
Representations to the Regulation 19 Chichester District Council Draft Local Plan

Land East of St Peter's Church, Wisborough
Green

Regulation 19 Chichester District Council Draft Local Plan Representations

Land East of St Peter's Church, Wisborough Green



Contents

1.	Introduction	1
2.	The Site	2
3.	Representations	5
4.	Conclusion	17

1. Introduction

- 1.1. Savills has been instructed by Millwood Designer Homes (MDH), recently acquired by Elivia Homes, to submit representations to Chichester District Council's (CDC) Regulation 19 Draft Local Plan. The consultation runs from 3rd February 2023 to 17th March 2023 and the draft Plan covers the period 2021-2039.
- 1.2. MDH have an option agreement on part of Land East of St Peter's Church, Wisborough Green, a proposed Service Village in the settlement hierarchy. The site forms the southernmost parcel of land within HELAA Ref: HGW0011, but the remainder of the land is also available for development.
- 1.3. MDH is working with the landowner to promote and develop the site for a residential-led proposal with potential community benefits in line with the Government's agenda to deliver much needed new homes quickly and efficiently.
- 1.4. The National Planning Policy Framework (NPPF) explains that the planning system should be plan-led. Paragraph 16 sets out the Plans should:
- a) *be prepared with the objective of contributing to the achievement of sustainable development;*
 - b) *be prepared positively, in a way that is aspirational but deliverable;*
 - c) *be shaped by early, proportionate and effective engagement between planmakers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;*
 - d) *contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;*
 - e) *be accessible through the use of digital tools to assist public involvement and policy presentation; and*
 - f) *serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).*
- 1.5. At examination, a Plan will be found 'sound' if it is considered to be positively prepared, justified, effective and consistent with national policy, as set out within paragraph 35 of the NPPF. As such, ensuring that the Local Plan meets the tests of soundness is important throughout the Local Plan process - particularly at Regulation 19 stage.
- 1.6. MDH submitted representations to the CDC Regulation 18 Local Plan Review (LPR) consultation in February 2019 regarding the Land East of St Peter's Church.
- 1.7. These representations propose that further consideration needs to be given to the allocation of sites within the Local Plan before it can progress to examination. The reasoning for this is set out within our representations.

2. The Site

2.1. The overall site assessed as HWG0011 comprises approximately 5.5ha of greenfield land to the north-east of Wisborough Green, directly to the north of Glebe Way, and east of St Peter's Church and Wisborough Green Primary School (see Figure 2.1). It is in close proximity to the village core which is accessible via footpaths. The services within the village allow residents to meet their day to day needs with further facilities situated within the nearby larger village of Billingshurst.

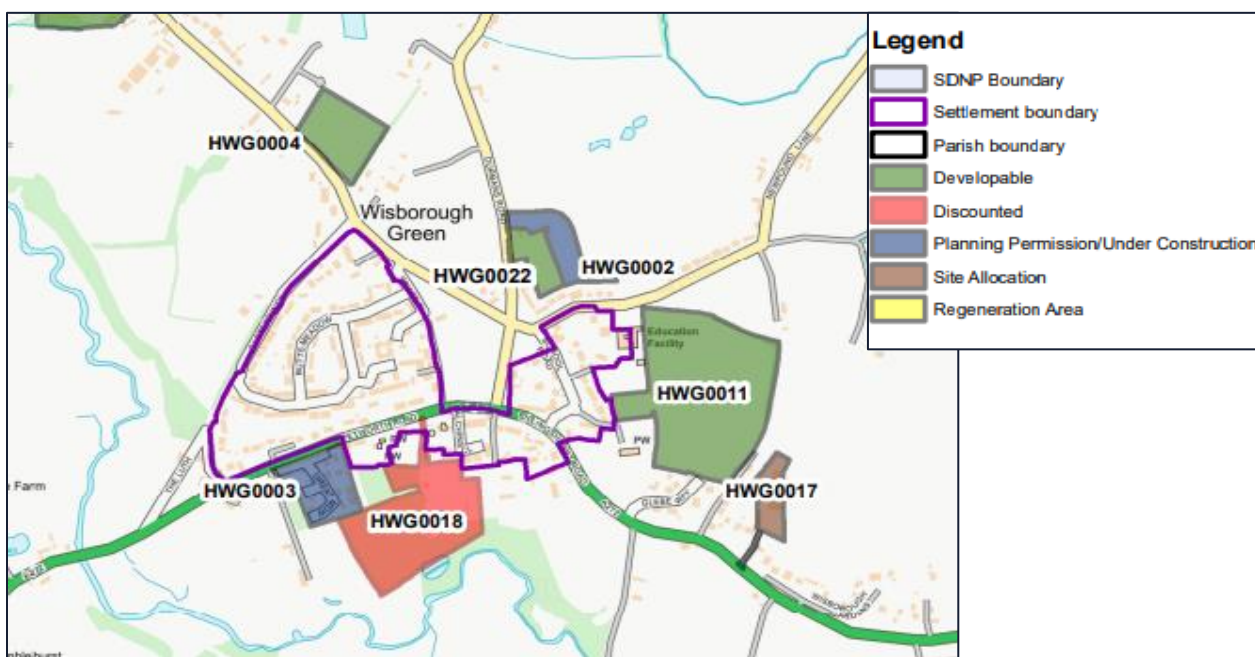


Figure 2.1 – Extract of the CDC HELAA Map 2021 (Site Location HWG0011)

2.2. The southern part of the site which is controlled by MDH was subject to a planning application (Ref: 21/00621/FUL) for “The erection of 25 no. dwellings, access and internal roads, open space, landscaping, footpath improvements and associated infrastructure” but was withdrawn in June 2021. The proposal is illustrated in Figure 2.2.

Regulation 19 Chichester District Council Draft Local Plan Representations



Land East of St Peter's Church, Wisborough Green



Figure 2.2 – Application Layout (Ref: 21/00621/FUL)

- 2.3. In the drafting of the emerging Wisborough Green Neighbourhood Plan (WGNP), the Steering Group considered the south-eastern part of the site as a potential allocation for 10 dwellings. This site was ranked 5th out of 6 sites in the 'Site Consultation Survey' and as such did not quite make the cut for allocation. This survey was based on the preference of residents rather than the planning merits of the site but ultimately it was considered suitable for development by the Steering Group. Given that the preferred top four sites were included for allocation, Land East of St. Peter's Church appears to be the next most suitable site for allocation in Wisborough Green.
- 2.4. Access into the site can be taken from Glebe Way to the south which already comprises residential development. Alternatively, access could be provided from Newpound Lane to the north via an existing agricultural access. The northern, eastern and western boundaries of the site contain semi-mature tree belts, and public rights of way runs along the centre, eastern and western boundaries. A ditch runs on the southern boundary. All landscape features can be retained as part of development apart from those to allow access.
- 2.5. There are residential properties to the south and east, with the Grade I listed Church of St Peter Ad Vincula to the west, beyond the tree belt. The Wisborough Green Conservation Area (WGCA) and the primary school are situated to the west of the site.
- 2.6. The site is located within Flood Zone 1, and therefore is not located within an area at risk of flooding (Flood Zones 2 or 3).

Regulation 19 Chichester District Council Draft Local Plan Representations



Land East of St Peter's Church, Wisborough Green

- 2.7. The site is within proximity of The Mens Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC) as well as the Upper Arun SSSI. As such the Local Planning Authority (LPA) is required to notify Natural England for any development over 100 dwellings. The site will not deliver 100 or more dwellings and any proposal would ensure ecological enhancements are made, in line with emerging policy to achieve biodiversity net gain.
- 2.8. The site was assessed as part of CDC's Housing and Economic Land Availability Assessment (HELAA) in 2021 with the reference HWG0011. The site was considered to be developable for 80 dwellings, although the Council noted that due to the heritage and landscaping sensitivities of the site a lower number of dwellings would likely be proposed. The HELAA states:
- "There are no known constraints that would make development unachievable in principle. The promoter estimates that the site could be delivered within 5 years and could be phased."*
- 2.9. The estimated capacity of 80 dwellings is likely to be achievable if the entire site is developed for market and affordable housing. However, MDH and the landowner are open to the possibility of providing the north-western parcel of land to the school for car parking or recreational uses. This would reduce the housing capacity to some 60 dwellings. This provides three possibilities for allocation:
- i. 25 dwellings in the southern field as previously submitted by MDH, with the remainder of the land retained in grazing use.
 - ii. 60 dwellings plus school facilities across the entire area of land being promoted.
 - iii. 80 dwellings on all three parcels of land within the entire area being promoted.
- 2.10. As part of any of these proposals, MDH would make improvements to the existing footpaths, providing both pedestrian and cycle links through the site. Other community benefits such as car park or recreation facilities for the school could be accommodated on the site.
- 2.11. The site is suitable, developable and achievable. MDH can confirm that any allocation can be delivered within the early part of the Local Plan Period.

3. Representations

- 3.1. This section provides representations on the Regulation 19 Local Plan and the supporting evidence base.
- 3.2. These representations set out MDH's comments in relation to the draft Local Plan, and the policies within it which they believe require further consideration to assure soundness ahead of submission and Examination in Public (EiP). In order for the draft plan to be found sound at EiP (and thus appropriate for adoption), it must have been prepared in accordance with the below tests as set out in paragraph 35 of the National Planning Policy Framework (NPPF):
- “a) **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*
- b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*
- c) **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and*
- d) **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.”*
- 3.3. Comments and observations on the Local Plan hereafter will ensure that the Plan conforms with these requirements.

Regulation 19 Chichester District Council Draft Local Plan Representations



Land East of St Peter's Church, Wisborough Green

Observations on the Sustainability Appraisal - OBJECT

- 3.4. The Sustainability Appraisal (SA) is an important evidence-based document which is required to assess the extent to which the emerging Local Plan helps to achieve relevant environmental, economic and social objectives when assessed against reasonable alternatives. In accordance with Section 39 of the Planning and Compulsory Purchase Act 2004, a Plan must be prepared “with the objective of contributing to the achievement of sustainable development”. Paragraph: 009 (Reference ID: 11-009-20140306) of the Planning practice guidance explains that “The sustainability appraisal should only focus on what is needed to assess the likely significant effects of the plan.”
- 3.5. AECOM has prepared the Sustainability Appraisal Report of the Regulation 19 Local Plan Consultation to assess the sustainability effects of the proposed development options and policies. 13 objectives have been derived that reflect socio-economic and environmental issues. However, the assessment of each developable HELAA site has not been assessed against these. Instead, the assessment has simply considered whether the site is affected by a constraint with no wider assessment of potential mitigation or enhancement. It is not considered that the SA of the sites assesses the likely significant effects of the development of the sites within the plan period. Consequently, the SA does not go far enough to meet the needs set out in NPPF paragraph 32.
- 3.6. The Land East of St Peter’s Church and Wisborough Green Primary School has a HELAA reference of HWG0011. The site’s score calculated in the Sustainability Appraisal is illustrated in Figure 3.1 below.



Figure 3.1 – SA results for site HWG0011

- 3.7. The SA uses a Red-Amber-Green system to score the different constraints based on set distances. This creates an inflexible scoring system as it does not consider the potential enhancement and mitigation opportunities that would off-set these constraints. For instance, the Land East of St Peter’s Church falls within 1.5 km of The Mens Special Area of Conservation and thus scored as light red. Ecology work prepared for planning application (Ref: 21/00621/FUL) explains that Natural England are only required to be consulted on residential developments of over 100 units which is more than this site is being promoted for. Furthermore, paragraph 3.2.7 of the Ecological Assessment concluded that:

Regulation 19 Chichester District Council Draft Local Plan Representations



Land East of St Peter's Church, Wisborough Green

“The Mens SAC (and SSSI) for which barbastelle is cited as an interest feature is located c1.5km from the study area and there are a number of other blocks of ancient woodland locally, all well within the foraging distance of the study area. However, none of the habitats and features with the study area would appear to be a resource that is notably different from much of the surrounding countryside or that would be key to the maintenance at a favourable conservation status of the local barbastelle population.”

- 3.8. No other concerns were raised regarding the proximity of the SAC. Thus, the development of this site is not likely to have an impact on the SAC.
- 3.9. The SA acknowledges that the site is within close proximity to the Wisborough Green Conservation Area and the Grade I listed Church of St Peter Ad Vincula. However, the scoring on this does not acknowledge the mitigation and benefits that could be brought forward with a development in the area in accordance with NPPF paragraph 201. Consideration should be given to sensitive design, public open space, footpath improvements and other potential public benefits.
- 3.10. It is acknowledged The Landscape Capacity Assessment (LCA) supporting the application identifies that all the land surrounding Wisborough Green has a low landscape capacity. This means that any development coming forward within Wisborough Green will be subject to the same sensitivities. The assessment of an individual site's impact on landscape should inform the SA to determine whether the site is suitable for development. In relation to HWG0011, the site is influenced by the proximity of the existing settlement and mature boundary vegetation. A Landscape and Visual Impact Assessment (LVIA) was prepared to support application ref: 21/00621/FUL. This confirmed that the site holds no landscape designations. The development of the southern field would result in the overall effects on landscape character as minor adverse (with the exception of effects on cultural and heritage assets, which are concluded to be negligible) and are thus not considered to be significant. With regards to views, the LVIA concludes that the effects on long distance views of the church were not significant and that near views would only have a minor adverse effect.
- 3.11. The proximity of services and facilities from the site is noted. However, regard should also be given to the SA paragraph 5.2.32 which states:
- “Of the four service villages, it is Loxwood and (in particular) Wisborough Green that are best connected to a higher order settlement (Billingshurst and Horsham), with the other villages more distant and connected by minor roads.”*
- 3.12. There is a clear opportunity to improve services and facilities within the village and enhance the connections to the larger settlements to benefit the existing community. This can be funded via new development on sites such as HWG0011.
- 3.13. Given the above, MDH consider that the SA should undertake a wider-ranging assessment of the sites to consider the likely significant effects to ensure the Plan is justified.

OBJECT: Additional assessment of the developable HELAA sites is required to consider the likely effects of development.

Regulation 19 Chichester District Council Draft Local Plan Representations

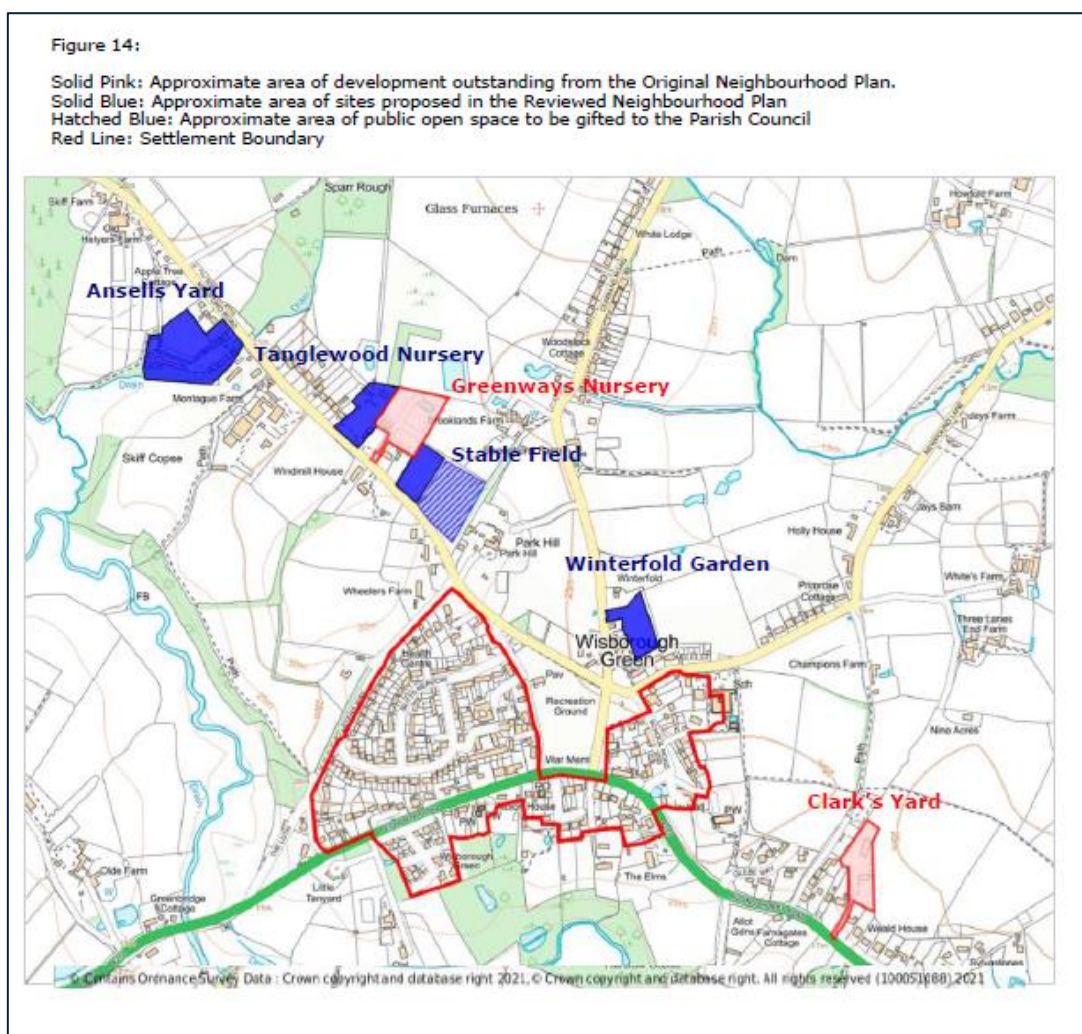


Land East of St Peter's Church, Wisborough Green

3.14. The SA summarises site HWG0011 as suitable for development, dependent on technical work:

*“This site is not supported by the Parish Council, and is clearly sensitive in historic environment terms, as it intersects the conservation area and the grade 1 listed parish church, which is prominent on raised ground, is near adjacent [SIC]. There are also historic field boundaries and PRoW running through and adjacent to the site. However, sensitive views into and across the site are limited, specifically primarily limited to the PRoW (also potentially Newpound Lane, subject to hedgerow height), and a sensitively masterplanned scheme could relate quite well to the existing built form of the village. The HELAA identifies a capacity of **80 homes**, which amounts to a gross density of 14.5 homes per hectare, which is assumed to be a suitably low density. However, it is recognised that detailed work could serve to highlight the need for fewer homes given the sensitivities.”*

3.15. MDH supports the SA’s conclusion that site HWG0011 is suitable for sensitive development. Paragraph 2.9 of these representations sets out three development options for the site, providing between 25 and 80 homes which will consider and address the sensitivities identified.



3.16. There are additional sites in Wisborough Green which merit discussion. The Wisborough Green Neighbourhood Plan Review, which published its Regulation 14 Consultation in 2021, proposes the allocation of site HWG0019. Under Policy SS8 of the draft WGNP, the land known as 'Ansells Yard Nursery' is allocated for up to 18 dwellings. However this does not concur with the findings of the SA, which concludes that Ansells Yard Nursery is 'isolated' (seen clearly in Figure 3.2) and faces significant delivery challenges:

"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."

3.17. Due to the isolated location of Ansells Yard Nursery and the potential deliverability issues of creating a new footpath, the site should not be allocated within the WGNP. Instead, the 18 units should be re-allocated to a more sustainable site such as the Land East of St Peter's Church.

SUPPORT: The SA conclusion for the Land at Ansells Yard is supported. The 18 dwellings allocated at the Land at Ansells yard in the WGNP should be re-allocated to a more sustainable site, such as the Land East of St Peter's Church.

3.18. The SA concludes that:

"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.

In conclusion, 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 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."

3.19. The HELAA site HWG0004 has already been allocated in the draft WGNP Regulation 14 Consultation for up to 10 dwellings on the land known as Stable Field, an application is currently pending for a development of 8 dwellings (ref: 22/00618/FUL). The SA notes that there is the potential to increase the development capacity of this site to 40 dwellings, although a larger scheme for a 30 extra care units, doctors surgery and community facilities was dismissed at appeal in 2018 (Ref: APP/L3815/W/17/3180078) due to the location in the countryside, the impact to landscape and the impact to the conservation area. Stable Field is also located in a relatively isolated location (see Figure 3.2) in comparison to Land East of St Peter's Church. Since CDC is struggling to meet its housing need across the district and the SA has found Wisborough Green to be able to sustainably support significant growth, it is important that suitable, deliverable sites are allocated. Whilst the MDH site of 25 dwellings would almost fulfil the shortfall of 30 homes in Scenario 2 above, we consider that the entirety of HWG0011 should be allocated to replace some of the less

Regulation 19 Chichester District Council Draft Local Plan Representations



Land East of St Peter's Church, Wisborough Green

sustainable allocations in the draft WGNP, whilst also potentially providing additional community benefits such as a car park for the school or recreation facilities, as well as improved pedestrian and cycle links.

SUPPORT: MDH supports the Sustainability Appraisal's conclusion that Wisborough Green should undergo 'significant growth' in order to meet the strategic need for houses across the district. However, Scenario 3 for the allocation of at least 125 homes is preferred as scenarios 1 and 2 do not provide 'significant growth'.

Regulation 19 Chichester District Council Draft Local Plan Representations



Land East of St Peter's Church, Wisborough Green

Observations on the Regulation 19 Draft Local Plan Policies

Policy S1 – Spatial Development Strategy – SUPPORT

- 3.20. Due to the constraints on the A27 in the south of the plan area, CDC has proposed additional development in service villages in the north of the plan area. MDH support paragraph 6a of Policy S1 which states that:
- “Non-strategic provision is made for the following forms of development in service villages: Small-scale housing developments consistent with the indicative housing numbers set out in Policy H3”.*
- 3.21. MDH supports CDC’s focus on sustainable development by encouraging development in the north of the plan area. The northern area is considered to be a viable location to develop due to fewer constraints and higher development values as set out in paragraph 16 of the R19 Viability Assessment. This allows for the delivery of more affordable housing, M4(3) wheelchair units and other benefits. With regards to Wisborough Green, Appendix 2 of the Settlement Hierarchy Background Paper explains that Service Villages (such as Wisborough Green) are able to accommodate small-scale strategic and non-strategic allocations.
- 3.22. Paragraph 3 of Policy S1 states that CDC seek to disperse development across the plan and states that *“Where opportunities arise, supporting the villages and rural communities in the North of the Plan Area”.* As the northern area of the district is considered to have a greater availability to accommodate development than the south, the emphasis on development in the north of the district should be greater than proposed in the plan and specific sites should be allocated within the northern service villages on top of any emerging Neighbourhood Plan allocations. In respect of HWG0011, the site is able to deliver 25-80 dwellings within the northern communities of the Plan Area, helping to deliver much needed homes in the district.

SUPPORT: MDH supports CDC’s focus on increasing development in the north of the plan area.

Policy S2 – Settlement Hierarchy – SUPPORT

- 3.23. Policy S2 states that Wisborough Green is classified as a Service Village. MDH supports Wisborough Green’s classification as a Service Village given the level of services and facilities within the village.
- 3.24. Paragraph 3.17 of the supporting text for Policy S2 states that:
- “Outside the settlement hubs, land for new strategic development will be identified and allocated through the Local Plan or a neighbourhood plan at a number of service villages (see Policy S2) where there is an opportunity to provide development based on the strategy of dispersing development across the plan area in conjunction with land being available in suitable locations.”*
- 3.25. Wisborough Green is located in the north of the plan area. Paragraph 3.22 of the supporting text for Policy S2 states that the north part of the plan area has:
- “An identified need to accommodate some development to address local housing and employment needs and support local village facilities.”*

SUPPORT: MDH supports the identification of a need for development in Service Villages in the north part of the plan area and considers that there is opportunity for CDC to allocate further homes within the northern area to accommodate their entire housing need.

Policy H1 – Meeting Housing Needs - OBJECT

- 3.26. Policy H1 is unjustified, ineffective, not positively prepared and contrary to national policy.
- 3.27. In accordance with the standard method, the local housing need of CDC is 763 dwellings per annum (dpa). However, CDC have chosen to avoid the housing needs of the area which falls in the South Downs National Park Authority (SDNPA) which results in CDC's Housing and Economic Development Needs Assessment (April 2022) identifying an objectively assessed housing need of the plan area of 638 dwellings per annum (dpa). This is a reduction of 125dpa. A statement of common ground needs to be agreed with the SDNPA in order for this reduction in housing provision in CDC's Local Plan to be positively prepared. The Preferred Approach consultation on the Local Plan also allowed for additional development for accommodating unmet need arising from the Chichester District part of the South Downs National Park.
- 3.28. The Regulation 19 draft Local Plan only allows for 575 dpa which is 75 fewer homes per year than the 650 homes proposed in the Regulation 18 draft Local Plan and a shortfall of 63dpa compared to the housing needs assessment. This creates an overall housing shortfall of 1,134 homes across the plan period. This requires robust justification in light of the NPPF, when there is clearly potential for service villages like Wisborough Green to accommodate more development than that which has been identified in this plan.
- 3.29. Notwithstanding the objectively assessed housing need, the NPPF seeks to support the Government's objective of "*significantly boosting the supply of homes*" and NPPF paragraph 61 explains that the standard method calculation is used to determine the minimum number of homes needed. Therefore, CDC should be proactive in allocating over and above the required housing need of the district. This will also allow flexibility to mitigate those sites that might not come forward, particular Neighbourhood Plan sites which will not have undergone the same level of scrutiny in terms of deliverability as Local Plan allocations would have.
- 3.30. The constraints relating to the A27 in the south of the plan area are likely to have a negative impact on CDC's housing delivery rate going forward. National Highways is responsible for the A27 trunk road, including the Chichester Bypass. National Highways currently has no formal commitment to carry out any national improvement works on the A27. Transport studies undertaken by Stantec estimate that the full mitigation costs for the A27 would cost between £90-£135 million, which is in excess of what can be supported by developer contributions alone. CDC's Infrastructure Delivery Plan (2021) proposes a 'monitor and manage' approach which will determine the triggers and therefore phasing of the implementation of A27 junction improvements. No timeframe is provided for the proposed completion of any A27 improvements. The emerging Local Plan seeks the allocation of four further major strategic sites, in addition to the four existing strategic sites, the delivery of which is mixed (for example the delays at land West of Tangmere). Therefore, a strong reliance on small to medium sized sites in the north of the plan area will be essential in successfully meeting the housing needs of CDC.

Regulation 19 Chichester District Council Draft Local Plan Representations



Land East of St Peter's Church, Wisborough Green

OBJECT: CDC should increase the number of dwellings allocated to the Service Villages, particularly in the northern part of the plan area, in order to meet the district's housing need, to support the unmet need of the South Downs National Park and counteract the A27 infrastructure constraints. Policy H1 is unjustified, ineffective, not positively prepared and contrary to national policy.

3.31. The reduction in the number of homes proposed in the emerging Local Plan means that the housing needs of the district will not be met. The lack of support for or with neighbouring local authorities also poses a risk in relation to the requirement of duty to cooperate and for the Plan to be positively prepared. There is an obligation for CDC to attempt to meet some of the unmet housing need of West Sussex, yet CDC have proposed these matters can be considered in future plan reviews, resulting in the plan not being effectively prepared.

3.32. Paragraph 27 of the NPPF states that:

"In order to demonstrate effective and on-going joint working, strategic policymaking authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these. These should be produced using the approach set out in national planning guidance, and be made publicly available throughout the plan-making process to provide transparency."

3.33. CDC's Duty to Cooperate Statement of Compliance statement notes that none of the required Statements of Common Ground have been agreed yet, with some of the statements still in the process of being drafted. In accordance with paragraph 27 of the NPPF, these statements should be completed and available for consultation throughout the plan-making process.

OBJECT: CDC must complete the Statements of Common Ground before the Plan progresses any further. There remains a present requirement to adhere to the Duty to Cooperate, which in future will require that relevant Local Plans 'align'.

Policy H3 – Non-Strategic Parish Housing Requirements 2021 – 2039 - OBJECT

3.34. Policy H3 is ineffective and unjustified.

3.35. Policy H3 sets out small-scale housing sites which have been identified to help provide for the needs of local communities. Policy H3 states that:

"Suitable sites will be identified either through neighbourhood plans or subsequent development plan document."

Regulation 19 Chichester District Council Draft Local Plan Representations



Land East of St Peter's Church, Wisborough Green

- 3.36. Paragraph 5.2.32 of the Sustainability Appraisal (2023) found Wisborough Green to be one of the best-connected service villages to higher order settlements:

“Of the four service villages, it is Loxwood and (in particular) Wisborough Green that are best connected to a higher order settlement (Billingshurst and Horsham), with the other villages more distant and connected by minor roads.”

- 3.37. CDC is proposing that Wisborough Green provides 75 additional new homes across the Local Plan period, to be set out in the emerging Neighbourhood Plan. MDH support the proposal for an increase in housing requirement for the village, but consider 125 homes to be more appropriate given the recognition given to Wisborough Green that it is capable of ‘significant growth’. 75 homes falls very short of the 220 homes being proposed in Loxwood. It is also recommended that the policy is reworded to make it clearer that the 75 homes are in addition to the original allocations made in the WGNP 2016.

- 3.38. Due to the infrastructure constraints of the A27, less development can be supported in the south of the plan area. The R19 Viability Assessment concludes that development is more viable in the north of the plan area, partly due to infrastructure constraints and partly due to higher development values. Scenario 3 of the SA recommends that Wisborough Green can support significant growth and recommends the allocation of an additional 125 homes, including up to 80 homes on the Land East of St Peter’s Church. Therefore, Policy H3 should be amended to increase Wisborough Green’s housing requirement from 75 additional homes to 125 homes in order to counteract the unmet housing need in other areas of the district and to reflect its status in the settlement hierarchy.

OBJECT: CDC should amend Policy H3 to increase Wisborough Green’s housing requirement from 75 additional homes to ‘at least’ 125 additional homes. Present Policy H3 is ineffective and unjustified.

- 3.39. Wisborough Green’s emerging Neighbourhood Plan undertook a Regulation 14 consultation in May-June 2021. Policy OA1 of the draft Neighbourhood Plan states that:

“The Revised Wisborough Green Neighbourhood Plan will provide for a minimum of 61 dwellings, with 21 dwellings carried forward from the Original Plan on 2 sites and the further Revised Chichester Local Plan allocation of 40 dwellings provided on 4 sites. The dwellings will be provided on allocated sites as defined in Policies SS2, SS3 from the Original Plan and on new sites SS5, SS6, SS7, SS8 and consistent with the spatial strategy for the village.”

- 3.40. Of the 61 dwellings being proposed in the Wisborough Green’s emerging Neighbourhood Plan, 21 of the dwellings were carried over from the original Neighbourhood Plan, without evidence that these sites are still available and suitable for development. Given that the original WGNP was Made in July 2016, it is questionable that after seven years the landowner has any intention of bringing these sites forward.

- 3.41. The allocated site for 10 dwellings in the emerging WGNP was included in a planning application (Ref: 13/00744/FUL), which approved 10 residential caravans on appeal in December 2014. The Sustainability Appraisal (2023) makes reference to this site and noted that “a site for 10 residential caravans was delivered in 2016/17”. Therefore, it is recommended that additional dwellings are allocated for Wisborough Green to replace the built out allocations and meet the local housing need.

Regulation 19 Chichester District Council Draft Local Plan Representations



Land East of St Peter's Church, Wisborough Green

- 3.42. As highlighted earlier, the Sustainability Appraisal notes that 18 of the allocated units (site HWG0019) in Wisborough Green's emerging Neighbourhood Plan are located in an unsustainable and potentially undeliverable locations. Site HWG0019 is isolated from the village core and its delivery is dependent on the creation of a footpath from the site to the village core. Viability issues with the delivery of this footpath have been identified and are noted on Wisborough Green Parish Council's website (January 2022 update). The unsustainable location of site HWG0019 poses a threat to the successful delivery of housing in Wisborough Green. The emerging Local Plan must take these threats into consideration and create a suitable buffer in order for it to be positively prepared.

OBJECT: CDC should amend Policy H3 to increase the allocation of new dwellings in Wisborough Green to provide a suitable housing buffer and compensate for the miscalculation of future housing delivery in the emerging WGNP.

- 3.43. On Wednesday 4th January 2023, Wisborough Green Parish Council members received an update on CDC's Local Plan Review and were informed that the housing allocation for Wisborough Green had increased from the indicative minimum of 40 to 75. As 45 units have already been identified in the draft WGNP, an additional 30 homes need to be provided in Wisborough Green.
- 3.44. Policy H3 states that:
- "Suitable sites will be identified either through neighbourhood plans or subsequent development plan document."*
- 3.45. In order for the additional 30 homes (and a recommended buffer) to be allocated in Wisborough Green's Neighbourhood Plan it will have to undergo another Regulation 14 consultation. It is likely that additional evidence would also need to be commissioned and reviewed. This process could take several years to complete and delay the delivery of housing during the early stages of the Plan Period when delivery of homes is required in light of the uncertain upgrades to the A27. This would result in the Plan being ineffective and thus not sound. Furthermore, based on the evidence, for example of site suitability and that within the SA, it is clear that the allocation of more land for housing now is justified.
- 3.46. In order for the Local Plan to be positively prepared and effective, it is recommended that CDC allocate at least an additional 30 dwellings in Wisborough Green on specific sites in the emerging Local Plan to ensure that the required housing need of the district is successfully met during the Plan Period.
- 3.47. The Sustainability Appraisal (2023) and HELAA (2021) found the Land East of St Peter's Church to be suitable for the development of up to 80 new dwellings. MDH and the landowner can confirm the availability of the Land East of St Peter's Church. If allocated within the Local Plan, the Land East of St Peter's Church can be delivered within the first 5 years of the Plan Period, providing certainty to CDC that the housing need in Wisborough Green, and the wider district, is successfully met.

OBJECT: CDC should allocate the Land East of St Peter's Church (HWG0011) for up to 80 dwellings to ensure that sufficient housing is delivered within the earlier part of the Plan period.

Regulation 19 Chichester District Council Draft Local Plan Representations



Land East of St Peter's Church, Wisborough Green

3.48. MDH support CDC's attempt at safeguarding housing delivery against failure to deliver from Neighbourhood Plans. However, the policy needs to be reworded to avoid ambiguity. Policy H3 currently states:

"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."

3.49. It is unclear as to what constitutes 'demonstrable progress' which could leave to contrasting interpretations. Paragraph 16d of the NPPF states that Plans should:

"Contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals".

3.50. For example, it could be interpreted that the WGNP is showing 'demonstrable progress' as it has now completed Regulation 14 consultation despite the WGNP being significantly short of its allocated housing requirement. The Regulation 19 Local Plan is currently not positively prepared since it does not securely meet the objectively assessed housing need of the district.

3.51. To guarantee that the required housing need of the district is met, CDC need to have a clearly written and unambiguous safety mechanism in place. To ensure all development sites come forward, CDC should clearly allocate all sites in the Local Plan.

OBJECT: CDC should amend Policy H3 to remove any ambiguity concerning the meaning of 'demonstrable progress' and allocate development sites in the Local Plan to ensure their timely delivery.

3.52. MDH recognise that Neighbourhood Plans are a national tool for allowing communities to help shape and direct sustainable development in their areas. However, paragraph 29 of the NPPF also states that:

"Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies".

3.53. To remain supportive of Neighbourhood Plans, and also secure sustainable development, CDC should amend Policy H3 to include the support of speculative applications if a Neighbourhood Plan is not proposing appropriate quantities of development in a suitable timeframe. Any speculative applications should be assessed on their individual merits.

OBJECT: CDC should amend Policy H3 to include the support of speculative applications if a Neighbourhood Plan is not proposing suitable quantities of development.

4. Conclusion

- 4.1. These representations to the Regulation 19 consultation of Chichester District Council's (CDC) emerging Local Plan, have been written by Savills on behalf of Millwood Designer Homes (MDH).
- 4.2. These representations focus on Land East of St Peter's Church and have set out how the site is suitable, available and developable. MDH can confirm that the site is deliverable within the earlier part of the Plan period. The site was assessed within the CDC HELAA as developable for up to 80 dwellings.
- 4.3. A number of observations and objections have been made throughout these representations on the Regulation 19 Draft Local Plan and its supporting evidence base. These objections include:
- **Sustainability Appraisal** - Additional assessment of the developable HELAA sites is required to consider the likely significant effect to developing the sites.
 - **Draft Local Plan Policy H1 (Meeting Housing Needs)** - CDC should increase the number of dwellings allocated to the Service Villages, particularly in the northern part of the plan area, in order to meet the district's housing need, to support the unmet need of the South Downs National Park and counteract the A27 infrastructure constraints. Policy H1 is unjustified, ineffective, not positively prepared and contrary to national policy.
 - **Draft Local Plan Policy H1 (Meeting Housing Needs)** - CDC must complete the Statements of Common Ground before the Plan progresses any further. There remains a present requirement to adhere to the Duty to Cooperate, which in future will require that relevant Local Plans 'align'.
 - **Draft Local Plan Policy H3 (Non-Strategic Parish Housing Requirements 2021 – 2039)** – CDC should amend Policy H3 to increase Wisborough Green's housing requirement from 75 additional homes to 'at least' 125 additional homes. Present Policy H3 is ineffective and unjustified.
 - **Draft Local Plan Policy H3 (Non-Strategic Parish Housing Requirements 2021 – 2039)** - CDC should amend Policy H3 to increase the allocation of new dwellings in Wisborough Green to provide a suitable housing buffer and compensate for the miscalculation of future housing delivery in the emerging WGNP.
 - **Draft Local Plan Policy H3 (Non-Strategic Parish Housing Requirements 2021 – 2039)** - CDC should allocate the Land East of St Peter's Church (HWG0011) for up to 80 dwellings to ensure that sufficient housing is delivered within the earlier part of the Plan period.
 - **Draft Local Plan Policy H3 (Non-Strategic Parish Housing Requirements 2021 – 2039)** - CDC should amend Policy H3 to remove any ambiguity concerning the meaning of 'demonstrable progress' and allocate development sites in the Local Plan to ensure their timely delivery.

Regulation 19 Chichester District Council Draft Local Plan Representations



Land East of St Peter's Church, Wisborough Green

- **Draft Local Plan Policy H3 (Non-Strategic Parish Housing Requirements 2021 – 2039)** - should amend Policy H3 to include the support of speculative applications if a Neighbourhood Plan is not proposing suitable quantities of development.

4.4. These representations clearly demonstrate that the Land East of St Peter's Church (HWG0011) is suitable, available and developable for delivering sustainable development in the earlier part of the Plan Period. This conclusion is also supported by national policy, specifically in its emphasis on the capacity for small to medium development sites to contribute to the housing requirement of the district in the earlier part of the Plan Period. Therefore, CDC should allocate the Land East of St Peter's Church for up to 80 dwellings in order to help meet the housing needs of the district.

