Chichester District Local Plan Reg 19 Submission

These comments are confined to the three areas set out in the consultation - Legal, Soundness and Duty to Cooperate and to two documents -the draft Local Plan and the Sustainability Assessment.

Legal Status

The Legal status of the Plan is proven but because of the protracted course of the plan's preparation some stages are now dated and raise the question that they should be refreshed.This is the particular case in respect of public participation.There have also been significant changes in legislation that guides the plan’s formulation that would have benefited from revised statement of legislative/legal context.

 Soundness

In the SA it is stated that the key issue for the plan is the A27 and its capacity.This statement is fundamental in that it is realistically outside the scope of the local planning authorities (CDC and West Sussex CC) to have any direct control over.Unless National Highways position is changed from their previous statements on time scales and what might be included in their assessment no consideration of A27 will be made until RIS3 taking any even initial action into the next decade.

So fundamental and influential is the A27 that assessment of Local Housing Need (LHN),a key component of the whole plan, is reduced from 638 units pa to 535.This position must have an impact on the plan’s ‘Soundness and crucially the phasing of development.

It is worthy of note that three recent housing appeal decisions unfortunately focused primarily on the lack of a 5yr housing supply base on the 638 higher figure.More pressing were issues of sewage system capacity,coastal inundation and fluvial flooding and nutrient neutrality.

The reduction of housing requirements that the Reg19 LP now promotes is very welcomed.

The reduction on the Manhood PeninsulaIt appears to be derived because of recent housing approvals on appeal bringing forward housing that achieves the revised target based on the 535 figure .Two points arise none of theses sites are in locations that CDC indicated in documents such as the HELAA and SHELAA as positively sustainable and as all other significant Peninsula housing is dropped do these sites exceed what would have been planned totals.

The SA ‘Framework ’only addresses ‘Water- protection of resources’ this is highly appropriate given the problems experienced in the north eastern part of the district in the summer of 2022 and will become more pressing in the south.Resolution of this issue that stopped planning applications seems to be by reducing water usage at least to 110 ltr ppd or lower this is when Southern Water only hope to achieve 125ltr by 2050 .

 Consideration in the framework should extend to the’ Water Cycle’ and particularly address the acute problems of sewage system network capacity, polluting WWTW outfalls,nutrient neutrality.These systems are already currently stressed/ completely overloaded with current levels of use without new development coming on stream and discharges of untreated sewage are a significant and growing problem to Chichester, Langston and Pagham Harbours- this situation must be set against Defra- Storm OverflowDischarge Reduction Plan’s statement “Protecting the Environment-water companies shall only be permitted to discharge from a storm overflow where they can demonstrate that there is no local ecological impact”. Damage to Chichester/ Langstone Harbours is documented by a daming Natural England report and by that expected for Pagham Harbour all the sites of national significance for biodiversity and protected habitats.

Whilst para 5.2.34 and Box 5.1of the SA summarise the position no direct statement of intervention is made.Reliance on a ‘Statement of Common Ground that is referred to offers no positive programme of future capital investment by Southern Water (SW) especially when set against SW’s overall regional programme its cost and priorities as set out in their draft DWMP-the final version of which is due for release in March this year- does the Plan reflect this documents information that is so crucial to supporting the infrastructure need for the scale of development envisaged is challenging to the plan’s ‘Soundness’

Time scale of the crucial improvements to infrastructure and particularly sewer and lWWTW capacity is of particular concern. SW’s Drainage and Wastewater Management Plan v1May 2020 set out in very comprehensive way what needs to achieved and indication of time scale -placing most in AMP8 the next 5 yr business cycle and OFWAT approval would be needed for the scale of expenditure that is many hundred of millions. These time scale constraints should be reflected in the phasing of any housing development that will have to utilise the network.There is no direct indication that such phasing will be actively enforced.

The lack of inclusion in a key background supporting document -Strategic Flood Risk Assessment (SFRA) -of the Planning Practice Guidance on Flood Risk and Coastal Change that has important bearing on issues particularly for the southern plan area and specifically mentions the importance of the phasing of development to infrastructure provision is a concern especially when it was published in August 2022.These omission again have an impact on the Plan’s overall ‘Soundness.

A significant consideration in the plan that supports the need for more housing supply is the need to address affordability.The district has one of the highest ratio of median earnings to house prices of 14 times and despite substantial house building during the period 2013 -2022 the ratio has increased from 10.55.It is clear that the type of housing that has occurred and continues to be proposed in the district has done little if anything to impact on affordability and address the need for social/lower cost housing.Based on the 2011 census the district experienced 1,505 inward migration( only Brighton and Hove being higher in the West Sussex/ Gt Brighton area) - this trend has been expected to have continued and accelerated as the pandemic increased the popularity of coastal property and raised market cost of property. Just building more houses without policy intervention to prioritise social shared ownership housing will most probably prove to further increase the extent of unaffordability with the resultant consequences on workforce -especially to support the district ageing population- and supporting young people to remain in the area they have grown up in or have come to be educated.This aspect is cause concern over the Plan’s ‘Soundness’.

Considerable emphasis is placed on the issues of nutrient neutrality,damage to biodiversity and pollution of Chichester Harbour AONB but such emphasis is not extended to Pagham Harbour that has a similar ecological status to Chichester and suffers the same degradation issues.

Although Pagham is outside of the nutrient protection zone the factors contributing to nutrient problems are apparent feeding into Pagham.The delayed report on condition for Pagham from Natural England mirroring that for Chichester Hb gives every indication it will indicate the same levels of detriment as those in Chichester Hb.This assumption being supported by condition reports for instance for rife and ditch condition known reports.Added to these factors are known issues relating to untreated discharges from Sidlesham WWTW.The Local Plans’s lack of affording Pagham similar consideration to Chichester Hb is an issue that impacts on the Local Plan’s overall ‘Soundness’.

Duty to cooperate

The West Sussex and Greater Brighton Strategic Planning Board (WSGBSPB) provides a context for integrated planning along the coast plain area.It is stated that this board is due to issue a review of its 2016 report next month -does the Plan address any issues that this review may raise? . Housing needs are a major feature of the area and the need to transfer unmet housing demand to adjoining authorities is characteristic feature of past policy..The SA quite categorically states that there would be no realistic potential to meet unmet housing need above the now established LHN figure. Should the WSGBSPB’s report signal the need for the district to absorb housing from other areas there may be problems as the Plan does not appear to offer any contingency or process how such pressure might be mitigated.

The highly restricted housing numbers in the South Downs National Park Local Plan and the closeness of its boundary to the ‘coastal strip’ are contributing factors to the area's carrying and overall capacity to support development. Further constraint is imposed by the Chichester Harbour Area of Outstanding Natural Beauty ( AONB) and the geographical physical restrictions of the Manhood Peninsula creating ‘coastal squeeze’.

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