on residential development viability.  The viability evidence did undertake an appraisal for a typical sheltered housing scheme and this included the application of £8,000 per dwelling for A27 mitigation. However, in all areas where these dwellings would be two-bed or smaller, the level of contribution applicable under the draft SPD would be significantly less than £8,000 per dwelling. Further, as the draft SPD is only guidance, there would be opportunities for applicants to demonstrate that the particular nature of car ownership at a given scheme warranted a reduced level of contribution. | No changes to the SPD are required. |
| 6461 | 8259 | Mr Cllr Andrew Kerry-Bedell [8259] | The current CDC CIL policies for developers need a complete revamp to ensure that this situation with too little CIL is not repeated in the future. This would include having far greater contributions per new house from any development over 100 houses and reduced contributions for higher density housing, brownfield sites (to offset the VAT issue), student and older people's housing, social housing, SCLT developments and single home and self-build developments. Waverley Council has some good examples | Comment | The comments are noted. However, these matters go beyond the scope of the draft SPD and will need to be considered when the Council reviews its CIL Charging Schedule and the Planning Obligations SPD. | No changes to the SPD are required. |
| 6464 | 7799 | Mr Martin Stern [7799] | Great to see local plans | Support | The support is noted. | No changes to the SPD are required. |
| 6511 | 6669 | West Wittering Parish Council (Mrs Susan Hawker, Clerk) [6669] | West Wittering Parish Council appreciate this explanation which is very clear in terms of the purpose of the SPD in providing updated guidance on the application of the policies within the adopted Local Plan. | Support | The support is noted. | No changes to the SPD are required. |
| 6566 | 8278 | Amy Wolanski [8278] | The anticipated brief lifespan of the Supplementary Planning Document (SPD) raises concerns about its efficacy and purpose, particularly given the absence of allocated sites coming forward. The timeframe between the adoption of this SPD and the upcoming local plan appears minimal, suggesting limited practical impact. | Comment | The comment is noted. The proposed SPD is required to avoid a ‘gap’ in funding to ensure that development that comes forward now, ahead of the new Local Plan contributes fairly and reasonably to the mitigation of its impact on the A27 Bypass. | No changes to the SPD are required. |
| 6532 | 8270 | Housing Delivery Team, CDC (Mrs Louise Williams, Housing Enabling Officer) [8270] | We agree with this approach and the timescale proposed. | Support | The support is noted. | No changes to the SPD are required. |
| 6574 | 8278 | Amy Wolanski [8278] | Repayment of s106 agreements will be expected to be 20 years at a minimum which seems too high, it is questioned how this figure was chosen. | Comment | Paragraph 5.12 explains that the 20-year period is required to avoid the process of funding the junction improvements being undermine. This could occur if there were an extended delay in the commencement of the works. | No changes to the SPD are required. |
| 6582 | 8239 | National Highways (Matthew Lewis, Assistant Spatial Planner) [8239] | See 6 representation forms attached.  Response to paragraph 5.2 as follows:  Under the 2016 SPD, where applicants were required to pay A27 mitigation contributions, the Section 106 Agreements required the applicant to enter into a Section 278 Agreement with National Highways. The s278 Agreement was then used to pay the contribution directly to National Highways. However, this practice has recently changed ~~and~~ to reflect current and future circumstances. The government has made it clear that there is no prospect of improvements to the A27 within Chichester through the nationally administered Road Investment Strategy (RIS) in the foreseeable future. In the absence of any solution that accounts for current congestion and additional traffic impacts of new development, Chichester District Council will now be collecting and holding the A27 mitigation contributions ~~on National Highways' behalf~~. Chichester District Council will be responsible for identifying the schemes necessary to accommodate traffic growth associated with the Local Plan, with the assistance of National Highways and West Sussex County Council. Agreed schemes will then be delivered by Chichester District Council or West Sussex County Council through a Section 6 Agreement under the Highways Act 1980. Therefore, the A27 mitigation contributions will be secured through Planning Obligations, either through a Section 106 Agreement with the Council or a Unilateral Undertaking by the applicant. | Comment | The suggested changes to paragraph are noted and are broadly acceptable to the Council. However, as the delivery and provider are dependent on the nature of the works and/or have the potential to be put towards existing or future projects being undertaken by a particular organisation or body the change to specifically being delivered by Chichester District Council or West Sussex County Council is not appropriate and is therefore not carried forward to proposed amendments. This means that the last suggested sentence (beginning ‘Agreed schemes will then be delivered…’) has been refined to include reference to future discussions with the Council’s Highway Authority partners to take account of the issues set out above and that the fact that CDC is not in any position to deliver strategic highway schemes. | Suggested changes incorporated in part into revised text on paragraph 5.2. |
| 6583 | 8239 | National Highways (Matthew Lewis, Assistant Spatial Planner) [8239] | See 6 representation forms attached.  Representation on paragraph 5.3 as follows:  Delete - The funding collected will be passed, either to National Highways or to their nominated delivery partner, at the time that the initial work on the relevant junction improvement works is due to commence. | Comment | The suggestion to delete paragraph 5.3 is agreed, insofar as it relates to the first sentence. | Change paragraph 5.3 to delete first sentence as replaced by amended text in paragraph 5.2. |
| 6456 | 8258 | Mrs susan Shaw [8258] | The recent transport evidence shows that development in the Northern area does not have a significant impact on the A27 bypass!!  All development has significant impact - Due to the traffic congestion that regularly occurs on the A27, any persons living North of the bypass actively avoids the A27, thereby causes more congestion in areas north of the A27 - particularly through Lavant.   If the A27 was a better functioning road, then any resident living North of the A27 would use it. | Comment | The comment is noted. However, the reference in paragraph 2.11 to the ‘northern area’ is to the part of Chichester District to the north of the South Downs National Park, This is a significant distance from the A27 and the impact of development here is very limited. | No changes to the SPD are required. |
| 6468 | 7799 | Mr Martin Stern [7799] | The solution lies with the bypass | Support | The support is noted. | No changes to the SPD are required. |
| 6487 | 915 | Fishbourne Parish Council (Parish Clerk) [915] | Para 2.14 Given the lack of funding from the Government and the gap between the 2016 SPD calculation and the present costs, there would seem to be no alternative to seeking an increase in contribution from developers for applications between now and the adoption of the revised Local Plan. | Comment | The comment is noted and agreed. | No changes to the SPD are required. |
| 6516 | 6669 | West Wittering Parish Council (Mrs Susan Hawker, Clerk) [6669] | WWPC agrees with these changes to the numbers of dwellings attracting a contribution. | Support | The support is noted. | No changes to the SPD are required. |
| 6525 | 8270 | Housing Delivery Team, CDC (Mrs Louise Williams, Housing Enabling Officer) [8270] | We are supportive of the approach for a contribution on the net increase and not just those sites of 50 dwellings or more. | Support | The support is noted. | No changes to the SPD are required. |
| 6536 | 7951 | Mr Peter Jannece [7951] | I note that a northern route is not now for consideration.  My view is that in 20 years time a northern route will have be considered because of the density of traffic in the future even after the roundabouts have been ‘improved’.  Therefore, the Local Plan should allow no further housing development south of the Goodwood Estate where such a road will almost certainly be required. | Object | The comments are noted. However, these matters go beyond the scope of the draft SPD and would need to be considered through future Local Plan documents. | No changes to the SPD are required. |
| 6545 | 6936 | Cassons Restaurant (Mr Dunslay Casson, Partner) [6936] | The assumption that is stated that the majority of the developments will be to the South of the A27 may be true currently. I would point out however that any developments that feed into the A27 will increase traffic numbers. I would point out again there is going to be an expansion at Rolls Royce plus there is a proposal for an industrial site at Temple Bar. Also, there is a proposed development in Boxgrove for over 20 houses. Although the north of the A27 is bounded by The Goodwood estate and SDNP that should not be a reason for exclusion. I would also point out that in this draft submission the Tangmere junction has been excluded. Is there any reason for this or is it considered to be able to handle the projected traffic levels?  Ensure that ALL developments that are in the A27 ‘corridor’ are included in any future submission. Also due to the Strategic Housing Development at Tangmere. The Tangmere roundabout junction and the A285 junction must be included in future planning considerations. | Object | The SPD does not state that the majority of new developments will be located to the south of the A27. What is stated in paragraph 2.11 is that the contributions will only be sought from new residential development located to the south of the District, in other words, to the south of the boundary of the South Downs National Park. | No changes to the SPD are required. |
| 6568 | 8278 | Amy Wolanski [8278] | This SPD would only affect windfall developments, and includes sites of any size, whereas previously this surcharge only applied to developments over 50 units. Windfall sites by their nature are typically smaller than allocated development sites and the costs as outlined in this SPD could deter small developments from coming forward and impact the overall amount of units on windfall sites. therefore could potentially be discouraging to small-scale projects, which seems counterproductive. | Comment | The contributions proposed within the draft SPD have been carefully set at levels that take full account of and respond to the available viability evidence. With regard to smaller schemes, it should be noted that these benefit from inherently better viability headroom as they are not required to provide for affordable housing, which is by a long way the most significant ‘policy impact’ on residential development viability. | No changes to the SPD are required. |
| 6467 | 7799 | Mr Martin Stern [7799] | Spend wisely | Support | The support is noted. | No changes to the SPD are required. |
| 6508 | 8268 | Mr Paul Evans [8268] | There has been no plan - or nothing able to challenge developments along the whole of the A27 that are directly impacting on a recognised over capacity A27. This is by no means an exclusive list of more recent developments making things worse:  \*Whitehouse Farm housing.  \*MKM and other units.  \*Housing in Pagham, Berstead area, etc.  \*Chichester Free School.  \*Tangmere housing.  \*Oving Road housing.  \*Madgewick housing.  \*Sainsburys, John Lewis shopping area already over loaded but now add in traffic for Lidl, Aldi, Home Bargains, etc.  \*McDonalds/Tim Hortons/Costa drive throughs causing queues onto a A27 roundabout exit. | Comment | The comments are noted. | No changes to the SPD are required. |
| 6515 | 6669 | West Wittering Parish Council (Mrs Susan Hawker, Clerk) [6669] | WWPC agrees with these arguments. | Support | The support is noted. | No changes to the SPD are required. |
| 6519 | 8229 | Mr Ian Johnston [8229] | As the £13.56 million of contributions being sought only achieves the low cost estimate, there is a very low probability that this will be adequate to fund the required mitigation. | Comment | The actual level of funding achieved under this SPD very much depends on how fast new schemes come forward and how long it will take for the emerging Local Plan to be adopted. The Council is seeking to ensure that in the event of any delay to the new Local Plan, there is up-to-date guidance in place to allow development to be permitted with appropriate strategic highways mitigation being secured. | No changes to the SPD are required. |
| 6524 | 8270 | Housing Delivery Team, CDC (Mrs Louise Williams, Housing Enabling Officer) [8270] | We agree that work to the A27 should be a priority and that addressing these issues whilst waiting for the new local plan is vital. | Support | The support is noted. | No changes to the SPD are required. |
| 6465 | 7799 | Mr Martin Stern [7799] | There is also to much traffic on the road | Support | The support is noted. | No changes to the SPD are required. |
| 6481 | 6760 | Mr Robert Upton [6760] | I was just wondering whether you could include a link to direct people in the direction of the latest version of the mitigation plans referred to and confirm their current status i.e. options, decisions made, outstanding consultations etc.?  My understanding is that any major plans for the A27 at Chichester (e.g. possible Northern route etc.) have been deferred now until after 2030, so what we’re looking at here are the remaining mitigation/improvement ideas around localised changes to roundabouts and junctions, of which I recall their being 5 or 6 options, but can’t recall what the end outcome was? | Comment | The comment is noted. The mitigation schemes referred to in the draft SPD are the same as described by the Transport Study of Strategic Development Options and Sustainable Transport Measures (2013). I web link to that document is provided on page 3 of the draft SPD. | No changes to the SPD are required. |
| 6482 | 8262 | Mrs JILLIAN SELWOOD [8262] | Before considering additional housing close to the A27, please note that those of us living in Upton Road are being deafened by the traffic noise, particularly motorbikes, who accelerate out of the Stockbridge roundabout going west. I have been trying to sell my house since February 2023, and my neighbour has been trying to sell for even longer, but most of the 28 people viewing my house have declined to buy because of the traffic noise. We need a speed restriction between the Stockbridge and Fishbourne roundabouts and we need acoustic fencing outside our boundaries. | Comment | The comment is noted. However, these matters are beyond the scope of the draft SPD. | No changes to the SPD are required. |
| 6483 | 8265 | Mr Graham Porrett [8265] | The proposed mitigation to various junctions will do nothing to reduce the levels of traffic being generated and if the Portfield junction is not improved drastically to reduce the traffic jams which now occur at all times of day and evening due to the excessive build up of stores with no viable access to and from. It is meaningless. What good is a Bognor junction improvement if Portfield is backed up to Whyke and sometimes Stockbridge junctions.  More housing will lead to even more misery and more rat running through Chichester. My Sat Nav took me through town just last Sunday 15th June 2024 midday to avoid by-pass traffic build up.  My business is affected as Sidlesham Garage ltd is now getting delays of hours on parts supply from factors in Chichester and one in Particular on the the Shopwhyke estate. In the summer it is deadlock.  My nephews wife last year was trapped in Portfield car park for 3 hours with a new born baby on board. He had to walk in having parked in Liddell and rescue them. And then collect car next day.  Business are being affected as shoppers already disappearing due to internet and amazon will not visit these stores more jobs will be lost.  The whole shopwhyke Portfield development has been an unparalleled disaster for Chichester residents, business owners and Motorists alike. | Object | The comments are noted. The role of the draft SPD is to secure developer funding for the range of junction improvements set out in the adopted Local Plan, which does not include any further improvement to Portfield Roundabout. However, under the emerging Local Plan, it is possible that Portfield may be identified in the future for further improvement if that emerges as a key priority under the ‘Monitor and Manage’ process. | No changes to the SPD are required. |
| 6512 | 6669 | West Wittering Parish Council (Mrs Susan Hawker, Clerk) [6669] | West Wittering Parish Council fully supports this section | Support | The support is noted. | No changes to the SPD are required. |
| 6535 | 6988 | Mr Richard Bryant [6988] | It’s becoming unbearable in and around Bosham. The traffic has increased drastically due to the new developments and the noise and speed is affecting the well being of those of us who live here. I now run a speed watch team who monitor the traffic by the Bosham roundabout, and the findings are recorded accordingly. There are approx 800 vehicles passing us, travelling east to west and west to east, at any hour from 8am til 4pm. A handful pass at 30mph, and even though we are clearly visible, some hit 50 before entering the 60mph section and thereafter speeds of up to 80/90 are achieved. I wonder if I ought to contact someone to look at reducing the long 60mph stretch to 50 or even 40. It’s madness! | Object | The comment is noted. However, these matters are beyond the scope of the draft SPD. | No changes to the SPD are required. |
| 6559 | 888 | Donnington Parish Council (Mrs Nicola Swann (Parish Clerk)) [888] | This section suggests that the indicative package of measures for the six junctions on the bypass identified in the Transport Study of Strategic Development Options and Sustainable Transport Measures were acceptable, but haven’t be able to be put into place due to lack of funds. Donnington Parish Council strongly objected in a letter to Susan Taylor on 01/03/2021 with regard to concerns about the link road (including flooding, the impact of the harbour and pollution) and to the proposals for the Stockbridge and Whyke roundabouts due to the negative impact on local residents' journey times, pollution and that this was very similar to option 3 proposed in RIS 1, which was roundly rejected by the Chichester community.  Again, table 1 excludes any costs for Portfield. The evidence in the Transport Study shows this roundabout still requires consideration. Anecdotally, local residents highlight the issues with the improvements to Portfield, that the further integration of local and through traffic increases the risk of incidents at this roundabout, and it should not be considered as no longer requiring further improvements. | Comment | The junction improvements referred to in the draft SPD are described in more detail within the Transport Study of Strategic Development Options and Sustainable Transport Measures (2013). With regard to the Stockbridge Roundabout, the scheme proposed does not require the construction of a link road and involves improvements only to the roundabout itself.  Table 1 does not include any further improvement to Portfield Roundabout. However, under the emerging Local Plan, it is possible that Portfield may be identified in the future for further improvement, if that emerges as a key priority under the ‘Monitor and Manage’ process. | No changes to the SPD are required. |
| 6567 | 8278 | Amy Wolanski [8278] | As identified, the A27 Bypass is part of the Strategic Road Network, making it the responsibility of National Highways. Consequently, its funding should also come from national sources. | Comment | The comment is noted. | No changes to the SPD are required. |
| 6475 | 7799 | Mr Martin Stern [7799] | Need to get this right | Support | The support is noted. | No changes to the SPD are required. |
| 6530 | 8270 | Housing Delivery Team, CDC (Mrs Louise Williams, Housing Enabling Officer) [8270] | We agree with this approach. | Support | The support is noted. | No changes to the SPD are required. |
| 6514 | 6669 | West Wittering Parish Council (Mrs Susan Hawker, Clerk) [6669] | WWPC supports this uplift. | Support | The support is noted. | No changes to the SPD are required. |
| 6518 | 8229 | Mr Ian Johnston [8229] | The price base of the updated infrastructure costs is not provided - it is stated that the costs account for inflation but not whether this relates to inflation up to 2024 or to an estimated year of construction. A low-high range is provided but not the probability of actual costs being at the low or high level (presumably there is only a very low probability of actual costs being at the low end of the range). Guidance on estimating outturn costs at time of construction is set out by the Department for Transport in TAG Unit A2.1 at https://www.gov.uk/government/publications/webtag-tag-unit-a1-2-scheme-costs-july-2017 | Comment | The comment is noted. The basis of the updated costs shown in Table 1 is to take account of inflation to 2024. The probability of where the costs will come in with reference to the range provided is not known at this stage. | No changes to the SPD are required. |
| 6523 | 8270 | Housing Delivery Team, CDC (Mrs Louise Williams, Housing Enabling Officer) [8270] | Are there plans to prioritise the planned improvements, based on those likely to have the greatest impact first? Do the new costs include an allowance for any further delivery delays? | Comment | There is no firm prioritisation at this stage and that would be a matter that would require further discussion with National Highways and WSCC. Whilst the costs simply reflect inflation to 2024, there is guidance on indexation of the contributions in Section 5 which provides a measure of defence against future inflation. | No changes to the SPD are required. |
| 6473 | 7799 | Mr Martin Stern [7799] | We must provide a solution | Support | The support is noted. | No changes to the SPD are required. |
| 6474 | 7799 | Mr Martin Stern [7799] | Very interesting | Support | The support is noted. | No changes to the SPD are required. |
| 6550 | 6936 | Cassons Restaurant (Mr Dunslay Casson, Partner) [6936] | I do not intend in this section to question the way the calculations have been arrived at. However, as part of this whole Strategic Plan is for an overall ‘economic’ strategy for Chichester I would like to point out the following. The average house price in the UK is £282,776. The average house price in Chichester is £454,000. The average salary in the UK is £29,600. The average salary in Chichester is £28,000. Therefore, is could be conjectured that if you are paying that sum for a house in Chichester then an additional £8k (or 1.7%) would not be a major issue. Or you could think that Chichester was becoming totally unaffordable and either move away of not bother moving in. It also brings to the fore the whole question of affordable housing in the Chichester area. This could have a detrimental effect on attracting staff for key jobs such as nurses, teachers etc.  There is an urgent need to review the provision of affordable housing in the light of attracting suitable staff to support the infrastructure of the area, which is already under pressure. | Object | The contributions guidance proposed within the draft SPD has been carefully set at levels that take full account of and respond to the available viability evidence. Application of the methodology guidance set out in Section 4 of the draft SPD would result in schemes in most parts of the District contributing less than £8,000 on a ‘per dwelling’ basis for a typical dwelling mix. Where the contribution is greater than this, it is only in cases where there is sufficient viability headroom. | No changes to the SPD are required. |
| 6557 | 7778 | Wates Developments [7778] | We write in response to the above consultation on behalf of our client, Wates Developments, who have a range of land interests in the District. Wates have been engaged throughout the process of the SPD including the submission of representations to the previous round of consultation in November 2023.   As is made clear in the introduction to the consultation document, the SPD is seen as a temporary measure until the adoption of the Local Plan Review. The draft SPD is therefore prepared in the context of policies 4 (Housing Provision), 8 (Transport and Accessibility) and Policy 9 (Development Infrastructure Provision) of the adopted Chichester Local Plan: Key Policies 2014-2029 (2015).   The Local Plan Review was submitted for independent examination on 3rd May 2024, with the Inspectors appointed later that month. Given the sensitivities around the General Election, whilst an initial letter was issued by the Inspectors on 12 June 2024, this was focused on factual and procedural points. At the current time therefore, no indication has been provided of the Inspectors’ matters, issues and questions or the timing of the Examination hearings. It is however noted that the Council’s latest Local Development Scheme (approved 19 March 2024) anticipates the hearings being held over Summer/Autumn 2024 with adoption in Spring 2025. Based on these timings, and assuming the SPD is adopted in the Summer, the SPD is likely to be in place for an approximately 9-12 month period, although clearly if the Examination is protracted this could be extended. The draft SPD advises that the Council anticipate the number of dwellings affected by the SPD in this interim period would be in the region of 250.   As per our previous submissions (enclosed) we remain concerned that the proposed approach the Council are seeking to pursue through the SPD does not accord with the legislative framework as detailed within the 2004 Planning and Compulsory Purchase Act (as amended). Concern is raised that the SPD seeks to collect financial contributions for growth anticipated in an emerging (and unadopted) Local Plan. It is noted that the Local Plan Review does not propose to fully meet the housing needs of the District and this has yet to be tested through Examination. Should it be found through this process that a greater quantum of growth can be accommodate, this could bring down the costs on a ‘per dwelling’ basis. Such matters can only be appropriately tested through the Examination process and as such it is not considered the SPD is an appropriate mechanism to seek to introduce this tariff.   Notwithstanding the above, if the Council continue to pursue the SPD, it is important that the SPD is produced in accordance with national guidance and does not hinder the delivery of sites relied upon in the Council’s submitted Local Plan. As set out in Planning Practice Guidance, SPDs ‘should not add unnecessarily to the financial burdens on development.’ Clearly should the adoption of the Local Plan Review be delayed for any reason (such as an extended Examination Period or changes in national policy) the SPD could remain in place for a longer period than currently envisaged. In such a circumstance it would not be unexpected for a greater quantum of development to come forward than the 250 homes, including allocations proposed through the Local Plan Review as well as larger windfall sites to ensure the Council are able to maintain a five-year housing land supply.   The draft SPD would seek financial contributions from all new dwellings (rather than developments of over 50 homes as per the current situation) in wards south of the National Park. £8,000 per dwelling is proposed to be used as a ‘Target Contribution Level’ against which other factors, such as the location of development and the size of the dwelling will be applied. Applying these, the maximum contribution which would be sought for a single dwelling would therefore be £12,160. Notably the size of dwelling is stated to be tied to the increased number of vehicles associated with larger dwellings. We note that the SPD has sought to address the previous comments from Wates regarding the correlation of bedroom spaces to the costs proposed to better reflect the proportional increase in vehicle ownership which can be expected. The mix and quantum of homes to be delivered through the Local Plan review remains to be examined and found sound, as such the expected level of overall contributions secured is subject to change.   Notwithstanding our comments above in respect of the principle of the SPD, we now turn to more detailed considerations. At this stage no specific viability evidence has been prepared in respect of this interim SPD and instead the Council seek to rely on the viability evidence prepared for the Local Plan Review. These viability assessments have been prepared using the adopted charging rates (as indexed for 2023) within their assumptions. The Stage 2 Viability Assessment (January 2023) appears to have only tested on the basis of a flat rate of £8,000 per dwelling rather than the more nuanced approach actually proposed through the SPD. The smallest scheme that has been assessed is for 6 dwellings.   Specific viability testing should be undertaken to assess the approach proposed through the draft SPD. This should include testing of smaller schemes (including below 6 dwellings). During this interim phase it is likely to be smaller windfall schemes which will come forwards and be subject to the SPD, ahead of the adoption of the Local Plan Review, and these should be appropriate assessed. The assessment should however also consider larger schemes in case the adoption of the Local Plan Review is delayed and some of these sites are to be brought forwards under this interim SPD ahead of the Local Plan Review adoption.   In light of the above we consider that the Council should reconsider the preparation of the SPD and instead focus its efforts and resources on the forthcoming Local Plan Examination to seek to ensure the Plan is adopted in atimely manner as the appropriate mechanism to consider mitigation measures for the A27. This will allow such a strategic matter to be addressed more comprehensively through the Local Plan process including a review of CIL and the IDP that sits alongside the Local Plan Review, and robustly tested through the Examination process.   We trust that the above information is of assistance in your preparation of the SPD. We look forward to continuing to work with the Council through the preparation of the SPD (if pursued) and Local Plan. | Object | The comments are noted. It is not the case that the draft SPD seeks to collect contributions from growth anticipated in the emerging Local Plan and it is clear from the Introduction of the SPD that it will only apply to residential development coming forward under the adopted Local Plan (Policy 4: Housing Provision).  In relation to the ‘per dwelling’ costs of the infrastructure, the adopted Local Plan sets out a specific level of infrastructure that is designed to mitigate the level of housing set out in Policy 4. The draft SPD would only apply to that quantum of development. Any development that comes forward (ahead of the new Local Plan) which is in excess of the quantum set out in Policy 4 would require additional mitigation measures that are not covered by the adopted Local Plan or the draft SPD. In such cases the Council would seek guidance from National Highways as to the how the impact of such development should be mitigated.  We note the comments in relation to the Council’s viability evidence. However, it should be noted that the evidence used to support the draft SPD is the same evidence as is currently supporting the emerging Local Plan. Whilst it is acknowledged that this has not been subject to Examination, it is nevertheless comprehensive and is the most up-to-date evidence available. It is therefore considered to be proportionate evidence to support the draft SPD.  The contributions proposed within the draft SPD have been carefully set at levels that take full account of and respond to the available viability evidence. With regard to smaller schemes, it should be noted that these benefit from inherently better viability headroom as they are not required to provide for affordable housing, which is by some margin, the most significant ‘policy impact’ on residential development viability.  With regard to the focus of the Council on the draft SPD, it should be noted work on the 2nd draft of the SPD was undertaken after the Local Plan had been prepared for Submission and so it is indeed the case that the Council’s first priority has continued to be on progressing the preparation of the emerging Local Plan. | No changes to the SPD are required. |
| 6571 | 8278 | Amy Wolanski [8278] | The level of contribution required would render all residential developments unviable and cannot therefore be charged. A reduced figure has been presented, meaning that the method of using this additional contribution to fund full projects will fall short. It is understood that the Local Plan Viability was used to provide evidence for this SPD, but it is noteworthy that the SPD presents different costs and methods compared to the Local Plan. According to the supporting text for policy 8 in the Draft Local Plan, each dwelling may need to contribute less than was indicated in the SPD. We question why a different approach being taken with the same evidence.   Chichester's housing requirements partly rely on windfall sites. The latest housing land supply report shows a surplus of 121 net dwellings overall but assumes 398 windfall sites. If windfall sites do not come forward, it could impact Chichester’s ability to meet housing need. | Comment | We note the comments in relation to the Council’s viability evidence. However, it should be noted that the evidence used to support the draft SPD is the same evidence as is currently supporting the emerging Local Plan. Whilst it is acknowledged that this has not been subject to Examination, it is nevertheless comprehensive and is the most up-to-date evidence available. It is therefore considered to be proportionate evidence to support the draft SPD.  The contributions proposed within the draft SPD have been carefully set at levels that take full account of and respond to the available viability evidence. However, there will always be a balance to be taken between ensuring that necessary infrastructure can be funded and maintaining the viability of residential development as a whole.  With regard to the costs of the junction improvements referred to within the draft SPD, these are different from those referred to in the emerging Local Plan as the works are based on different design specifications. As the draft SPD is limited to securing funding from development coming forward under the adopted Local Plan, the mitigation works proposed must also be based on the original specifications that are set out in the Transport Study of Strategic Development Options and Sustainable Transport Measures (2013) which supported the adopted Local Plan. | No changes to the SPD are required. |
| 6588 | 8283 | Obsidian Strategic Asset Management [8283] | Section 4 – Planning Contributions (Parts 4.5 / 4.9 / 4.14)  Whilst the principles the Council is promoting to secure financial contributions to the improvement of the A27 (to mitigate the impact of growth) is fully supported, the approach presented does not properly and fairly reflect the requirements of the CIL Regulations (122) in promoting a fair and reasonable approach to the calculation of contributions or collection of funds. Specific commentary on relevant matters is outlined:   Part 4.5 – Target Contribution Level   The SPD approach is predicated on achieving a target contribution level of £8,000 per dwelling, which the Council states is concluded to be ‘viable for most development typologies’.   However, this approach takes no account of the impact of possible alternative funding sources on the requirement for funding in the first place. The A27 is an example where the relevant authorities (including CDC, WSCC and NH) are actively engaged in seeking long term improvements which may well lead to achieving funding from other sources, such as through National Highway’s RIS3 programme, or various future funding opportunities the new government may bring.   If external funding (i.e. RIS 3) were to be achieved for the improvements, the funding requirement may be lesser to that which informed this target contribution level, rendering the SPD approach unsuitable.   Part 4.9 – Use of Car Ownership Rates as proxy   The methodology for calculating contributions has been updated from the earlier SPD draft to now consider car ownership levels (at ward level), which it uses as a proxy for car trips and so traffic impact. This is justified by the Council on the basis it considers that car ownership rates will be influenced by site proximity to a good range of amenities or good sustainable transport links, so reflect likely impact.   There are two concerns with this approach:   • This approach considers that forthcoming development would replicate the existing development of the area within which it is located (and which generates the car ownership rate applied in the SPD Apportionment).  In many cases this will not be true with new development often comprising a different housing mix, density, and sustainability to the existing development in the area it is located. The ward areas used to establish car ownership in some cases are very large and comprise rural villages and settlements, albeit on the very edge of Chichester. New development would not likely reflect existing patterns in relation to car ownership and sustainability. Applying existing car ownership rates without reflecting the difference of new modern development is unsound.  • The application of car ownership rates as the proxy for apportionment makes no allowance for the delivery of mixed-use developments and sustainable transport schemes as part of development proposals which would reduce traffic demands on the A27 corridor. The Drayton Water (A8) site is one such example that would see housing delivered alongside a primary school, local centre, open spaces and community facilities, and follows a Vision based approach. This will serve to reduce the vehicle impact of the scheme which is not reflected in the approach promoted.  Therefore, the approach seeks contributions which would fail to meet the CIL Reg 122 tests by not being proportional in scale to the impact of development.   Part 4.14 – Target Contribution Level   The SPD seeks planning contributions from only residential uses and those only located within the south of the district. This fails to reflect the impact of wider residential and non-residential development in contributing to pressures on the A27 corridor, and so informing the calculation of the SPD contribution.   This approach is flawed and disproportionately loads the cost of infrastructure improvements on the A27 on specific residential developments in only parts of the district, without key traffic generators (for example commercial development) being required to mitigate the impact it creates, and without requiring cross-boundary development to mitigate its impact in Chichester.   In particular, the SPD approach does not seek to fairly and reasonably mitigate for the following types of development which will impact on the A27 corridor:   - Development in the north of the district – The A27 is a strategic route used across the sub-region. Development across the whole district will impact on its requirement for improvement and funding should be captured more widely.  - Development in neighbouring districts (i.e. Havant BC and Arun DC). The SPD recognises that growth in Chichester district is only one contributor to issues on the A27 which carries significant through traffic. By failing to recognise this in the approach to generate funding to improve the A27 corridor, the proposed SPD approach is unreasonable and burdens development in southern Chichester to address an issue it does not create alone.  - Non-residential development, such as commercial / employment – Employment uses particularly will generate traffic and impact on the A27 corridor yet are not required to fund improvements to mitigate the impact it creates. Whilst employment development can seek to rebalance traffic flows and commuting patterns, many types of commercial development would result in net traffic impacts on the A27 corridor and should reasonably be required to contribute to its improvement in the same manner as residential development.  he following changes are recommended to the SPD to address the soundness issues.   Part 4.5 – Target Contribution Level   The SPD should be amended to allow for the re-calculation of the target contribution level if alternative funding sources were identified and secured.   Part 4.9 - Use of Car Ownership Rates as proxy   SPD contributions should be attributed to an external vehicle trip rate, which would be a truer reflection of the likely impact on the A27 asset the SPD seeks to mitigate and improve. It is acknowledged that for smaller windfall sites there may not be a Transport Assessment produced and as such a benchmark trip rate for these schemes could be applied. However, for larger schemes, the SPD should reflect that the impacts of development will be determined through a Transport Assessment, which should form the basis of any contribution assessment.   Part 4.14 – Target Contribution Level   The SPD should be amended to:   - Capture contributions from the northern part of the District through applying a ‘Rest of Chichester’ apportionment and requirement to secure funding.  - Commit to seeking contributions from adjacent and nearby authorities where development proposals are shown to impact on the A27 corridor and contribute to its need for improvement.  - Include a contribution requirement on non-residential developments to secure proportionate funding to the impact these create. | Object | With regard to external funding sources, it is correct that the Council has continued (and will continue) to work with National Highways and others to secure alternative funding, but to date, none have been forthcoming. In the event that Government or other funds are secured in the future, this would trigger a review of the SPD.  The comments on the approach to the use of car ownership data are noted. However, the SPD can only be based on currently available data and cannot accurately predict future trends. Nevertheless, it is important to understand that the draft SPD is only guidance and will be kept under review. Should evidence emerge of significantly different development patterns in the future, these could result in a review of the SPD or justify a departure from the SPD methodology, on a case-by-case basis. However, even where schemes provide on-site facilities or separate improvements to sustainable transport modes, the future residents will still impact on the A27 Bypass or its connecting local highway network.  The evidence demonstrates (and National Highways has agreed) that the impact of homes within the north of the District (north of the National Park) are significantly lower than those of the areas to the south of the National Park. This is considered to justify the decision not to require contributions from homes delivered in this area.  It is not possible for the draft SPD to apply to local authority areas outside of Chichester District (or indeed within the National Park). The Council works, on a continuing basis, with those neighbouring authorities and in some cases (such as in Arun District) they have their own mechanisms in place to secure mitigation funding for the A27.  The reasons why the SPD only seeks to secure contributions from residential development is first, that this is the only form of development for which the Council has viability evidence available to inform the level of contributions. However, even if viability evidence for other development types was undertaken, it is considered that these uses would have very limited viability headroom to be able to contribute to A27 mitigation. Second, seeking contributions from other development types would give rise to ‘double counting issues’, for example, where employment uses were asked to contribute even though their employees lived within the District in homes that had already contributed to the A27 mitigation. | No changes to the SPD are required. |
| 6591 | 8237 | Langmead Family and The Church Commissioners for England [8237] | [RECEIVED LATE]  I write to confirm a continued interest in the A27 SPD process.  Whilst we appreciate the additional opportunity for input, our original concerns remain unresolved. I therefore attach our original representations from November 2023 (attached), which still stand. We do not have new comment on the May 2024 document, but would instead underline the following:  (1) Inappropriateness of an SPD. The original consultation document in 2023 acknowledged (in direct terms) that the approach being taken by CDC was not appropriate or consistent with national Planning Practice Guidance (PPG). The reason for this is that (as PPG states) ‘these would not be subject to examination’. This fundamental issue is still  outstanding.  (2) Position of the Local Plan. Reference is made to the SPD providing an interim approach ahead of the Local Plan, which it says ‘will set out a clear policy basis for seeking A27 mitigation contributions in the future’. By implication, the current SPD is far from clear, for reasons outlined in our attached document. Since the last SPD consultation, the Local Plan has formally been submitted for Examination. Accompanying it is a large library of technical evidence documents and position statements which is consistently being added to, including statements of common ground (such as with  National Highways which is still outstanding). Many of these hold direct relevance to A27 mitigation and hence we suggest the focus should be on the Local Plan itself which will provide the opportunity for thorough formal examination, rather than introducing an interim SPD which contains various demonstrable weaknesses.  (3) Appropriateness of projects. As stated in our original representations, the proposed upgrades to the A27 are (in physical terms) at odds with the thrust of sustainable transport policy promoted by National Highways, WSCC Highways, and Chichester District Council. At the very least, their merits should be examined independently and alternatives  considered before forming the basis of a mitigation strategy.  (4) Calculation of payment under the SPD. There remain numerous problems with the SPD as drafted, which attempts to ‘lock in’ various parameters without Examination. These include:  - the total cost (which will change)  - the amount of contributions collected already (which will increase over time)  - the amount of funding still required (due to the above 2 factors)  - the presupposition that only development around Chichester should contribute – despite being a road of national significance  - limiting contributions to housing (when other uses also generate use of the A27)  Further, as noted in Paragraph 4.2 of the consultation document itself, the overall level of residential development that will be affected by this SPD also cannot be known with certainty. Overall for the reasons set out in our November 2023 response (attached) we believe it would be appropriate to pause this SPD process. We therefore propose the following:  1. Fully review and redesign the proposed A27 works to ensure a sustainable multi-modal approach in line with policies at national, county and local level.  2. Establish a clearer policy footing for the projects under the draft Local Plan (Policy T1)  3. Fully review the mechanism for delivering the projects in line with the Local Plan, and would be subject to due Examination. This review should consider the option of employing CIL towards road improvements, as alluded to in policy T1 of the draft Local Plan.  I look forward to receiving updates on this process in due course. | Object | In preparing the draft SPD, the Council has carefully considered the relevant national policy and guidance and an explanation is provided in Section 3 of the draft SPD of the extent to which it is considered that the proposed SPD guidance does and does not comply and the reasons for that.  The draft SPD seeks to update the existing guidance within the Planning Obligations and Affordable Housing SPD (2016) and so the guidance relates only to development coming forward under the adopted Local Plan. The evidence base referred to by the respondent supports the emerging Local Plan and is not relevant for the purposes of the draft SPD, which if adopted, would be superseded by the new Local Plan on adoption.  The draft SPD can only provide guidance in relation to the mitigation schemes that were identified in the adopted Local Plan. However, the evidence base that supported the adopted Local Plan did envisage sustainable transport measures being included within the overall mix of mitigation measures. This point will be clarified in the draft SPD prior to its adoption.  Some of the matters concerning the calculation of contributions referred to are covered within the text of Section 4 of the draft SPD. It is important to recognise that the draft SPD, if adopted would operate only in the limited period until the new Local Plan is itself adopted. However, the Council needs to allow for circumstances where this becomes an extended period and therefore, if key elements (such as the level of funding required) changes, it would consider a further review of the SPD to address these issues. | As per the WSCC response, add references in the draft SPD to the sustainable transport measures that were identified by the evidence base supporting the adopted Local Plan. |
| 6592 | 8286 | PMC and Hyde Housing [8286] | Mission Town Planning Ltd, have been engaged by our client to make representation to the emerging Chichester District Council Local Plan consultation closing on 11th July 2024  We have been commissioned to make representations on the plan so far as it impacts sites that are of interest to my client, specifically with Hunston, and the site to the south of the village known as Land At Farmfield Nurseries, Selsey Road. The site was provisionally proposed for allocation both within the Neighbourhood Plan, and also the Council’s regulation 18 plan  Representations  These Representations are focused solely on matters of direct relevance to my client’s land interest within Chichester District Council’s authority.  The primary and fundamental issue with the consultation would appear to be that the mechanism that the Authority are pursuing is contrary to the Planning Policy Guidance ref; Paragraph: 004 Reference ID: 23b-004-20190901 this states that;  “ It is not appropriate for plan-makers to set out new formulaic approaches to planning obligations in supplementary planning documents or supporting evidence base documents, as these would not be subject to examination. Whilst standardised or formulaic evidence may have informed the identification of needs and costs and the setting of plan  policies, the decision maker must still ensure that each planning obligation sought meets the statutory tests set out in regulation 122. This means that if a formulaic approach to developer contributions is adopted, the levy can be used to address the cumulative impact of infrastructure in an area, while planning obligations will be appropriate for funding a project that is directly related to that specific development.”  From this statement from the PPG alone it would appear that the policy basis for this SPD is flawed. The appropriate time would have been to work this through with the regulation 19 submission. While the consultation document seeks to address this in section 2, and para 3.5 and 3.6, there is simply not any adequate justification for this approach. The  assumption that CIL should not be amended and that the emerging Local Plan will be adopted imminently are simply not plausible. Moreover, there is very little considered to any alternative solutions, such as reduced parking, increases in public transport, or other methods which would reduce the reliance on private motor vehicles. This approach could be District wise and would be a far more consider and sustainable approach.  In terms of the SPD itself, we do not believe that the scheme would address the cumulative impact all of the contributions and requirements, such as Bio-diversity net gain, which at the time of publication was an unknown, site specific Section 106 contributions, Community Infrastructure Levy, abnormal site costs etc. The Local Plan 2021-2039 Viability Assessment – Stage 2 January 2023 DSP21755, is already some 18 months old and would not be able to consider the  increases in material costs, interest rate rises, and intransigence in the housing market. Furthermore, the report itself repeatedly states that viability will be marginal.  The ability to adopt this provision critically relies on the affordable housing provision being as set out in the emerging policy H4, of between 20 and 30%, whereas the current adopted Policy 34 sets a borough wide target of 30% across the borough. Given the nature of the proposed SPD being related solely to the south, the delivery of affordable housing will clearly suffer. As this has not been properly factored into the considerations.  Summary  I trust that these Representations are of assistance in considering the current drafting and SPD and that consideration is given to the appropriateness of adoption of this.  My client would request that we continue to be engaged in the plan making process and we look forward to hearing from you with regard to the next steps.  If you require any further information in support of these representations, please do not hesitate to contact me. | Object | In preparing the draft SPD, the Council has carefully considered the relevant national policy and guidance and an explanation is provided in Section 3 of the draft SPD of the extent to which it is considered that the proposed SPD guidance does and does not comply and the reasons for that.  The draft SPD seeks to update the existing guidance within the Planning Obligations and Affordable Housing SPD (2016) and so the guidance relates only to development coming forward under the adopted Local Plan.  The objective of the draft SPD is to secure funding for the A27 mitigation works that were identified and agreed within the adopted Local Plan. It would not be appropriate to use an SPD to impose new policies (such as parking restrictions) or to seek to secure contributions from parts of the District (north of the National Park) where evidence demonstrates that development has very limited impact on the A27.  The contributions proposed within the draft SPD have been carefully set at levels that take full account of and respond to the available viability evidence. With regard to affordable housing, it should be noted that the Council’s viability evidence included affordable housing up to a level of 30% for brownfield sites and 40% for greenfield sites in assessing whether contributions for A27 mitigation would leave sufficient viability headroom. | No changes to the SPD are required. |
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With regard to affordable housing, it should be noted that the Council’s viability evidence included affordable housing up to a level of 30% for brownfield sites and 40% for greenfield sites in assessing whether contributions for A27 mitigation would leave sufficient viability headroom. | No changes to the SPD are required. |