



Representation Form

Local Plan 2021 – 2039 Publication Stage

Ref:

(For official
use only)

The consultation on the Local Plan 2021 – 2039: Proposed Submission will run from 3 February 2023 to 17 March 2023. The document and more information on the consultation can be viewed on our website www.chichester.gov.uk/localplan

All comments must be received by 5pm on Friday 17 March 2023.

There are a number of ways to make your comments:

- Comment on the document on the internet using our online consultation website www.chichester.gov.uk/localplanconsultation (**Recommended**)
- Post a copy of this form to us at: Planning Policy Team, Chichester District Council, East Pallant House, 1 East Pallant, Chichester, West Sussex, PO19 1TY

How to use this form

Please complete Part A in full. Please note anonymous comments cannot be accepted, a full address including postcode must be provided.

Please complete Part B overleaf, using a new form for each separate policy or paragraph that you wish to comment on. Please identify which paragraph your comment relates to by completing the appropriate box.

For more information, or if you need assistance completing this form, please contact the Planning Policy Team by email at planningpolicy@chichester.gov.uk or telephone 01243 785166.

Part A

1. Personal Details*

**If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

2. Agent's Details (if applicable)

Title

Mrs

Mr

First Name

Pam

Eric

Last Name

Clingan

Brandwood

Job Title

(where relevant)

BB Design

Organisation

Address Line 1	<div><div></div></div>	<div><div></div></div>
Line 2	<div></div>	<div></div>
Line 3	<div><div></div></div>	<div><div></div></div>
Line 4	<div><div></div></div>	<div><div></div></div>
Post Code	<div><div></div></div>	<div><div></div></div>
Telephone Number	<div><div></div></div>	<div><div></div></div>
E-mail Address	<div></div>	<div></div>

Part B

Please use a new form for each representation that you wish to make. Please note anonymous comments cannot be accepted. Any personal information provided will be processed by Chichester District Council in line with the General Data Protection Regulations 2018. More information is available at: <http://www.chichester.gov.uk/dataprotectionandfreedomofinformation>.

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph Policy Policies Map

4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input type="text"/>	No	<input type="text" value="No"/>
4.(2) Sound	Yes	<input type="text"/>	No	<input type="text" value="No"/>
4 (3) Complies with the Duty to co-operate	Yes	<input type="text"/>	No	<input type="text" value="No"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Policy A17

This Policy impacts my Land to the south of Madgwick Lane, Westhampnett' The Land was discounted for housing development and the reason given was, 'Goodwood safeguarding flight path.' This decision was based on an unsound and legal assumption that the flight path crosses my land. Evidence has been collated in the attached report prepared by my Agent, to show clearly that the decision was flawed as the flight path quite clearly crosses the roundabout at Claypit Lane and does not cross my Land. The Council by illegally joining together my two parcels of Land into one, by extension applied this reason for discounting the Land for housing. The two parcels of Land are registered with Land Registry under two legal entities.

Policy A17 states that , 'Where noise sensitive development is proposed within this area, or BELOW NOISE PREFERRED ROUTES, planning permission will only be granted where the noise impact assessment clearly shows that: para 3, in accordance with the 'agent of change' principle outlined in the National Planning Policy Framework.

The Council are using this policy, or its current form in the Adopted Local Plan, to exclude illegally my Land from legitimate Housing Development. Previous assessment under the HELAA/SHLAA arrangements accepted the Land as two entities and allocated housing numbers. (see HELAA 2014/2018 in attached document).

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Correction of an unsound, and illegal procedure, flawed, factually incorrect decision to rescind HELAA.

To prevent such decisions being made to exclude legitimate sites for development. See the attached document stating reasons for reinstating unsound exclusion of site for inclusion in the HELAA/SHLAA assessments.

(Continue on a separate sheet /expand box if necessary)

Please note In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

☐

No, I do not wish to participate in hearing session(s)

☐

Yes

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing sessions(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

It isn't absolutely necessary for Mrs Clingan to attend if the injustice is corrected, however, she reserves the right to be there and speak to argue. However, all the facts, proof and arguments are in our statement.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.