

Chichester District Council

Regulation 19 Local Plan Consultation

Representation on behalf of The Brooks Family

Site: Longmeadow (South of St Hugh's), The Street,
Boxgrove

March 2023

The logo for Henry Adams, featuring a stylized white triangle icon above the company name.

Henry Adams

1. Introduction

- 1.1 This representation provides a response to the Regulation 19: Local Plan Consultation on behalf of our client The Brooks Family. The submission covers the general principles of the Local Plan but has a focus on Land at Longmeadow, South of St Hugh's, The Street, Boxgrove which is in the ownership of our client. The land is shown on the attached plan at **Appendix 1: Site Location Plan**, and hereafter referred to as 'the site'.
- 1.2 This representation will provide a written responses in relation to the Regulation 19 Local Plan Consultation which directly relate to the promotion of our client's land for future development.

2. Comments on Specific Questions/Tests

- 2.1 In response to the national planning legislation, this Regulation 19 Local Plan Consultation invites comments on three specific questions, and is the final consultation phase, before the Regulation 19 version of the Local Plan is submitted for Examination.
- 2.2 This representation will respond on these specific questions, and then highlight how our client's site could help fulfil the full housing requirement for the District as it is the most appropriate site to deliver the numbers proposed to be allocated to the Parish of Boxgrove. The site will be put forward to the Parish Council for allocation in its Neighbourhood Plan.

Is the plan 'sound'?

- 2.3 Paragraph 35 of the National Planning Policy Framework (NPPF) defines the tests for soundness which requires the plan to be positively prepared, justified, effective and consistent with National Policy. These matters will now be considered in further detail in relation to the current consultation on the Regulation 19 version of the Local Plan.

Is the plan positively prepared and justified?

- 2.4 Policy S1 of the Draft Local Plan sets out the spatial development strategy for the District and how the Council will achieve sustainable growth over the plan period and Policy H1 sets out the housing target in response to the strategy. Both policies have been informed by the Sustainability Appraisal (SA) dated January 2023 and the Plan objectives, which are set out at paragraph 2.5.2 of the SA and the Council's HEDNA (April 2022).
- 2.5 The SA then goes on to discuss the potential growth scenarios and confirms two points:
 - (i) Standard method housing figure for Chichester (excluding SDNP) is 638 dwellings per annum, or 11,484 in total over the Plan period
 - (ii) The above figure is capped at 40% above the baseline need and that the uncapped figure is significantly higher than this at 884 dwellings per annum (dpa)

- 2.6 Of particular note is that point ii. above seeks to cap the overall housing increase by no more than 40% above the previously adopted LP housing figure of 435 dpa. The Local Plan then goes on to constrain housing numbers due to an alleged capacity concern along the A27 strategic road network. The Council therefore arrives at a constrained housing figure by virtue of the standard method 'steps' and also due to infrastructure capacity. It should be noted that the 435 dpa figure within the 2015 Local Plan was similarly constrained and an early review was the only basis for accepting this reduced housing figure. This early review did not take place.
- 2.7 In terms of the influence of the A27, this is the key matter that constrains growth within the southern part of plan area of the District. This is based on the evidence base documents that state that the road network cannot accommodate an annual housing figure of more than 535 dpa. This is a fundamental point and it is considered that there is capacity to accommodate at least the local housing need within the highway network, alongside potential improvements identified for the following reason.
- 2.8 The Transport Study (January 2023) is the key document on which the Council rely to constrain its housing figure to 535 dpa. On review of this document, it is clear that the Council's consultants undertook a sensitivity analysis as to whether the core scenario that supports the 535 dpa position in the Local Plan could accommodate a higher level of growth. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study appears to be that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa core test, with some additional, and as yet undesigned and not costed, mitigation works beyond those highlighted for the Bognor and Fishbourne roundabouts.
- 2.9 Accordingly, the Council's own evidence base has undertaken the assessment and concluded that a higher growth figure could be accommodated on the A27, subject to appropriate improvement works. Given the testing of the higher growth figure, which appears to accommodate the higher growth figure, the exceptional circumstances to constrain growth, as set out at paragraph 60 on the NPPF do not exist and the Plan could be considered unsound on this point alone.
- 2.10 As a result of the above, the SA does not consider a scenario where the Council would meet its local housing need, nor a scenario where it exceeds its local housing need, which is of relevance given scale of development expected for adjoining authorities, including the highly constrained SDNP.
- 2.11 It should also be noted that the draft Plan does not address any requirements in relation to unmet need of neighbouring authorities and it does not contain evidence to suggest that these matters have been discussed with the adjoining Authorities. Notably, Arun District Council has confirmed that it will be objecting to the Plan as currently proposed on the basis that it has a significant housing need. This is likely to be further influenced by Chichester not meeting its own needs and again is seeking to constrain housing requirements, which was

the case in 2015. The subsequent knock-on effect was that Arun had to address some of that need in its 2018 Local Plan.

- 2.12 Given that it is not accepted that the A27 capacity matters present a ceiling in terms of housing delivery (based on the Council's Transport Study comments and that of its own consultants), it is not accepted that the Plan and associated SA demonstrate reasonable alternatives have been considered and it is not therefore positively prepared, nor is the approach to housing figures justified.

Effective?

- 2.13 On the basis of the 535 dpa figure, it is considered that the selected areas for growth and housing figures are deliverable over the Plan period, however, as set out above, the plan area could accommodate a greater level of growth.
- 2.14 It should also be noted that the Plan relies on the delivery of sites through Neighbourhood Plans and/or Small Site Allocations DPD. This is set out under Policy H3 in the draft document. It states the following in terms of delivery:

If draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress, the council will allocate sites for development within a development plan document in order to meet the requirements of this Local Plan.

- 2.15 The above is not precise and does not provide any clear timetable for delivery within the Plan period. Whilst the comments above accept that the Plan could be effective, the Local Plan needs to give a clear timescale for completion of the Supplementary Development Plan documents in order to give a definitive timescale for this to be completed.

Is the plan consistent with National Policy?

- 2.16 On the basis of the comments above, the approach to select sites for allocation based on the 535 dpa figure is considered to be consistent, however, due to the lack of evidence to demonstrate that the 535 dpa figure should be capped due to the A27 capacity points raised, the draft Plan does not appear to meet the exceptional circumstances allowed for at paragraph 61 of the NPPF to justify the alternative approach. The Plan as proposed is therefore inconsistent with NPPF when read as a whole.

3. Development in Boxgrove

- 3.1 The spatial strategy set out in the draft Local Plan seeks to focus growth on Chichester city as the main sub-regional centre and most sustainable location. Outside Chichester, development will focus on the two settlement hubs within the east-west corridor at Tangmere and Southbourne. Outside the settlement hubs, paragraph 3.17 of the Plan

states that land for new strategic development will be identified and allocated through the Local Plan or a neighbourhood plan at a number of service villages. Strategic allocations set out in Policy S1 of the Local Plan include the service villages of Bosham, Hambrook/Nutbourne and Loxwood. Non-strategic provision in service villages is proposed to come forward in accordance with the indicative numbers in Policy H3 through the Local Plan, Site Allocations DPD and neighbourhood plans. Policy H3 identifies 50 dwellings to be accommodated at Boxgrove.

- 3.2 The allocation of 50 dwellings to Boxgrove was proposed at the preferred approach (Reg 18) stage of the Local Plan and has been carried through into this draft version. The Sustainability Appraisal confirms that there are broad strategic arguments in favour of directing a proportion of growth to this area e.g. relating to nutrient neutrality and wastewater treatment. It also recognises that there are constraints such as the extensive conservation area and the ruins of Boxgrove Priory alongside Grade I listed parish church. The approach to allocating a figure of 50 dwellings (as a minimum) to Boxgrove is therefore supported.
- 3.3 Our clients' land is the ideal site in Boxgrove to deliver the housing that can help meet the District's housing need. It was identified in the latest HELAA and shown to be developable. All other land in the HELAA (except our client's other land to the west of the village) is either discounted or abutting/close to the National Park boundary. The spatial strategy in the draft Local Plan acknowledges that the villages north of the A27 provide a transition into the South Downs National Park and landscape considerations (amongst others) can limit opportunities for development. A recent planning application has been submitted on our clients' land that demonstrates how 50 dwellings can be accommodated on the site (see section 4 below). The application is supported by a suite of technical documents that demonstrate how the site can be delivered without harm to landscape character and, as a comprehensive development proposal can deliver 15 affordable homes as well as biodiversity net gain.

4. Suitability of land at Longmeadow

- 4.1 The land within our client's ownership comprises an area of approximately 3.07 ha on the south-east side of the village, east of The Street. It is part of an arable field that lies on the north side of the A27 dual carriageway.
- 4.2 The access to the site is from The Street on the western boundary via a field gate whilst the remainder of the boundary is marked by variable quality trees and understorey scrub. The southern boundary to the A27 is also separated by variable quality trees most of which are off site on highway land. The northern boundary, in part, abuts existing residential gardens within the settlement boundary of Boxgrove, but for the most part is formed by a reasonably well vegetated field boundary. The eastern boundary is currently undefined.

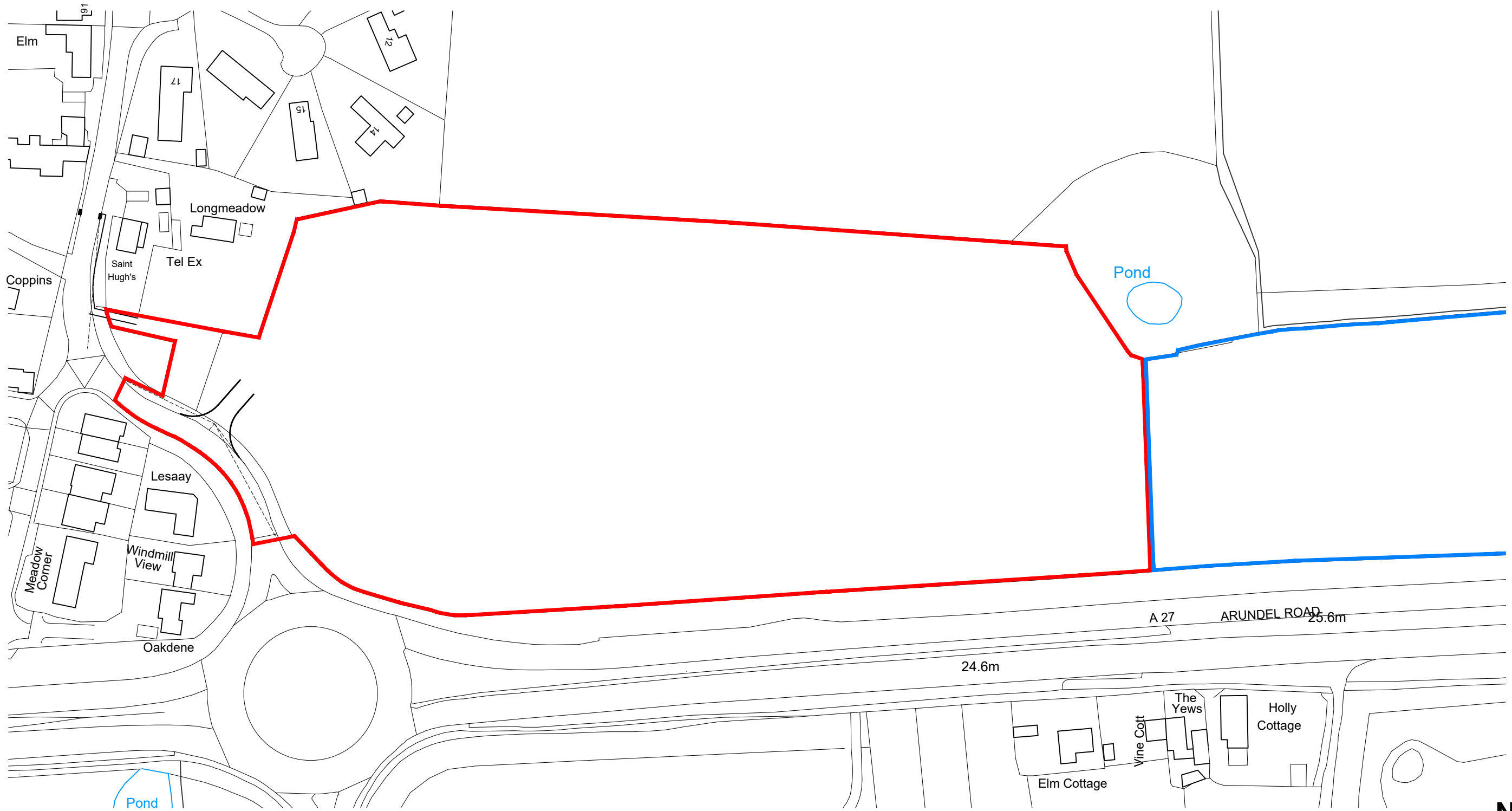
- 4.3 The site is not located within the Boxgrove Conservation Area which is largely centred on the properties in the village either side of The Street, the Church and Boxgrove Priory ruins (Grade I listed) which lie at the northern end of the village.
- 4.4 The site is clearly sustainable in terms of its location as it abuts the existing settlement boundary on its north-west side and to the west on the opposite side of The Street. The facilities within the village are within walking distance and can be accessed from the site via a new footpath link which will take pedestrians to the paved footpath on the western side of The Street. From here, there is access to the Church, village shop and cafe, pub, primary school and village hall/community centre.
- 4.5 Bus stops are also within walking distance of the site in The Street providing regular services to Halnaker, alongside services to Chichester, Oving and Westergate. A pedestrian and cycle overpass also provides access over the A27 into Tangmere which provides a number of employment opportunities, additional facilities and also bus services to larger conurbations.
- 4.6 As mentioned, the documents supporting the application also demonstrate that the site is suitable in terms of the following key matters:
- **Landscape and Visual Impact** – the site is unconstrained in landscape terms. It benefits from a strong northern boundary hedgerow / shelterbelt that helps to partly separate the site from the more open landscape found to the north and east. The site is also well located to prevent any erosion to the landscape setting of The Priory Church or the Priory ruins, key heritage features of Boxgrove. The effect on views from the SDNP are of minimal relevance due to screening vegetation, distance and the complex panoramas in which the site is perceived.
 - **Heritage** – the site has only a limited effect on the more significant heritage assets at the northern end of the village (the Church and remains of Boxgrove Priory) due to the distance involved and intervening screening and built form. There will be a change to the setting of Halnaker Windmill but will not affect its overall significance.
 - **Ecology and Biodiversity** – the site can be developed without harm to protected species and the site can accommodate the 50 dwellings required as well as the 10% biodiversity net gain that will be a requirement.
 - **Noise** - the site can be developed whilst providing the distances required from the A27 to protect the properties and their gardens from noise.
 - **Access** – a suitable access can be provided with minimal impact on the operation of the Boxgrove roundabout. Having the development at the southern end of the village provides easy access onto the A27 and avoids significant movements through the village.

- **Drainage** – the site is not located in an area at risk of flooding and a sustainable drainage strategy will be able to deal appropriately with surface water arising from the development and improve upon the existing drainage situation.

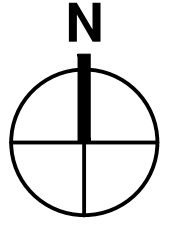
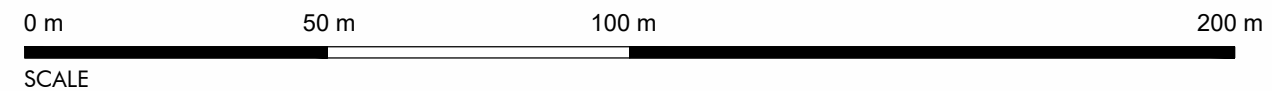
5. Conclusion

- 5.1 Overall, it is submitted that the draft Local Plan is not positively prepared and is inconsistent with the NPPF. The Council has failed to provide sufficient justification for not meeting its housing need in full and further not justified assisting unmet need from adjoining authorities. The latter is particularly relevant given constraints of the SDNP. The Council's position of growth is predicated on the basis of the A27 not having sufficient capacity to accommodate a higher growth of 535 dpa. Its own evidence base (Transport Study 2023) contradicts this position and therefore the Council should at least be meeting its local housing need and also considering what part it can play with meeting unmet needs for the adjoining authorities.
- 5.2 Notwithstanding the above, our clients support the approach to Boxgrove and the allocation of a minimum of 50 houses with a suitable site to be identified through the Neighbourhood Plan or Site Allocations DPD. Our clients' land is the most suitable land to provide a sustainable addition to the village given the landscape and heritage constraints to the north. The provision of all the housing on one site will provide 15 affordable homes for the village which is a significant benefit.

Appendix 1: Site Location Plan



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Client: Henry Adams Planning Ltd	Drawing Title: Location Plan
Project: Land south of Longmeadow, Boxgrove	Scale: 1:1250 @ A3

Revision	Drawn	Check	Date
B	RC	--	26.07.22
C	RC	--	26.07.22
D	RC	--	28.07.22

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Project No'	Class	Dwg No'	Status	Rev
3054	A	1000	PR	D

CLASS: C - COLOURED, A - BLACK & WHITE
STATUS: SK - SKETCH, PR - PRELIMINARY, PL - PLANNING, WD - WORKING DRAWING