

**REPRESENTATIONS TO THE CHICHESTER LOCAL
PLAN 2021-2039 REGULATION 19
CONSULTATION**

SUBMITTED BY GLEESON LAND IN RELATION TO
LAND WEST OF CLAY LANE, FISHBOURNE

MARCH 2023

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1. INTRODUCTION

1.1 These representations are submitted by Gleeson Land in response to Chichester District Council's (CDC) Local Plan Review Regulation 19 Consultation. The Consultation comprises the Draft Plan for Submission, alongside the Sustainability Appraisal, Habitat Regulations Assessment and accompanying evidence base.

1.2 These representations have been prepared in objective terms and assesses the Local Plan Review against the National Planning Policy Framework 2021 (NPPF) and national Planning Practice Guidance (PPG).

1.3 In summary, we have significant concerns the Plan as drafted is not "sound". Specifically:

- Recent Duty-to-Cooperate discussions with neighbouring authorities have been on the proviso the Council cannot accommodate its housing needs in full, which we believe not to be the case. The Council should be looking to at least meet its full identified need plus an additional buffer to accommodate unmet need from South Downs National Park and ensure there is a realistic prospect of meeting housing needs. Discussions should be re-visited in the context housing needs are not constrained, including consideration whether there are any unmet needs which could be accommodated in Chichester District – which would be consistent with the Preferred Approach consultation (2018);
- The Spatial Strategy is unjustified in its elevation of the Service Centres of Hambrook / Nutbourne, Loxwood and Bosham over Fishbourne. Fishbourne should also be recognised as a 'more sustainable' location where additional growth can and should occur – which would be consistent with the Preferred Approach consultation;
- There are significant matters within the Local Plan Transport Study that have not been considered by the Council which, if properly addressed would allow identified housing needs to be achieved in full – which would be consistent with the Preferred Approach consultation;
- 21% of the overall supply identified in the draft Plan are from sites without the benefit of planning permission 'carried forward' from previous Plan-making exercise. Further evidence is required to justify these sites to demonstrate that they remain deliverable or developable;

- 21% of the overall supply identified in the draft Plan is attributed to 'broad locations' or neighbourhood planning areas where specific sites are to be allocated through Neighbourhood Plans or a subsequent Development Plan Document. This poses a significant risk to the delivery of housing across the Plan period and should be rectified through the identification and allocation of additional suitable sites; and
- Policy NE4 (Strategic Wildlife Corridors) as drafted is not considered to be positively prepared, justified, nor consistent with national policy, and would not lead to an effective strategy for growth. It should be amended to more accurately reflect the objectives and role of the Strategic Wildlife Corridors.
- The Sustainability Appraisal was based on the assumption that there is capacity for no more than 535dpa in the southern planning area, which is a flawed starting point. As a result, the sustainability appraisal and the draft Local Plan decision making process need to be revisited.

1.4 Gleeson Land has land interests at 'Land West of Clay Lane, Fishbourne) (the "Site"). The Site has previously been submitted to the Council as a suitable and deliverable location to accommodate growth and was supported by Representations in response to the Council's Preferred Approach consultation in December 2018.

1.5 Detailed technical and environmental information supports these Representations to demonstrate the suitability of the Site as a location to accommodate up to 105 homes, as summarised in Section 3.

2. REPRESENTATIONS TO REGULATION 19 CONSULTATION

2.1 This section sets out our representations in response to the Regulation 19 consultation, specifically matters relating to:

- Duty to Co-operate;
- The Spatial Strategy;
- Meeting Housing Needs;
- Strategic Wildlife Corridors; and
- Sustainability Appraisal.

a) Duty to Co-operate

2.2 Section 110 of the Localism Act 2011 sets out the 'duty to co-operate'. This requires Local Planning Authorities, County Councils and a number of other public bodies to co-operate in relation to strategic cross-boundary matters in the preparation of Development Plans.

2.3 The NPPF (2021) confirms in paragraphs 24 – 27 that LPA's have a duty to cooperate with each other and other prescribed bodies on a range of cross-boundary strategic issues in an effective and continuous manner.

2.4 In terms of the strategic matters, Planning Policy Guidance clarifies that this is a duty to discuss and not a duty to agree. However, LPA's should make the effort in seeking and securing necessary cooperation on cross-boundary issues.

2.5 The consultation is supported by a Duty to Cooperate Statement of Compliance (January 2023), which summarises engagement undertaken up to the point of the Regulation 19 consultation with relevant bodies, including neighbouring authorities.

2.6 In respect of neighbouring authorities, these comprise:

- Arun District Council (ADC);
- East Hampshire District Council (EHDC);
- Havant Borough Council (HBC);
- Horsham District Council (HDC);
- South Downs National Park Authority (SDNPA); and
- Waverley Borough Council (WBC)

2.7 All are at various stages of Plan-making.

2.8 Whilst the Council has demonstrated ongoing engagement with the referenced authorities and other relevant bodies, we are concerned that the Plan strategy, specifically the 'constrained' housing requirement figure, has focused some of these conversations with neighbouring authorities on meeting Chichester's unmet need

rather than the ability of Chichester to meet the unmet need of those authorities, most notably the South Downs National Park.

- 2.9 This is backwards step from the Preferred Approaches consultation (December 2018) which sought to address an element of unmet need through agreement with South Downs National Park.
- 2.10 As detailed below, we consider there is no justified rationale for a suppressed housing requirement figure and the Council should re-visit its discussions with neighbouring authorities, particular the South Downs National Park, to understand any unmet need which can be accommodated within Chichester District.

b) The Spatial Strategy

- 2.11 Chapter 3 of the draft Local Plan defines how housing and other needs will be met spatially across the District, in accordance with a defined settlement hierarchy.
- 2.12 Paragraphs 3.5 through 3.28 of the Draft Local Plan summarise the rationale for the proposed distribution of growth, including noting:
- That growth is required in both urban and rural areas to meeting needs;
 - The focus remains on Chichester city as a main sub-regional centre and the most sustainable location;
 - Outside of Chichester, development will be focused on 'settlement hubs' within the east-west corridor at Tangmere and Southbourne;
 - Outside of these locations land for new development will be identified and allocated through the Local Plan or a neighbourhood plan at Service Villages where there are suitable locations to do so; and
 - The Local Plan aims to continue to protect the countryside.
- 2.13 Draft Policy S1 (Spatial Development Strategy) broadly reflects the above, and states that "new residential and employment development is [to be] distributed in line with the settlement hierarchy, with a greater proportion of development in the larger and more sustainable settlements". The corresponding table identifies a range of 'Strategic Development Locations' which are considered to be the 'more sustainable settlements' including the service villages of Bosham, Hambrook / Nutbourne (combined) and Loxwood.
- 2.14 Draft Policy S2 (Settlement Hierarchy) expands this list to include a wider range of settlements where development will be delivered through site allocations as well as windfall development in accordance with other policies in the draft Plan.
- 2.15 Whilst we have no objection to the principle of distributing the majority of growth to the most sustainable location, subject to consideration of constraints, it is our view the Council has not sufficiently justified the rationale behind its settlement hierarchy.

2.16 This is because a key settlement, Fishbourne, has been overlooked in the settlement hierarchies set out in draft Policies S1 and S2 without good reason. Fishbourne, has not been identified as a more sustainable settlement and 'Strategic Development Location' in the table at draft Policy S1, and has instead only been identified in draft Policy S2 as a 'Service Village', and a location for the non-strategic provision of only 30 homes. This is despite Fishbourne being a highly sustainable location with suitable and deliverable locations for growth (including Gleeson's site as detailed in Section 3).

2.17 No evidence is provided which considers the sustainability of Service Centres that provides justification for Hambrook / Nutbourne, Loxwood and Bosham being elevated over Fishbourne.

2.18 From our own review, it is clear there is no rationale for this, as shown below:

	Current population¹	Sustainable transport options	Existing services / facilities	Draft Local Plan proposals
Fishbourne	2,666	Train Station and bus services	Primary School Medical Practice Public Houses Community Hall Supermarket (Tesco Extra) Roman Palace (inc. coffee shop)	30 homes
Hambrook / Nutbourne	Hambrook: 1,908 Nutborne: 1,962 Combined total: 3,870	Train Station (Nutbourne) and bus services	Post office Public House	300 homes
Loxwood	1,026	Bus services	Primary School Medical Practice Post Office Community Hall	220 homes
Bosham	1,578	Train Station and bus services	Primary School Medical Practice Post office Co-op shop	245 homes

¹ Source: ONS, 2021 Census Table TS001

Created using either Output Areas (OAs) or Lower Super Output Areas (LSOAs) to represent a 'best-fit' of each settlement.

			Churches Public Houses	
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2.19 We consider that Fishbourne should instead be recognised as a ‘more sustainable’ location where additional strategic-scale growth can and should occur. It has a commensurate number of services and facilities compared to other Service Villages. The proximity to Chichester compared to the other Service Centres and the multitude of employment opportunities and facilities there is also a unique strength of Fishbourne. It also benefits from a nearby Tesco Extra.

2.20 This would be consistent with the Regulation 18 Preferred Approach (December 2018) consultation which identified (through the previous version of draft Policy S1 – at that stage identified as Policy S3 Development Strategy) Fishbourne as a “larger and more sustainable settlement”, alongside Bosham, Hambrook / Nutbourne and Hunston, with an allocation of a “minimum of 250 dwellings”. Loxwood was not recognised as a more sustainable settlement at that time, albeit was still identified to accommodate 125 homes.

2.21 No information has been provided to justify this change in approach between the Regulation 18 and Regulation 19 consultation. We therefore consider the current approach to the Spatial Strategy is not justified and consider draft Policy S1 not “sound”.

c) Meeting Housing Needs

i) The Housing Requirement

2.22 Para 5.2 of the draft Local Plan identifies a constrained supply figure of 575dpa is proposed, below the identified housing needs for the District which is calculated at 638dpa (through the Standard Method). This equates to a shortfall of 1,134 dwellings against identified housing needs across the Plan period of 2021 – 2039 or circa. 10% of the identified housing needs.

2.23 Moreover, the draft Plan no longer seeks to provide an additional allowance for accommodating unmet need arising from the South Downs National Park. The draft Plan notes that this is due to constraints arising from transport capacity, in particular, the operational capacity of the A27 Chichester by-pass which forms part of the Strategic Road Network governed by National Highways.

2.24 However, we consider this position is not positively prepared and is unjustified, and therefore results in a Plan which is not “sound”.

2.25 This is because on a review of the Local Plan Transport Study (January 2023) (LPTS) there appear to be significant matters which have not been considered by the Council which would allow identified housing needs to be achieved in full. This includes:

- The LPTS and draft Local Plan makes no allowance for the RIS 3 funding review, which is due to be concluded in 2023/24. The A27 has previously been identified as a location for government investment (circa. £100m), with the funding only withdrawn as it was not possible to get consensus between local authorities. However, it is reasonable to assume that an award of funds is likely through RIS 3. An award of fund through RIS3 would significantly increase network capacity on the A27, which in turn would enable greater levels of growth to be realised – it is noted that the LPTS sensitivity testing demonstrates an additional 165dpa can be achieved with the delivery of the full mitigation package.;
- The modelling underpinning the LPTS may overestimate the amount of traffic that is likely to be generated by the planned growth strategy. A blanket trip rate may not be reflective of the nature and location of identified developments, and no allowance has been made for the internalisation of trips within strategic sites, and the allowance made for sustainable travel (5%) does not correspond with WSCC Travel Plan targets (10%);
- The baseline traffic flows informing the modelling has a 2014 base, with further validation undertaken in 2018. Changes to traffic flows as a result of behavioural change since the Covid-19 pandemic will therefore not be reflected in the assessment;
- In the period since the modelling informing the LPTS has been undertaken, future traffic growth has been reforecast by the Department for Transport and subsequently released in December 2022. The forecast growth is considerably lower than that used to inform the LPTS, and thus the assessment overestimates future year base line flows;
- No additional modelling of a 700 dpa strategy with the reduced mitigation package has been undertaken. It has not been demonstrated that the proposed package of measures cannot accommodate an uplift in dpa;
- The mitigation strategy appears to goes beyond mitigation of the development impacts and result in an improvement of conditions beyond the baseline flows. This would suggest that there is headroom in the strategy to accommodate an uplift in dpa, even without improvements at Stockbridge;
- There is a significant difference in the costing outputs of the mitigation strategy prepared by Stantec, as authors of the LPTS, and the CDC-WSCC revisions. It is not unreasonable to assume that the Stantec costings are accurate, given its experience of such infrastructure and that the exercise was informed by National Highways, who govern the A27 as part of the Strategic Road Network. Further

consideration should be given as to whether the uplifted costs presented by CDC-WSCC are accurate.

- 2.26 We therefore consider that the CDC should be looking to meet at least its full identified need of 638dpa, plus an additional buffer to accommodate unmet need from South Downs National Park, which was identified as circa. 40dpa in the Preferred Approaches consultation (December 2018). In addition, an appropriate buffer (i.e. 5%) should also be applied to ensure there is a realistic prospect of meeting housing needs.
- 2.27 If CDC was to adopt this approach, it would result in an increased requirement of 712 dpa, or 12,816 dwellings over the course of the Plan period. Based on the currently identified supply of 10,359 dwellings, a further circa. 2,500 homes would need to be identified and allocated through the Plan to address this uplift.
- 2.28 In meeting this additional need, re-consideration of locations previously identified in the Preferred Approaches consultation as sustainable / suitable locations for growth, such as Fishbourne, would clearly be required.

ii) Components of Supply

- 2.29 Policy H1 (Meeting Housing Needs) identifies that the total supply across the Plan Period (of 10,359 dwellings) is comprised of:
- Completions 2021/22 – 712 dwellings;
 - Known commitments:
 - Outstanding 2015 Local Plan and Site Allocations DPD 2014 – 2029 allocations without permission – 2,210 dwellings;
 - Outstanding ‘made’ Neighbourhood Plan allocations without planning permission – 100 dwellings; and
 - Planning permission as of 01 January 2023 – 3,364 dwellings.
 - New Strategic Locations / Broad Locations for Development and Allocations without planning permission – 3,056 dwellings;
 - Non-Strategic Parish Housing Requirements without planning permission – 260 dwellings; and
 - Windfall (small site allowance) – 657 dwellings.
- 2.30 A significant proportion of the above ‘known commitments’ (circa. 21%) comprise outstanding allocation from the 2015 Local Plan and 2014 Site Allocations DPD. These allocations, that do not benefit from planning permission, have simply been ‘carried forward’ from previous Plan-making exercises. Given the time which has elapsed since these allocations were previously considered and adopted, and the lack of progress being made in delivering homes at these allocations, the Council should satisfy itself that these allocated sites remain suitable and deliverable locations for re-allocation in the draft Plan. It is considered that the approach of carrying these allocations

forward and re—allocating them within the draft Local Plan without evidence to confirm they remain deliverable or developable renders these allocations as unjustified. Clearly, if there is insufficient evidence to confirm these sites are deliverable or developable, then this brings into question whether re-allocating these sites in the draft Plan is an effective strategy for addressing growth requirements.

- 2.31 Further, of the above components of supply in Policy H2 (Strategic Locations / Allocations) 2,150 dwellings (circa. 21%) are attributed to broad locations (in the case of 1,050 dwellings in Southbourne) or neighbourhood planning areas (for the locations of Chichester City, Nutbourne and Hambrook, Loxwood, Boxgrove, Fishbourne, Kirdford, North Mundham, Plaistow and Ifold, Westbourne, and Wisborough Green) where specific sites will be allocated through Neighbourhood Plans or a subsequent Development Plan Document.
- 2.32 As indicated by the Housing Trajectory at Appendix E of the draft Local Plan there is a clear need for new allocation sites to come forward quickly, especially as existing sites under construction are scheduled to (in the main) conclude within the next 3 – 5 years.
- 2.33 We consider there is a significant risk from the current strategy which effectively postpones identifying site specific allocations for over 1/5 of the current housing requirements until further Plan-making exercises are completed. As currently drafted, we consider the strategy is not positively prepared, nor would it be effective in addressing housing needs over the Plan period.
- 2.34 We consider this could be rectified through the identification and allocation (through the emerging Plan itself) of additional suitable sites, such as Gleeson’s site in Fishbourne as detailed in Section 3.

Recommended Change

- 2.35 In view of the above, we proposed the following changes:

- 1) Increase the Policy H1 housing figure to at least 712 dpa (12,816 dwellings over the plan period) to meet the standard method figure in full; to help meet unmet needs arising within the South Downs National Park; and to provide a 5% delivery buffer:

Housing Figure Element	Dwellings Per Annum	Dwellings between 2021 and 2039
Standard Method	638	11,484
South Downs National Park Unmet needs Allowance	40	720
5% Delivery Buffer	34	612
Total Housing Figure	712	12,816

- 2) Increase the Policy H1 East-West Corridor sub-area housing provision figure from 8,717 dwellings to 11,174 dwellings between 2021 to 2039.
- 3) Update the Policy H1 components of housing supply figures, in particular the 'Category b Known commitments' following a critical review of the deliverability of the respective supply sites,
- 4) Re-consideration locations previously identified in the Preferred Approaches consultation as sustainable / suitable locations for growth, such as Fishbourne.

d) Strategic Wildlife Corridors

- 2.36 Draft Policy NE4 proposes the introduction of Strategic Wildlife Corridors (SWC), with consideration of the locations and rationale for these as set out in the Strategic Wildlife Corridors Local Plan Review Background Paper (December 2018). The 4no. identified corridors seek to provide ecological connectivity between Chichester Harbour SPA or Pagham Harbour SPA and the South Downs National Park.
- 2.37 These Representations are accompanied by a 'Review of Policy NE4' prepared by Aspect Ecology (**Appendix A**), which reviews the proposed Wildlife Corridors, with specific reference to the West of Chichester to Fishbourne Strategic Wildlife Corridor (SWC4) that is partly located within Gleeson's Site at Land West of Clay Lane, Fishbourne.
- 2.38 As detailed in the accompanying Ecology Technical Note prepared by Aspect Ecology:
- The SWCs appear to avoid areas of intensively farmed arable land, with areas of built development and urban areas preferentially incorporated over arable land. Thereby acknowledging that residential areas often retain functional habitat for wildlife, particularly within green infrastructure, and can readily meet the requirements of the Strategic Wildlife Corridors in terms of ensuring ecological connectivity is maintained for wildlife through the landscape;
 - Residential development can contribute positively to the function of the corridors particularly where key habitats are retained and green infrastructure is included;
 - Subject to a sensitive ecologically led masterplan, development can be accommodated whilst fully maintaining the functional elements of the corridor. Appropriate development could bring forward considerable benefits to biodiversity through securement of long-term favourable management; and
 - There exists an opportunity to extend SWC4 to the east of the A27 to strengthen the ecological network.
- 2.39 Further, the Ecology Technical Note proposes changes to the wording of Policy NE4, which we consider necessary for soundness - specifically the removal of the requirement to demonstrate there are no "sequentially preferable" sites available outside a SWC and that any proposed development would not have a significant adverse impact on the "integrity" and function of a corridor as a whole. This is due to:

- Sensitive development can positively contribute to the objectives of SWCs;
- The policy as worded conflicts with the requirements of Paragraph 180 of the NPPF noting that avoidance measures (including consideration of alternative sites) are not required if significant harm to biodiversity is avoided; and
- An “integrity” test relates to paragraph 182 of the NPPF and the assessment of effects on SPAs/SACs/Ramsar sites in the context of an Appropriate Assessment, it is not appropriate for SWCs, which are a lower level of local designation. The wording of the policy should reflect the protection afforded to be proportionate to their designation status.

2.40 It is our view the sequential test should only be applied in circumstances where the NPPF advocates for this, i.e. cases relating to Flood Risk, Town Centre uses and where there is significant harm to biodiversity resulting from development which cannot be avoided, adequately mitigated or compensated for (which as reflected above is not the case for any development in the SWC).

2.41 Policy NE4 as drafted is considered not to be “sound” on the basis it is not positively prepared, not justified, not consistent with national policy and would not lead to an effective strategy for growth (i.e. supressing development on potentially suitable sites). Policy NE4 should be amended to more accurately reflect the objectives and role of the SWC, with our proposed wording:

Development proposals will only be permitted where it would not lead to a significant adverse effect upon the ecological value, function and connectivity of the strategic wildlife corridors.

Development proposals within strategic wildlife corridors will only be granted where it can be demonstrated that:

- 1. The development will not have a significant adverse impact on the function of the wildlife corridor and protects and enhances its features and habitats.**
- 2. The proposal will not undermine the connectivity and ecological value of the corridor.**

Development proposals outside, but in close proximity to the strategic wildlife corridor will be acceptable where it can be demonstrated that:

- a) The development will not have a significant adverse impact on the function of the wildlife corridor; and**
- b) The proposal will not undermine the connectivity and ecological value of the corridor.**

All proposals for new development (with the exception of householder applications) within or in close proximity to wildlife corridors should take opportunities available in order to extend or enhance those corridors.'

2.42 In addition, the supporting text at paragraph 4.18 should be amended to refer to the function of the corridor not the integrity as set out above in relation to NPPF paragraph 182. The revised text should read:

4.18 The Council will apply an additional layer of planning restraint to the countryside protection policies within these strategic wildlife corridors to ensure that connectivity between the South Downs National Park and the Chichester Harbour AONB and Padgham Harbour is maintain in the long term. ~~Within the corridors it will be necessary to demonstrate that no land outside of the corridor is available for development and the development will not have an~~ If a significant adverse impact on the function of the corridor resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then it will not be permitted.

e) Sustainability Appraisal

2.43 By way of context to these representations, we note that the Chichester Transport Study, dated January 2023, concludes at paragraphs 5.6.5 and 11.2.3:

"5.6.5 It is concluded that in the main, the 700 dpa (southern plan area) demands can generally be accommodated by the mitigation proposed for the 535 dpa core test although at the Portfield roundabout and Oving junction, capacity issues get worse with the 700 dpa demands, with additional mitigation being required. As no schemes have been designed to date, it would be advisable to retain some costs against for future works against Portfield Roundabout as a minimum."

"11.2.3 A sensitivity test with 700 dpa has been undertaken. It is concluded that in the main, the 700 dpa demands can generally be accommodated by the mitigation proposed for the 535 dpa core test, although at the Portfield roundabout and Oving junction, capacity issues get worse with the 700 dpa demands and these junctions may need to consider further mitigation. As no schemes have been designed to date, it would be advisable to retain some cost against for future works against Portfield Roundabout as a minimum. It is unlikely there would be significant capacity in the network beyond 700 dpa, considering full mitigation package."

- 2.44 Although the Transport Study is dated January 2023, it is noted that the report's Document Control Sheet (page ii) confirms it was first issued back in April 2022, and has since been the subject of revisions prior to finalisation.
- 2.45 The Transport Study conclusion that 535 dwellings per annum (dpa) was not an absolute 'cap' to housing development within the southern planning area was therefore well known to the Council during the time that the SA was being prepared to inform draft CLP decision-making process.
- 2.46 In view of the above, we are fundamentally concerned that the basis of the reasonable alternatives tested have been infected by a fundamentally flawed starting point conclusion that there is capacity for no more than 535 dpa within the southern planning area:
- "The southern plan area (i.e. the east west corridor and Manhood Peninsula) is highly constrained by capacity on the A27. Detailed discussions with National Highways and WSCC, over the course of 2019-2022, have led to a resolution that there is capacity for no more than 535 dpa in this area" (paragraph 5.2.11, first bullet).*
- 2.47 The SA must be revisited given that this factual flaw goes to the heart of the process of selecting and testing reasonable alternative options. Consequentially, the draft CLP decision-making making process will also need to be revisited, as this too has been infected by the factually incorrect SA.

3. LAND WEST OF CLAY LANE, FISHBOURNE

3.1 Gleeson Land is promoting land at Land West of Clay Lane, Fishbourne (the Site) as a suitable and deliverable location for residential development adjoining the existing settlement of Fishbourne.

3.2 As reflected in Section 2 of these representations, Fishbourne has been identified as a sustainable location in the adopted Local Plan (2019), and in the draft Local Plan where Fishbourne has been identified as a 'Service Village' where there is a good range of existing services and facilities, including existing sustainable transport modes which offer choice for residents avoiding reliance on private car usage.

i) Site Description

3.3 Land West of Clay Lane (the Site) is formed of 2no. distinct parcels of land, separated by a rail-line, which combine to provide a total area of circa. 7 hectares to the west of Clay Lane. The Site comprises (1) land north of the rail-line between Clay Lane and existing residential development to the west totalling circa. 5 hectares and (2) land to the south of the rail-line between the A259 (to the south), A27 (to the east, albeit separated from the Site by dense vegetation and a significant levels difference) and Fishbourne Roman Palace (to the west), totalling circa. 1.9 hectares.

3.4 Much of the northern parcel comprises overgrown and unmanaged, rough grassland, which has grown over time since the cessation of agricultural uses (grazing). The south eastern corner of the northern parcel is currently used as a horse paddock.

3.5 A Public Right of Way (PROW) runs through the Site (Path No. 3053). The PROW runs from Clay Lane across the railway line to the Main Road. The PROW network extends south along either side of the Fishbourne Channel and west towards Chichester.

3.6 The Site is located within Flood Zone 1 and therefore is at low risk of flooding from River or Sea.

3.7 There are no Listed Buildings or other known heritage assets located within the Site itself. To the north of the rail-line there are limited built heritage assets with the exception of 2no. Grade II Listed Buildings to the east of the A27 and other more distant located to the north and north-west of the village.

3.8 To the south of the rail-line Fishbourne Roman Palace / Site is located immediately to the west of the Site including scheduled monument and Grade II* Park and Garden. In addition, there are nine Listed Buildings located along Fishbourne Road all Grade II Listed. The Fishbourne Conservation Area is located immediately to the south-west.

3.9 The existing facilities and services of Fishbourne (as detailed above) are located a short walk from the Site.

ii) Vision for Site

- 3.10 Gleeson has been promoting the Site as a suitable and sustainable location for residential development, seeking to bring forward a proposal for the Site in accordance with the emerging Local Plan and/or Fishbourne Neighbourhood Plan. As part of this, and in the context of the Preferred Options consultation which indicated a minimum of 250 dwellings to be allocated around Fishbourne, Gleeson has developed a Vision for the Site, supported by detailed technical work and engagement with the local community.
- 3.11 The Vision seeks to create new high quality and sustainable residential development that is set within a mature landscape context, achieved through the retention and enhancement of the existing trees, hedgerows and ecological features of most value.
- 3.12 Work completed to date, including that detailed below, indicates the Site is wholly capable of supporting a scheme for up to 105 dwellings including policy compliant levels of affordable housing, public open spaces, wetlands for nitrate mitigation and biodiversity enhancements.
- 3.13 An Illustrative Masterplan (Drawing No. 1270.2, **Appendix B**) has been prepared which demonstrates how a landscape-led development could successfully come forward on the Site for 105 dwellings. All built development is to be focused to the north of the rail-line.
- 3.14 Gleeson is in continued discussions with Network Rail to agree the most appropriate provision of an enhanced/accessible access across the railway line, if necessary, potentially in the form of new bridge alongside the diversion of existing public footpath 3053 which passes through the Site. It is intended for development of the Site to provide funding for these improvement works, thereby securing an enhanced railway line crossing for existing and future users. However, this requires a certain quantum of development to be secured on the Site for this to be a viable proposition.
- 3.15 The vision for the Site has evolved through community and stakeholder engagement, most notably positive meetings with the Parish Council (who is it is understood prefer the Site over other potential options to the west of the village) and a public consultation exercise completed in November 2020.
- 3.16 The public consultation (completed during COVID-19 restrictions) included the launch of project specific website and distribution of consultation leaflet to all properties within Fishbourne Parish plus additional properties to the east of the A27, totalling 1,361 addresses.

- 3.17 Over the course of the 5-week consultation period circa. 400 unique visits were made to the consultation website, with circa. 80 responses received via the website. A further circa. 110 responses were received via the freepost feedback slip.
- 3.18 Whilst a large number of responses objected to the principle of development in / around Fishbourne and on the Site, specific comments on technical, environmental and design matters were considered during the course of preparation of the Illustrative Masterplan and accompanying (forthcoming) application material.
- iii) Suitability of the Site for residential development
- 3.19 As part of the work to prepare the vision for the Site, technical and environmental work has been prepared to support a future planning application and to demonstrate the Site is a suitable and deliverable location for housing development.
- 3.20 A summary of this work is below, with these representations accompanied by the relevant technical and environmental work completed.

Landscape and Visual

- 3.21 A Landscape and Visual Impact Assessment (LVIA, **Appendix C**) has been undertaken which assesses the likely effects of the proposed development upon the landscape and the Site's contribution to the wider landscape.
- 3.22 The LVIA demonstrates that the Site is not subject to any qualitative landscape designations at a national or local level. Furthermore, it is considered that neither the Site nor its immediate setting represent a "value landscape" with reference to para 174(a) of the NPPF.
- 3.23 As illustrated within the visual assessment, the Site is characterised by its settlement edge setting. Views of the Site are well contained and highly localised, as a result of the low lying flat landscape setting alongside the established vegetation structures associated with the Site boundaries and the transport corridors. This would be enhanced through additional native structural hedgerow and tree planting.
- 3.24 In reviewing effects upon the landscape character, it is considered some harm is acknowledged to the immediate landscape character of the Site itself, however this is restricted to the Site itself and reduces within the immediate setting.
- 3.25 It is considered that the proposals will not give rise to any significant adverse effects in terms of landscape character, nor would it result in significant harm in terms of its impact on the landscape character of the area.
- 3.26 The LVIA notes that whilst there will be some localised adverse effects on landscape and visual receptors, due to evident change in land use, these would be integrated

within the Site due to the existing and proposed landscaping, thereby reducing predicted landscape and visual effects over time. To this extent, it is noted that the LVIA concludes that new built form on the Site would be set within a high quality landscape design, resulting in a visually attractive design.

- 3.27 It is considered that the proposals include a number of design solutions to ensure that the built elements will be of a high quality of design befitting of the localised landscape and townscape character. It is therefore considered that the proposed development will successfully integrate into the Site and wider landscape, as a sympathetic extension to the village.
- 3.28 Accordingly, it is considered that the proposals comply with the aims and objectives of the NPPF, the Chichester's Local Plan 2014 – 2029, Fishbourne Neighbourhood Plan policies and the published landscape character assessments / Strategy for West Sussex Landscape.

Transport and Traffic

- 3.29 A Transport Assessment (TA, **Appendix D**) has been prepared which considers the Site's accessibility to existing modes of sustainable transport, details the proposed access arrangement, and assesses the traffic conditions post completion of the development.
- 3.30 The TA confirms that the Site is in an accessible area within reasonable walking distance of a number of everyday services including retail, education, employment and leisure facilities.
- 3.31 Local bus stops along Clay Lane are within a reasonable walking distance of the Site, providing bus services to Chichester and surrounding areas. In addition, Fishbourne Station is accessible from the Site, serving destinations such as Chichester and Portsmouth and Southsea.
- 3.32 The TA confirms that safe vehicular access will be provided into the Site from Clay Lane via a new dedicated priority junction. In addition, to enhance permeability, pedestrian and cycle accesses are provided to the south-east of the Site with new public footway proposed under the A27 to link to existing footways to the west of Chichester.
- 3.33 A detailed appraisal of traffic impacts has been carried out within the TA and in line with the agreed methodology received from West Sussex County Council Highways. The proposed development is expected to generate 51 vehicular movements during the weekday morning peak hour and 48 vehicular movements during the weekday evening peak hour. Subject to identified mitigation, all of the junctions assessed are shown to operate within capacity with the addition of the proposed development traffic flow.

- 3.34 The impact of traffic generated by the proposed development on the operation of the highway network is not significant and falls well short of the severe test (NPPF paragraph 111).

Flooding and Drainage

- 3.35 A Flood Risk Assessment and Drainage Strategy (FRA, **Appendix E**) has been prepared to consider impacts of the proposed development on flooding and vice versa.
- 3.36 The FRA confirms the Site is located solely within Flood Zone 1 (and therefore at the lowest risk of fluvial flooding). There are small areas of surface water flood risk within the Site, however these are predominately associated with the existing field boundaries / ditch network and railway culvert.
- 3.37 As detailed in the FRA, through groundwater monitoring it has been established that infiltration would not be viable option for surface water drainage. As such, the option of discharge to watercourse (existing ditches) is the preferred option.
- 3.38 It is proposed that surface water generated by the development would drain to detention basins located to the north of the rail-line. Basin volumes have been calculated to attenuate flows for all rainfall events up to a 1 in 100 year storm event plus 40% to account for climate change.
- 3.39 The FRA demonstrates the risks and impacts of the proposed development can be managed to an appropriate level, with the adoption of mitigation measures to be employed.
- 3.40 In respect of Foul Drainage, it is proposed to convey foul water from the development via gravity to a private wastewater treatment plant, to the north of the rail-line within the Site.
- 3.41 Treated effluent would discharge to ditch, following which water would be diverted from the ditch network into proposed wetlands to the south of the Site. The private treatment plant and wetlands would provide nutrient removal, prior to discharge back into the ditch. The wetland design has been developed in collaboration with Natural England.
- 3.42 A Nutrient Neutrality Assessment and Mitigation Strategy (**Appendix F**) reviews the proposed foul drainage strategy in the context of the Solent catchment area, in accordance with the Council's nitrate budget calculator. As detailed in the Assessment, the development would give rise to a nitrate surplus of 180.09kg/year. The proposed wetland system would provide sufficient nitrate removal to offset this, alongside providing additional biodiversity, amenity and water quality benefits.

Ecology

- 3.43 An Ecological Appraisal (**Appendix G**) provides a summary of the results of the ecological appraisals undertaken to inform and guide the proposed development. This includes detail following survey work completed on-site including specific species surveys.
- 3.44 As acknowledge in the Appraisal, the Site is not located within an area of Statutory or non-statutory nature conservation. The nearest statutory designations are Chichester and Langstone Harbour Special Protection Area (SPA) and Ramsar, Solent Maritime Special Area of Conservations (SAC), Chichester Harbour Special Site of Scientific Interests (SSSI), which have overlapping boundaries and, in combination, are situated approximately 400m south of the Site.
- 3.45 The Site is located within the proposed West of Chichester to Fishbourne Strategic Wildlife Corridor (part of the draft Local Plan Review). The proposals have been developed within the context of this emerging requirement. As detailed in the Assessment, the functional elements of the corridor, largely within field margins, will be retained, protected and enhanced where appropriate. As such, structural connectivity facilitating north-south movements through the corridor will be maintained.
- 3.46 The Appraisal concludes the proposed development can contribute positively to the function of the corridor through retention of habitats, faunal enhancements and long-term favourable ecological management.
- 3.47 The Appraisal has identified that the Site comprises varying habitat / ecological features, predominately common in nature and not considered important ecological features in their own right.
- 3.48 Hedgerow, tree and ditch habitats have been identified in the Assessment as important ecological features, due to their combined value as, and contributing to, ecological corridors. The proposals include the retention of the majority of these, with the exception of minor removal of a small section of non 'important' hedgerow necessary to facilitate access, with buffers applied where necessary.
- 3.49 Survey work undertaken confirms the Site supports reptiles, low to moderate numbers of foraging/commuting bats, Water Voles, and common breeding birds. Appropriate mitigation measures, such as retention and protection of relevant boundary features, additional surveying pre-works, and reptile translocation will be implemented to safeguard the species present.
- 3.50 The proposals include significant opportunities to deliver ecological enhancements on Site for the benefit of local biodiversity, thereby making a positive contribution towards national and local conservation objectives. This includes, importantly, the

management of land to the south of the rail-line for ecological enhancement through shrub planting, wetland creation and habitat creation for reptiles and invertebrates.

Arboriculture

- 3.51 An Arboricultural Survey has been undertaken with potential constraints identified in the supporting Arboricultural Impact Assessment (**Appendix H**).
- 3.52 As detailed on the assessment, the Site does not lie within a Conservation Area. 2no. Tree Preservation Orders have been identified within the Site that cover two trees, both of which are to be retained as part of the proposed development.
- 3.53 These assets, alongside others to be retained as identified through arboricultural survey, have informed the Illustrative Masterplan to demonstrate the quantum of development proposed can suitably be accommodated on the Site whilst preserving arboricultural assets.
- 3.54 The Arboricultural Impact Assessment indicates how development would protect trees during construction, with an arboricultural method statement to be secured through condition.
- 3.55 As concluded by the Assessment, with the mitigation measures proposed the development would have a low impact on trees and is therefore acceptable in that regard.

Heritage

- 3.56 An Archaeological Desk Based Assessment (**Appendix I**) has been prepared considering heritage implications of the proposed development.
- 3.57 The Site is located in proximity to a number of heritage assets, notably those to the south of the rail-line including the scheduled Fishbourne Roman Palace and Registered Garden and Fishbourne Conservation Area. However, the built development proposed is separated from these by the rail-line and intervening vegetation. As detailed in the Assessment, the lack of intervisibility assists in ensuring the proposed development would be unlikely to negatively impact upon the setting of these heritage assets.
- 3.58 As recommended by the assessment, the proposed development has sought to sensitively respond to these heritage assets through design with built development located to the north of the rail-line (which provides physical separation), alongside use of appropriate building heights (predominately 2-storeys) and additional landscape planting throughout the Site, including along the boundary with the rail-line.

- 3.59 The assessment concludes the proposed development will, at worst, have little to no adverse effect (i.e. negligible) on the setting's contribution to the significance of the scheduled Fishbourne Roman Palace and Registered Garden.
- 3.60 The level harm to the setting of the heritage assets and their significance falls within a 'less than substantial' level. In accordance with para. 202 of the NPPF, any less than substantial harm should be weighed against the public benefits of the proposal. In this instance, the public benefits of the proposal, comprising the delivery of housing including new family and affordable homes alongside associated social, economic and environmental benefits, including the delivery of a new rail-crossing, are considered to demonstrably outweigh any less than substantial harm identified.

Contamination

- 3.61 Phase 1 Geo-Environmental Desk Study (**Appendix J**) and Phase 2 Geo-Environmental Site Investigation (**Appendix K**) reports have been prepared which confirm the land has predominately remained as undeveloped agricultural fields throughout its history and that it is therefore unlikely to be significantly contaminated. Some localised contamination risk may be present; however this would not preclude the Site from potential residential development,
- 3.62 Site investigation has confirmed the majority of the site is uncontaminated with the exception of a small area of made ground.
- 3.63 A formal remediation strategy would be developed post-consent and once the detailed layout has been formalised to address the limited contamination risks identified across the Site and ensure the creation of a safe living environment for future occupiers.

Conclusions

- 3.64 It is considered that the Site, adjoining the existing Service Village of Fishbourne, provides a suitable and sustainable location for growth which should be allocated for residential development as part of the emerging Local Plan.
- 3.65 Development of the Site could bring forward a number of immediate economic benefits alongside wider social and environmental benefits, including:
- **Social Benefits:** Much needed new homes including affordable housing, and the provision of open space that will contribute to increasing the quality of the environment providing a range of social experiences, all of which will be in easy walking distance of the new homes thereby encouraging the development of healthy communities.

- **Economic Benefits:** Creation of jobs through construction of the development, contributing to the local economy; post-completion the proposal will accommodate a growing workforce which will deliver economic output, as well as onward spend by future occupiers on retail expenditure on convenience goods, comparison goods and expenditure on leisure goods and services in the local area; financial contributions through CIL.
- **Environmental Benefits:** The delivery of a high-quality sensitive scheme that would sit comfortably in its setting and the delivery of landscape and ecological enhancements.