

**ABC0162/07.02**

**Planning Policy Team  
Chichester District Council  
East Pallant House  
Chichester  
West Sussex  
PO19 1TY**

17 March 2023

Dear Sir / Madam,

**Chichester Local Plan 2021-2039 – Proposed Submission Version  
Andrew Black Consulting on behalf of Tanglewood Residences Limited**

I write in response to the regulation 19 consultation version of the Chichester Local Plan 2021-2039 on behalf of my client Tanglewood Residences Limited.

Tanglewood Residences Limited are the owners of the Tanglewood Nurseries Site in Wisborough Green. Further details in relation to the site are set out within the appendices of these representations and referred to throughout.

**Housing Requirement**

The identified housing need for Chichester District Council (CDC) as calculated by the standard method is 638 dwellings per annum (dpa). However, the local plan only seeks to provide 575 dpa or a total supply of 10,350 over the plan period (2021-2039). As result the proposed strategy represents an under supply of 1,134 over the plan period. Furthermore, the undersupply means that CDC is unable to accommodate the unmet arising from the South Downs National Park.

In recent years CDC has not been able to demonstrate a five year housing land supply. It is therefore important that the unmet need is made up within the early part of the plan period.

Paragraph 5.2 of the plan states that the under supply is due to constraints across the district *particularly the capacity of the A27*.

Policy H1 (Meeting Housing Needs) sets out the housing target of 10,350 dwellings to be delivered over the plan period 2021-2039. Considering the existing commitments, allocations and permissions this gives a remaining figure without planning permission of 3,056 homes for allocation in the Local Plan.

## Strategic Allocations

Policy H2 of the reg 19 plan sets out the following strategic site allocations which are carried forward from the 2015 Local Plan:

Reference	Location	Dwellings
A7	Land at Shopwyke	585
A9	Land at Westhampnett/ North East Chichester	500
A14	Tangmere Strategic Development Location	1,300 <sup>[31]</sup>
A6	West of Chichester	1,600

Table 11 of the latest Annual Monitoring Report (AMR) (produced in November 2022) show the progress of delivery from these allocations:

**Table 11: Net housing completions on strategic sites to 31 March 2021**

Location	Local Plan policy	No. of homes planned to 2029	Net housing completions 2020/22	Total net completions since 1 April 2012	Remaining housing yet to be delivered
<b>SDLs</b>					
West of Chichester	Policy 15	1,250	132	159	1,091
Shopwyke	Policy 16	500	95	360	140
Westhampnett/ North-East Chichester	Policy 17	500	82	235	265
Tangmere	Policy 18	1,000	0	0	1,000
SDL total		3,250	309	754	2,496

Table 12 of the AMR sets out the progress of the large sites towards future delivery as follows:

**Table 12: Progress towards future housing delivery**

Location	Planning permission under construction	Detailed planning permission granted, not yet started	Outline planning permission granted or agreed subject to S106	Outstanding housing requirement not yet permitted
<b>SDLs</b>				
West of Chichester	591	0	0	500
Shopwyke	225 <sup>1</sup>	0	0	0
Westhampnett/ North-East Chichester	265	0	0	0
Tangmere	0	0	1000	0
SDL total	1,081	0	1000	500

The Housing Trajectory as set out in Appendix E of the Local Plan shows delivery of the existing allocations as set out under policy H2. Given that the Land at Shopwyke (A7) and the Land at Westhampnett/North-East Chichester (A9) already have permission for the number of dwellings in the allocation and construction has already started, there is no objection to the predicted levels of delivery as set out in the trajectory.

However, the housing trajectory sets out delivery from the Land West of Chichester (Phase 2) (A6) and Tangmere SDL as follows:

	<b>West of Chichester (dpa)</b>	<b>Tangmere (dpa)</b>
<b>2022/23</b>	0	0
<b>2023/24</b>	0	0
<b>2024/25</b>	0	0
<b>2025/26</b>	0	0
<b>2026/27</b>	0	25
<b>2027/28</b>	118	150
<b>2028/29</b>	118	160
<b>2029/30</b>	118	160
<b>2030/31</b>	118	160
<b>2031/32</b>	118	160
<b>2032/33</b>	118	160
<b>2033/34</b>	118	160
<b>2034/35</b>	24	100
<b>2035/36</b>	0	65
<b>2036/37</b>	0	0
<b>2037/38</b>	0	0
<b>2038/39</b>	0	0

Given that neither of these sites have outline permission then the delivery of units from both sites in a little over 5 years from the adoption of the plan is considered wholly unachievable. CDC has presented no evidence to justify how this timeframe would be achieved and it is considered that the trajectory is unreliable as a result.

The following new strategic sites are allocated within policy H2:

Reference	Location	Dwellings
A11	Land at Highgrove Farm, Bosham	245 <sup>[32]</sup>
A8	Land East of Chichester	680
A10	Land at Maudlin Farm, Westhampnett	265
A4 and A5	Southern Gateway	180

Appendix E within the Local Plan sets out the trajectory for delivery from these allocations as follows:

	A11 (dpa)	A8 (dpa)	A 10 (dpa)
<b>2022/23</b>	0	0	0
<b>2023/24</b>	0	0	0
<b>2024/25</b>	0	0	0
<b>2025/26</b>	10	0	0
<b>2026/27</b>	15	20	15
<b>2027/28</b>	40	50	40
<b>2028/29</b>	40	50	40
<b>2029/30</b>	40	50	40
<b>2030/31</b>	40	50	40
<b>2031/32</b>	40	50	40
<b>2032/33</b>	20	50	40
<b>2033/34</b>	0	60	10
<b>2034/35</b>	0	60	0
<b>2035/36</b>	0	60	0
<b>2036/37</b>	0	60	0
<b>2037/38</b>	0	60	0
<b>2038/39</b>	0	60	0

As with the concerns highlighted above, it is considered that the anticipated delivery from these allocations is highly ambitious and lacks any justification from CDC given that planning permission is still required and the lead in time to delivery is generally longer for strategic sites of this size.

## Non-Strategic Parish Housing Requirements

Policy H3 sets out the following housing requirements from individual parishes.

Parish	Housing Figure	Parish	Housing Figure
Apuldram	0	Birdham	0
Bosham*	0	Boxgrove	50
Chichester City*	0	Chidham and Hambrook*	0
Donnington	0	Earnley	0
East Wittering	0	Fishbourne	30
Funtington	0	Hunston	0
Itchenor	0	Kirdford	50
Lavant	0	Loxwood*	0
Lynchmere	0	North Mundham	50
Oving*	0	Plaistow and Ifold	25
Selsey	0	Sidlesham	0
Southbourne*	0	Tangmere*	0
West Wittering	0	Westbourne	30
Westhampnett*	0	Wisborough Green	75
		<b>Total</b>	<b>310</b>

The allocation for 75 dwellings to Wisborough Green is supported as the village is one of the most sustainable locations of all of the parishes/service villages as set out in the above table.

The supporting text of policy H3 sets out that *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.*

Table 13 of AMR identifies that there has been historically poor delivery of net housing completions from parishes:

**Table 13: Parish net housing completions to 31 March 2022**

Parish	Number of homes planned to 2029	Net housing completions 2021/22	Total net completions since 1 April 2012	Remaining parish housing yet to be delivered
<b>East-West Corridor</b>				
Bosham	50	0	0	50
Boxgrove	25	0	22	3
Chichester city	235 <sup>1</sup>	126	507	0
Chidham & Hambrook	25	0	127	0
Fishbourne	50	0	69	0
Southbourne (excl village)	50	11	92	0
Westbourne	25	0	16	9
E-W Corridor total	460	137	833	62
<b>Manhood Peninsula</b>				
Birdham	50	0	64	0
Donnington	50	0	138	0
Hunston	25	2	25	0
North Mundham	25	0	47	0
West Wittering	50	0	50	0
Manhood Peninsula total	200	2	324	0
<b>Plan Area (North)</b>				
Kirdford	60	0	0	60
Loxwood	60	0	43	17
Lynchmere	10	0	0	10
Plaistow & Ifold	10	0	0	10
Wisborough Green	60	23	48	12
Plan Area (North) total	200	23	91	109
Parish housing total	860	162	1,248	171
<sup>1</sup> Parish target allows for the inclusion of suitable sites adjoining the Chichester city Settlement Boundary in neighbouring parishes (including sites separated from the Settlement Boundary by the A27 e.g. at Shopwyke in Oving Parish).				

The overall strategy as set out by CDC in the plan is highly dependent on the delivery of housing from Neighbourhood Plan areas. Whilst this approach is not un-sound in itself, it is

considered that the plan in its current form allows for little mitigation or alternatives should delivery not come forward in the neighbourhood plan areas.

In order for the plan to be considered ‘positively prepared’ and ‘justified’ it is recommended that additional wording is added to policy H3 to state that individual planning applications can come forward on sustainable sites outside of existing settlement boundaries in parishes should delivery not come forward within the first 2 years of the plan period. Priority should be given to any sites already identified within draft versions of Neighbourhood Plans.

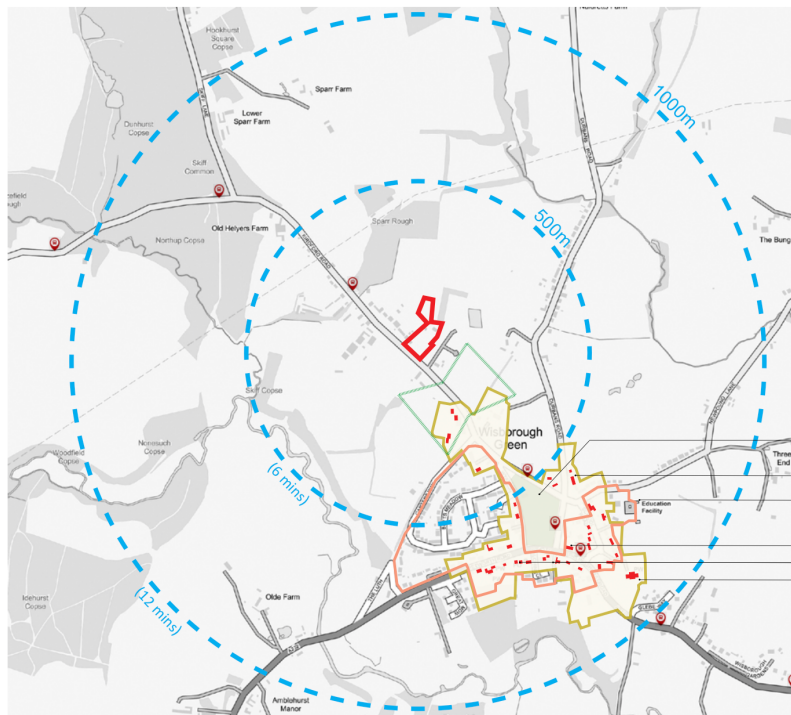
### Wisborough Green

As set out, Tanglewood Nurseries is located in the Service Village of Wisborough Green.

The site is situated approximately 0.5km north-west of the village centre and is within 10 minutes walk of the villages’ facilities including nursery and primary schools.

The site currently contains a 4 bedroom detached house and a collection of buildings used as a horticultural garden nursery for growing, watering, storing and distributing plants.

The site is outside of the settlement boundary for Wisborough Green, however the principle of development is firmly established through the allocation of the site within the emerging Neighbourhood Plan and the presence of substantial areas of previously developed land and hardstanding across the entire site.



*Figure 1 – Site Location*



The Wisborough Green Neighbourhood Plan (WGNP) is currently being reviewed. A regulation 14 consultation took place from May to June 2021.

Within the Neighbourhood Plan Review, the policies remain consistent to the current 'made' version. However, a number of additional sites including Tanglewood Nursery are allocated for development as set out in the diagram below. These are all outside of the settlement boundary as there is no land available for development within the settlement boundary so this should be specifically referred to in the Local Plan otherwise this could impact its deliverability.

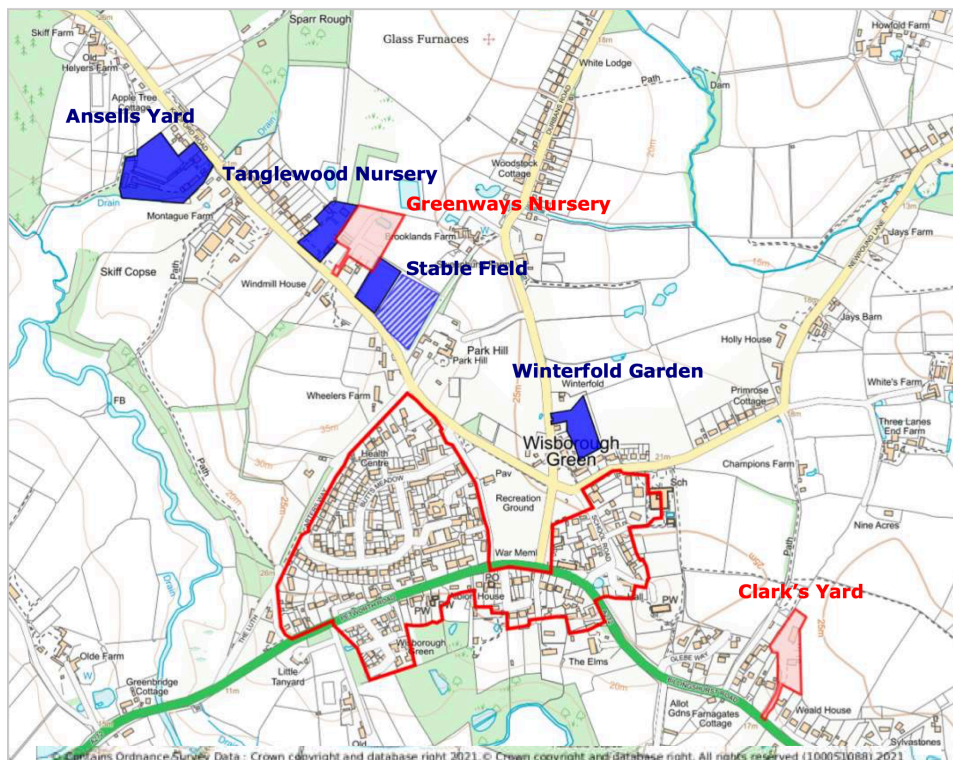


Figure 2 – Neighbourhood Plan Extract

The Tanglewood Site is allocated under policy SS7 for 9 dwellings which states that any proposal for the site should include the following matters:

- *Vehicular access to the site is to be provided from a single point on the Kirdford Road with visibility splays secured appropriate to the speed of traffic.*
- *The site will be developed with high quality and sensitively designed properties, no more than two storeys, with pitched roofs.*
- *The site layout should broadly accord with the site plan (Figure 18).*



- *The design and style of dwellings will adhere to the Village Design Statement which provides advice on detailing and appropriate materials.*
- *Off-street vehicular parking should be provided on-site in accordance with the requirements set in Neighbourhood Plan Policy DS4.*
- *The site layout shall include surface water drainage features as part of the overall design scheme.*
- *Existing mature tree lines or hedges on boundaries to be retained. Any additional planting shall be of native species appropriate to the rural environment.*
- *Development of the site shall provide biodiversity net gain, where possible.*
- *Where external lighting is demonstrated as being necessary for safety purposes, an external lighting scheme shall be submitted to demonstrate that the scheme is designed to minimise light pollution in accordance with Neighbourhood Plan Policy IN3.*
- *The provision of a footpath access from the site to the village centre, linking to existing or planned footways.*

The landowners have been in discussions with CDC and the Parish Council regarding the development of the site and submission of a planning application ahead of Neighbourhood Plan being formally 'made'. A scheme has been prepared which complies with the requirements of the draft policy:



The development proposes the following mix of dwellings:

- Plot 1 – 3 bed house
- Plot 2 – 3 bed house
- Plot 3 – 3 bed house
- Plot 4 – 3 bed house
- Plot 5 – 2 bed house
- Plot 6 – 2 bed house
- Plot 7 – 2 bed bungalow
- Plot 8 – 2 bed bungalow
- Plot 9 – 4 bed house
- Plot 10 – 2 bed bungalow

The mix of dwellings is in line with that required under the Local Plan / Strategic Housing Market Assessment.

The development proposes 10 dwellings which is very marginally above that set out in the Neighbourhood Plan however this has been supported by the Neighbourhood Plan Group as part of ongoing discussions.

The landowner has engaged with the highway authority as part of preparation for a planning application. No issues were identified in terms of the access or impact on the highway network. The highway authority is supportive of the provision of a footpath to link into that being proposed through the Stable Field application and the scheme in general confirming that it is located in a sustainable location. These would be secured by way of s106 contributions or delivered directly as part of the development proposal.

The highway authority agreed that the footpath improvements for the site can come forward in isolation of the improvements from Stable Field and are not dependent on the application for Stable Field being approved or implemented.

The growth of Wisborough Green and other sustainable villages in the north of district is of vital importance in the delivery of housing in the early part of the plan period as such sites can come forward without impact on capacity of A27 (confirmed in para 5.2.31 of the SA).

Water Neutrality is a potential issue in northern part of the plan area but not with Tanglewood Nurseries due to the existing water usage from the horticultural nursery (other sites in the village also have a solution).

Appendix V of the Sustainability Appraisal sets out the *Parish Scenarios*. The approach to Wisborough Green sets out the following:

*With regards to potential allocations, the first three sites to consider are HWG0004, HWG0019 and HWG0022, as these sites were proposed for allocation in a draft version of the Wisborough Green Neighbourhood Plan Review published for consultation in 2021. Considerations are as follows:*

**HWG0004 [Stable Field]** – *the assumption within both the draft neighbourhood plan and the HELAA is delivery of **10 homes** plus ~0.9 ha of open space. There is feasibly the potential to deliver housing across the entire site, which could lead to a capacity of up to 40 homes (and there is also land directly to the northeast of the site that might additionally come into consideration, were it to be made available). An Inspector gave clear reasons for dismissing an appeal for a larger scheme in 2018 ([16/02717/OUT](#)).*

This site is allocated in the emerging Neighbourhood Plan. An application is nearing determination on the Stable Field site for 8 dwellings (22/00618/FUL).

**HWG0019 [Ansells Yard]** – the assumption within both the draft neighbourhood plan and the HELAA is delivery of **18 homes** plus three employment units, in order to demonstrate no net loss of employment. This site is clearly some way distant such from the village core, such that it was supported only through round 2 of the HELAA. The neighbourhood plan sets out that there would be a need to deliver a footpath between the site and the village core, in order for the site to come forward, which could potentially create a delivery challenge.

This site is also allocated within the emerging Neighbourhood Plan.

**HWG0022** – the HELAA assumes 10 homes, whilst the draft neighbourhood plan sets out that the latest proposal from the site promoter is for 8 homes. This site is sensitive on account of the conservation area.

A further site is also available, and supported within the draft neighbourhood plan, known as **Tanglewood Nursery**. This is a current nursery site located between HWG0004 and HWG0019 and is proposed for **9 homes**.

The Tanglewood Site is the land under control of Tanglewood Nurseries Limited.

**Three growth scenarios** emerge, namely completions, commitments and windfall plus:

- **Scenario 1** – 50 homes, assumed to involve the draft neighbourhood plan sites plus an additional five homes.
- **Scenario 2** – 75 homes, assumed to involve the draft neighbourhood plan sites plus either additional homes at either HWG0004 or additional allocation of HWG0011 for a low density scheme.
- **Scenario 3** – 125 homes, assumed to involve the draft neighbourhood plan sites plus allocation of HWG0011 for up to 80 homes.

With regards to reasonable growth scenarios, as an initial step it is fair to rule-out the **low growth scenarios**, specifically a scenario involving committed sites only and scenarios involving fewer than 45 homes across sites HWG0004, HWG0019, HWG0022 and Tanglewood Nursery (i.e. the sites supported by the draft neighbourhood plan in 2021). There is a clear argument for significant growth at Wisborough Green, given the strategic context. It is recognised that two of the sites are separated from the village core / settlement boundary; however, the strategic context serves to suggest a need to take these sites forward nonetheless.

Growth Scenario 2 as outlined in the SA is supported and logical on the basis it involves all of the draft Neighbourhood Plan Sites. As set out in previous sections of these representations, it is considered that in order to be ‘effective’ and ‘positively prepared’ the Local Plan should also allocate the sites in Wisborough Green within the Scenario 2 as stand-alone applications

with an allowance that applications could come forward on these sites in the event that the Neighbourhood Plans do not progress.

### **Sustainability Appraisal**

The legal frameworks for SAs are set out within section 19 of the Planning and Compulsory Purchase Act 2004 which states that the authority must prepare a plan *with the objective of contributing to the achievement of sustainable development*. Moreover, the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 states that SAs must ensure that the potential environmental effects are given **full consideration** alongside social and economic issues.

It is not considered that the council has given full consideration to all effects nor are the conclusions of the SA in respect of those impacts robust and logical.

Paragraph 32 of the framework goes on to state that the SA should *demonstrate how the plan has addressed relevant economic, social and environmental objectives (including opportunities for net gains). Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered).*

The SA sets out whether it was reasonable to explore *higher growth scenarios* as follows:

5.2.12 *As discussed above, the PPG on Housing and Economic Needs Assessment sets out reasons for providing for 'above LHN' through local plans, referring to situations where there are "growth strategies for the area... (e.g. Housing Deals); strategic infrastructure improvements that are likely to drive an increase in [need]; or an authority agreeing to take on unmet need from neighbouring authorities..." Also, affordable housing needs can serve as a reason for considering setting the housing requirement at a figure above LHN, with the PPG stating: "An increase in the total housing figures included in the plan may need to be considered where it could help deliver the required number of affordable homes."*

5.2.13 *However, in the Chichester context there is little or no argument for exploring scenarios whereby the housing requirement is set at a figure above LHN, given the issues discussed above at paragraph 5.2.11. Unmet housing needs are a widespread issue across the sub-region, but there is no realistic potential to provide for unmet housing needs within Chichester. At the time of the Preferred Approach consultation (2018/19), the proposal was to provide for both locally arising housing needs in full and a proportion of the unmet needs arising from the SDNP (41 dpa). Also, it is noted that the SA report published as part of the consultation considered scenarios –*

*considered to be 'reasonable' at that point in time – that would see the housing requirement set at figures significantly above LHN (800 dpa and 1,000 dpa were tested). However, at the current time, in light of the latest available evidence, scenarios involving setting the housing requirement at a figure above LHN can be safely ruled out as unreasonable.*

It is not considered that a figure at or above the LHN would be considered *unreasonable* and that this matter has not been given full consideration (as per the requirements of the SA regulations), particularly in regard to the social impacts of not meeting housing need in full.

Appendix V of the SA sets out commentary in regard to *Parish Scenarios*. This sets out the following in relation to Southbourne (with emphasis added):

As set out, it is not considered that the SA has considered adequate reasonable alternatives to growth at Southbourne which would include allocation of sites elsewhere in the village including within the AONB that can deliver in the early part of the plan period.

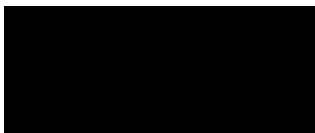
### **Conclusions**

There are several concerns on the soundness of the plan in terms of whether it is effective, justified, positively prepared or consistent with national policy in accordance with paragraph 35 of the NPPF.

It is not considered that the Council has justified the extent of the under supply of housing against the established housing need. There are significant concerns over the delivery of housing from the strategic allocations within the unjustified timescales as set out within the trajectory contained in the plan.

ABC will continue to make further representations on the deliverability of the site as part of the plan making progress.

Yours Sincerely



Andrew Black  
07775 912 653  
[andrew@andrewblackconsulting.co.uk](mailto:andrew@andrewblackconsulting.co.uk)