

Our ref: Q090707
Email: [REDACTED]
Date: 1 November 2023



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

By email

Dear Chichester District Council Planning Policy Department,

A27 Chichester Bypass Mitigation Supplementary Planning Document Consultation

We write on behalf of Obsidian Strategic Asset Management Limited, DC Heaver and Eurequity Ltd in response to the consultation on the Chichester District Council A27 Chichester Bypass Mitigation Supplementary Planning Document.

We are concerned that Chichester District Council (CDC) is preparing and attempting to adopt a Supplementary Planning Document (SPD) before the emerging Chichester Local Plan has been examined by a planning Inspector. **For this reason, we object to the draft SPD.**

In attempting to adopt an SPD before the draft Local Plan has been examined, CDC are relying upon an evidence base that has yet to be tested or considered sound by an Inspector. Given this, CDC are failing to act in accordance with the Planning Practice Guidance that requires SPDs to “*build upon and provide more detailed advice or guidance on policies in an adopted plan* [our underlining].”¹

In addition to this, we object to the draft SPD’s methodology for calculating planning contributions. This methodology is flawed, disproportionate and not supported by evidence. The proposed methodology for calculating planning contributions only focusses on residential uses within the district and fails to reflect the impact of other forms of development.

Please find our full comments in the table below.

¹ Planning Practice Guidance Paragraph: 008 Reference ID: 61-008-20190315



SPD Section / Paragraph Reference	Comments																				
<p>4.23 - Using the approach set out above, a contribution rate of £3,049.16 per bedroom has been established (£7,623 divided by 2.5). This would then provide the following contribution scale (rounded to the nearest whole £):</p> <ul style="list-style-type: none"> • 1-bed = £3,049 • 2-bed = £6,098 • 3-bed = £9,147 • 4+ bed = £12,197 	<p>The application of a contribution per bedroom policy is flawed and disproportionate, implying that a 4-bedroom house generates double the level of vehicular trips as a 2-bedroom house or four times the traffic of a 1-bedroom flat. Whilst the approach seeks to make the contribution proportionate to its impact, it fails to do so.</p> <p>The suggested approach is not borne out by any provided evidence and fails to recognise that larger housing generally accommodates families, including children who do not drive. This can be demonstrated simplistically using the WSCC Parking Calculator which identifies expected car demand by bedroom size. When applied to the proposed SPD it demonstrates the disproportionate loading of costs on larger family housing.</p> <table border="1" data-bbox="520 1005 1423 1193"> <thead> <tr> <th>Dwelling Size</th> <th>SPD £</th> <th>Parking Demand</th> <th>£ per Car</th> </tr> </thead> <tbody> <tr> <td>1 Bed</td> <td>£3,049</td> <td>1.5</td> <td>£2,033</td> </tr> <tr> <td>2 Bed</td> <td>£6,098</td> <td>1.7</td> <td>£3,587</td> </tr> <tr> <td>3 Bed</td> <td>£9,147</td> <td>2.2</td> <td>£4,158</td> </tr> <tr> <td>4 Bed</td> <td>£12,197</td> <td>2.7</td> <td>£4,517</td> </tr> </tbody> </table> <p><i>* Parking demand taken from WSCC Parking Guidance</i></p> <p>In the same manner, the SPD does not recognise the potential benefits that can be achieved by developing in more sustainable locations where traffic impacts can be reduced more readily. Instead, the SPD treats all development in the plan equally, and does not reflect the reduced impact on the A27 corridor that is achieved by developing sustainable schemes that reduce traffic demands on the A27 corridor. The A8 allocation site is one such example that would be delivered in a sustainable location, well connected to alternative means of travel, and alongside delivery of an on-site primary school, local centre, and community facilities all of which will materially reduce travel demand and in turn reduce the impact on the A27 corridor.</p> <p>The contributions would fail to meet the CIL Reg 122 tests – it is not proportional in scale to the impact of development Any contribution should be based on expected vehicle trips generated by development instead, taking account of the location and mix of the scheme proposed in an evidenced manner.</p>	Dwelling Size	SPD £	Parking Demand	£ per Car	1 Bed	£3,049	1.5	£2,033	2 Bed	£6,098	1.7	£3,587	3 Bed	£9,147	2.2	£4,158	4 Bed	£12,197	2.7	£4,517
Dwelling Size	SPD £	Parking Demand	£ per Car																		
1 Bed	£3,049	1.5	£2,033																		
2 Bed	£6,098	1.7	£3,587																		
3 Bed	£9,147	2.2	£4,158																		
4 Bed	£12,197	2.7	£4,517																		



SPD Section / Paragraph Reference	Comments
4.19 - Calculations of planning contributions	<p>The calculation of planning contributions is focussed on only residential uses within the district which fails to reflect the impact of development in the calculation of the SPD contribution.</p> <p>This approach is flawed and disproportionately loads the cost of infrastructure improvements on residential developments, without key traffic generators (for example commercial development) required to mitigate for the impact they create, and without requiring cross-boundary development to mitigate its impact in Chichester or reflecting other funding that may be secured in the period of the SPD.</p> <p>The approach does not account for any funding being sought from:</p> <ul style="list-style-type: none">- Development in neighbouring districts (i.e. Havant BC and Arun DC). It is feasible that both districts will promote development impacting on the A27 corridor in Chichester. The SPD recognises that growth in Chichester district is only one contributor to issues on the A27 which carries significant through traffic and CDC as LPA should seek funding from development that meet the CIL tests irrespective of their location. By failing to recognise this in the formula of the SPD, the proposed approach is unreasonable and burdens development in Chichester to address an issue it does not create alone.- Development in the northern part of the District which will still contribute to the need for the A27 improvement as strategic infrastructure. The SPD approach should be amended to include all allocations in the Local Plan.- Non-residential development, such as commercial / employment, which will generate traffic and impact on the A27 corridor, is not required to fund improvements to mitigate the impact it creates. Whilst employment development can seek to rebalance traffic flows and commuting patterns, many types of commercial development would result in net traffic impacts on the A27 corridor and should reasonably be required to contribute to its improvement in the same manner as residential development.

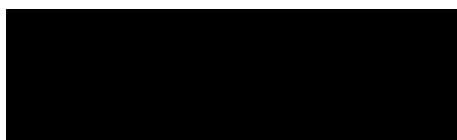


SPD Section / Paragraph Reference	Comments
	<ul style="list-style-type: none"> - Alternative funding sources for example through government grant funding (such as RIS) or through the use of CIL receipts. The draft SPD suggests that CIL will not be used to fund A27 improvements and instead be directed to other infrastructure demands across the district. This is inappropriate as CIL is intended to deliver the wide range of community infrastructure required in an area. The improvement of the A27 corridor is one of the greatest infrastructure requirements in the district, impacted by development of all types and scales, and CIL funding should contribute to its funding as part of the package of funding sources that need to be considered to deliver the improvement. This should be rectified in the draft SPD and the CIL Regulation 123 list amended accordingly. - Additional contributions achieved through speculative and infill development brought forward outside of the Local Plan allocations. The SPD should recognise that this will occur and allow for additional funding to contribute to the A27 contributions pot, thereby reducing the funding burden on the allocations reasonably.
<p>4.9 - As the new Local Plan has not yet be subject to Examination, it is not possible to be clear on exactly how much residential development within the south of the District will be acceptable to 2039 on the basis of the reduced level of mitigation proposed. However, the emerging Local Plan proposes a total level of development amounting to 9,630 dwellings (or an average of 535 per year) for the area south of the National Park.</p> <p>4.10 - This effectively places a ceiling or cap on the level of new homes coming forward. But that 'cap' does not only apply</p>	<p>The Local Plan Evidence base used to inform the SPD considered assessment of development at 535dpa which forms the draft Local Plan. However, the evidence that is presented also considered a sensitivity test of 700dpa, concluding that the same A27 mitigation package could accommodate this higher level of growth in a similar manner.</p> <p>To base the SPD on evidence that has not been properly examined (through EIP) is premature and risks disproportionately loading infrastructure requirements on development that comes ahead of the adoption of the Plan and as such is premature. The A27 contribution formula is intrinsically linked to the level of growth promoted in the draft Local Plan, and so if this increases, the contribution calculation would need to be amended to reflect this. This approach is contrary to the PPG which states that SPDs should build on advice and guidance in the Local Plan. Coming ahead of the Local Plan but basing its assessment on the emerging strategy is unsound on this basis.</p>



SPD Section / Paragraph Reference	Comments
<p>once the new Local Plan has been adopted. National Highways has indicated that it considers that the 'baseline' for assessing the impact on development coming forward on the A27 should start in January 2023, when the Council's modelling work on traffic impact was published within the Local Plan Transport Assessment. This means that any new dwellings coming forward now within the south of the District, whether planned or otherwise, will count towards the overall 'cap' on new homes.</p>	

Yours sincerely



Stephen Rose
Associate

Enc: Representation Form

cc: Philip Scott, Obsidian Strategic
Lynne Evans, Southern Planning
Tim Wall, i-Transport