

Chichester District Council

Regulation 19 Local Plan Consultation

Representations on behalf of West Sussex County
Council

Site: Land at Brick Kiln Farm, South of Bognor Road,
North Mundham

March 2023



1. Introduction

- 1.1 Henry Adams LLP acts on behalf of West Sussex County Council in respect of Land at Brick Kiln Farm, south of Bognor Road, North Mundham. We are instructed by our client to respond to the Regulation 19: Local Plan Consultation insofar as it relates to their landholding.
- 1.2 The site is identified as a Strategic Development Location through allocation Policy A20, Land south of Bognor Road, North Mundham. As a result, our comments are focussed on the strategic allocation proposed in Policy A20 as well as some general comments on the employment spatial strategy.
- 1.3 This representation is accompanied by a Vision Document which was previously submitted but has been amended to reflect the fact that the allocation at Policy A20 also includes the requirement for Travelling Showpeople plots and a storage area. The comments on this element of the allocation will be dealt with in further detail under Section 3 of this statement.

2. The Employment Spatial Strategy

- 2.1 It is noted that the spatial strategy, recognises that Chichester is the primary focus for the commercial property market for the whole of the Plan area. It therefore seeks to focus the majority of identified additional floorspace on sites within and close to the city. This approach is supported by our client as it recognises the hierarchy of settlements and seeks to provide commercial development as well as residential development in the most sustainable locations.
- 2.2 Our client, WSCC, supports the provision of a new strategic employment led site on its land at Brick Kiln Farm, south of the Bognor Road in accordance with the strategy set out in paragraph 10.7 of the Plan. Our client's land can provide a range of accommodation on the site for the office and industrial market. This has been demonstrated in the Vision Document that accompanies this representation.

3. The Proposed Allocation – Policy A20

- 3.1 The Local Plan, at paragraphs 10.83 – 10.86, recognises the suitability of the location for commercial development on the edge of the city. This includes its relationship with the sites to the north of Bognor Road which have planning permission for commercial development and the proximity of Runcton Horticultural Development Area that makes the site suitable for food related employment uses linked to local horticulture. The identification of the site as being suitable for commercial development in this context is supported. It should also recognise the accessibility of the location close to the A259 and the A27 providing good road transport links as well as pedestrian and cycle accessibility from the city.

3.2 Policy A20 allocates our client's land for 28,000sqm of employment floorspace which is supported. It also allocates the site for 5 plots for travelling showpeople with 1ha of ancillary storage requirements. Whilst our clients do not object in principle to the provision of showpeople plots, they do have some concerns about the ability to accommodate the plots and storage area on the site without compromising the commercial floorspace or impinging on the detailed constraints that have been identified in the Vision Document.

3.3 Notwithstanding the above, the Vision Document has been amended to illustrate what 1 ha of storage and 5 no. plots would look like in terms of area (using the 320sqm per pitch set out in paragraph 5.75 of the Local Plan). The only place this could be accommodated on the current masterplan layout is on land to the east of the site; an area that was to be landscaped and an enhanced view of Chichester Cathedral provided (which is to be a requirement of the policy). This land could also be required for biodiversity net gain and/or SuDS features.

3.4 Our clients would therefore like more flexibility to be written into the policy as follows:

- To provide **up to** 5 no. plots, with the need to be determined at the time of the submission of a planning application and dependent on the land required to satisfy biodiversity net gain and/or drainage requirements associated with the commercial development.
- More flexibility for the amount of storage area associated the travelling showpeople plots. In this respect, it is noted that Policy H13 which deals with accommodation for Gypsies, Travellers and Travelling Showpeople, expects a suitable assessment to take account of the nature and scale of the showpeoples' business in terms of the land required for storage. This flexibility and requirement for an assessment in accordance with Policy H13 should be included in the policy wording.
- A timescale for the marketing of the travelling showpeople plots following which it should revert to part of the commercial site.

3.5 The policy sets out the following criteria which will be commented upon in turn to demonstrate that the site will be able to come forward to deliver the commercial development:

- 1. Provide a high-quality form of development, designed and masterplanned in accordance with any design code or guidance adopted or approved which is relevant to the site, including Policy H14 (Gypsy and Traveller and Travelling Showpeople Site Design).**

The site can be delivered in accordance with this criterion subject to inclusion of Policy H13 relating to Travelling Showpeople site provision.

- 2. The design and layout should provide good access to the city centre, key facilities and sustainable forms of transport.**

The site can be delivered in accordance with this criterion. The proposed cycle and pedestrian routes have been added to the masterplan.

- 3. Ensure that key views, particularly of Chichester Cathedral spire and views into and from within the South Downs National Park, particularly sensitive locations such as the Trundle and Halnaker Hill are considered as part of the design and layout in order to create attractive views and vistas, particularly from public spaces.**

The Landscape and Visual Appraisal informed the masterplan layout to meet this objective. Flexibility is required on the number of Travelling Showpeople plots to be accommodated to ensure this objective is not undermined.

- 4. Preserve the significance of the grade II listed Vinnetrov Farm House.**

The site can be designed and landscaped to accord with this criterion.

- 5. Provide for appropriate hard and soft landscaping, including street trees and buffer planting, and protect existing landscape features worthy of retention in order to ensure that the development is well integrated with its surroundings and successfully mitigates the impacts on the wider landscape character. Features to be retained include, but are not limited to, dry ditch features to be enhanced with planting, native hedgerow parallel to the A259 which is to be enhanced through supplementary planting, native hedgerow across the southern boundary, native hedgerow with trees on the northwest boundary and a line of trees to the centre of the site which will be enhanced by supplementary planting and a strip of vegetation on either side.**

The site can be delivered in accordance with this criterion by protecting and enhancing existing landscape features as illustrated in the Landscape and Visual Appraisal and Preliminary Ecological Appraisal.

- 6. Ensure that green infrastructure provision is well related to the overall layout and character of the development and how it relates to its surroundings.**

This generally repeats what is included in criterion 5.

- 7. Ensure that the design and layout avoids harm to protected species and existing important habitats features within, and in the vicinity of, the site; provides the required level of biodiversity net gain, and facilitates the creation of high levels of habitat connectivity within the site and to the wider green infrastructure network. This includes the protection of Chichester Gravel Pits and Leythorne Meadow Local Nature Reserve which is close to the site and the provision of appropriate buffers in relation to important habitats being retained or created.**

Again, the preliminary ecological appraisal identifies key habitats and presence/absence of protected species and the recommendations for protection

and enhancement included in the masterplan. A biodiversity matrix has also been produced and an area for biodiversity net gain included in the masterplan. Whilst further work is required and evidence updated, preliminary findings suggest that the site can be delivered in accordance with this criterion.

8. Subject to detailed transport assessment, the main vehicular access should be from the A259 Bognor Road and access through the site should facilitate the closure of the northern end of Vinnetrow Road to vehicular traffic and should safeguard land for a bus lane along the A259 Bognor Road.

The Vision Document illustrates the potential realignment of Vinnetrow Road to a new junction onto the Bognor Road. The accompanying Transport Technical Note demonstrates how it has been master planned using junction modelling to demonstrate that road alignment and junction improvement would provide a suitable and safe access arrangement and improvement to highway capacity. The Transport Technical Note also demonstrates that an access can be provided onto the A259 to form a fourth arm with the proposed traffic signals associated with the site to the north. It is agreed that subject to a detailed transport assessment the site can be delivered in accordance with this criterion.

9. Improve provision for sustainable travel modes, including regular bus services linking the site with Chichester city centre, and new improved cycle and pedestrian routes, linking to existing public footpaths, bridleways and cyclepaths, including the bridge over the A27.

The site can link with the cycle path that bounds the Bognor Road and with further improvements as detailed in the criterion, the site can be delivered with sustainable travel options.

10. Ensure that the design and layout minimises the risk of flooding from all sources (both now and in the future) impacting the development without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall, incorporating SuDS if appropriate. A management scheme should be prepared to address groundwater flooding affecting the eastern part of the site, which should be funded via s106 contributions. Flood mitigation measures and drainage features must be integrated into the development in a manner which facilitates the achievement of a high standard of design and layout, and supports biodiversity net gain.

A flood risk assessment would be prepared to support any future application in accordance with SuDS principles and which supports biodiversity net gain. The sentence requiring a management scheme is not clear about what is expected and whether it involves off-site works for which S106 funds are sought. The wording needs to be more precise and ensures compliance with S122 of the CIL regulations.

11. Provide for infrastructure in accordance with the Infrastructure Delivery Plan.

Again, this is not clear what infrastructure is being referred to beyond that in criterion 8 and 9 and should be more precise.

12. Proposals for development within a Minerals Safeguarding Area (which the site falls within) will need to accord with Policy M9: Safeguarding Minerals of the West Sussex Joint Minerals Local Plan (or updated version). A Mineral Resource Assessment will be required prior to any development being consented, which addresses the relevant requirements set out in the West Sussex Joint Minerals Local Plan.

A minerals report would accompany any application and it is not considered that any requirements would preclude the delivery of the site.

4. Technical work to date

4.1 A range of technical work has been completed and the findings reflected within the strategy proposed within the accompanying Vision Document. In summary the documents, which have informed the Vision Document are as follows:

- **Highways** – Preliminary Transport Strategy demonstrated that:
 - The proposal would facilitate the diversion of the Vinnetrow Road, removing the arm onto the Bognor roundabout and improving capacity.
 - The Vinnetrow Road traffic would be redirected through the site to Bognor Road to create a fourth arm of the proposed traffic signals.
 - The closure of Vinnetrow Road would facilitate new pedestrian and cycle links to the bridge over the A27.
 - The internal link road can be designed to DMRB standards.

- **Landscape and Visual Amenity** – A Landscape and Visual Impact Assessment demonstrated that:
 - The proposed landscaping would conserve the limited contribution of this area to rural character along the adjacent roads, whilst contributing an improvement to landscape structure in the short to mid term, increasing into the long term as trees matured and habitat established.
 - A new public view of Chichester Cathedral would be provided
 - No impact on the special qualities of the SDNP or perceptible change from identified viewpoints
 - Some change to visual amenity but vegetated context preserved and enhanced in the longer term

- **Ecology** – A Biodiversity Net Gain calculation was undertaken and informed the masterplan. A Preliminary Ecological Appraisal concluded the following:
 - The new access road will break up some boundary features but compensation planting can take place within the site which will provide new wildlife linkages and other existing features enhanced

- The site is within the Singleton and Cocking Tunnels SAC but mitigation, compensation and enhancement should ensure no significant impacts on barbastelles or Bechstein bats
- Further surveys/precautionary measures are recommended for other protected species which can then lead to recommendations for protection, compensation and mitigation.

5. Conclusion

- 5.1 In conclusion, the Client supports the allocation of Land South of Bognor Road for commercial development (Policy A20). The technical work and accompanying Vision Document demonstrate that the site is capable of delivering the 28,000sqm of commercial development during the course of the plan period.
- 5.2 There is some concern about the ability to provide 5 no. plots for Travelling Showpeople and the large associated storage area given the constraints on the site and the need for enhancement in terms of, in particular, biodiversity net gain and drainage.
- 5.3 It is requested that minor changes to the wording of the policy are included to allow for a level of flexibility as set out in this representation. This will ensure the commercial development is delivered and the delivery of showpeople plots accords with local needs at the time of development.
- 5.4 It is requested that more precise wording is included in criteria 10 and 11 so that the expectations are clear.