



Representation Form

A27 Chichester Bypass Mitigation Supplementary Planning Document Consultation

Ref:

**(For official
use only)**

The consultation on the draft Supplementary Planning Document (SPD) will run from 22 September 2023 to 3 November 2023. The document and more information on the consultation can be viewed on our website at www.chichester.gov.uk/currentplanningpolicyconsultations

All comments must be received by 5pm on Friday 3 November 2023.

There are a number of ways to submit your comments:

- Online via our consultation portal accessed via our website www.chichester.gov.uk/currentplanningpolicyconsultations **(Recommended)**
- By emailing an electronic version of this form to planningpolicy@chichester.gov.uk
- By posting a copy of this form to us at: Planning Policy Team, Chichester District Council, East Pallant House, 1 East Pallant, Chichester, West Sussex, PO19 1TY

How to use this form

Please complete Part A in full. Please note anonymous comments cannot be accepted, a full address including postcode must be provided.

Please complete Part B overleaf, using a new form for each separate SPD section that you wish to comment on. Please identify which paragraph your comment relates to by completing the appropriate box.

For more information, or if you need assistance completing this form, please contact the Planning Policy Team by email at planningpolicy@chichester.gov.uk or telephone 01243 785166.

Part A

1. Personal Details*

**If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

Title

First Name

Last Name

Job Title
(where relevant)

2. Agent's Details (if applicable)

Isabella

Tidswell

Planner

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Part B

Please use a new form for each representation that you wish to make. Please note anonymous comments cannot be accepted. Any personal information provided will be processed by Chichester District Council in line with the General Data Protection Regulations 2018. More information is available at: <http://www.chichester.gov.uk/dataprotectionandfreedomofinformation>.

3. To which part of the SPD does this representation relate?

Section
Title

n/a

4. Please indicate if you wish to:

(a) Support

(b) Object

(c) Comment

Please tick as appropriate

5. Please use this box to provide a short explanation for your response

Please refer to attached representations.

Continue on a separate sheet /expand box if necessary

6. Please provide details of any modification(s) you would like the Council to consider.
Please be as precise as possible.

Please refer to attached representations.

Continue on a separate sheet /expand box if necessary

The Church Commissioners for England (CCfE)

Representations in respect of the Chichester District Council (CDC) '*Chichester Local Plan 2014-2029: A27 Chichester Bypass Mitigation*' consultation draft Supplementary Planning Document (SPD) (Consultation 22 September to 3 November 2023)

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1 Introduction

- 1.1.1 This representation has been prepared on behalf of the Church Commissioners for England (CCfE) in respect of Chichester District Council's (CDC's) '*Chichester Local Plan 2014-2029: A27 Chichester Bypass Mitigation*' consultation draft Supplementary Planning Document (SPD), which was issued for consultation in August 2023.
- 1.1.2 CCfE is currently promoting several residential developments across West Sussex, including both within Chichester District and strategic allocations within neighbouring Arun District, and therefore has an interest in the status and content of the consultation draft SPD.

2 Background

- 2.1.1 As stated within the introductory section of the consultation draft SPD, it is noted that the technical evidence base covering the impact of new development in the south of the District on the A27 Chichester Bypass, and the mitigation required to address this, has been updated. As such, it is noted that CDC takes the position that its previous approach to securing development contributions towards future mitigation of the A27 Chichester Bypass, in accordance with its 2016 adopted SPD '*Approach for securing development contributions to mitigate additional traffic impacts on the A27 Chichester Bypass*', is no longer sufficient, which has led to the preparation of the new (consultation draft) SPD, to respond to the evidence base and update the approach.
- 2.1.2 The A27 Chichester Bypass is a Trunk Road, forming part of the national Strategic Road Network (SRN) which is managed by National Highways (NH) on behalf of the Secretary of State. Noting this, we are also aware of a recent letter from NH to CDC in the context of a recent planning appeal and dated 11 September 2023, which provides some clarification on NH's position with regards to the previous SPD.

3 Proposed A27 Chichester Bypass Highway Mitigation

- 3.1.1 The consultation draft SPD (with specific reference to Paragraph 2.6, p. 6) states that, "*Although the 2016 SPD has been successful in securing more than the target level of developer contributions for A27 improvement works, the remaining improvement works to the Fishbourne, Bognor, Stockbridge and Whyke roundabouts have not been possible to deliver. The main reason for this is that the cost of delivering these improvement works has increased very significantly over the past decade, well beyond the level of funding that has been secured through planning contributions under the 2016 SPD.*"
- 3.1.2 As a result of the above, the consultation draft SPD continues (at Paragraph 4.1, p. 10) and states that, "*Therefore, the Council [CDC] has had no option but to propose a reduced mitigation package which will focus on delivering the improvements works to both Fishbourne and Bognor junctions, as described within Section 7 of the Local Plan Transport Assessment (Stantec,*

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January 2023). These junction improvements are also set out within the Infrastructure Delivery Plan and the Infrastructure Business Plan.”

- 3.1.3 Paragraph 4.4 of the consultation draft SPD identifies what are understood to be the latest available cost estimates for each of the above two junctions, which are stated as being between £9.5 and £12.9 million for the Fishbourne Roundabout (with the Terminus Road Link); and between £19.4 and £30.4 million for the Bognor Road Roundabout (with the Vinnetrow Road Link); a total cost range of between £28.9 million and £43.3 million. As discussed further on within this representation, the consultation draft SPD identifies (at Paragraph 4.23) a contribution rate for developments of £3,049.16 per bedroom. It is unclear how such a precise 'per bedroom' contribution rate can be identified, given the estimated costs of the works at the two A27 Chichester Bypass junctions prioritised for improvements are so wide-ranging – indeed ranges of many million pounds per junction.
- 3.1.4 Furthermore, as discussed at the recent planning appeal for Barratt David Wilson (BDW) Southampton's proposed development for 300 dwellings at 'Land at Highgrove Farm, Main Road Bosham, PO18 8EH (CDC planning application reference: 21/00571/FUL; The Planning Inspectorate appeal reference: APP/L3815/W/23/3322020) (heard by way of a public inquiry between 3 and 10 October 2023), it is noted that the technical evidence base that it is understood underpins the consultation draft SPD remains a 'work in progress'. The identification of such a precise per bedroom contribution amount is therefore considered to be premature at this stage and should be revisited once the technical evidence base is completed.

4 Contribution Rate Formula

- 4.1.1 It is further noted that the previous SPD set out a formula for calculating the required development contributions, based on the number of dwellings proposed. It is noted that the 'per dwelling' amount varied depending on where within the District the proposed developments were located, with proposed developments within geographical areas closer to the A27 Chichester Bypass generally attracting a higher 'per dwelling' contribution than proposed developments which were located further away. It is our view that this previous approach was largely sufficiently robust and logical, accepting that proposed developments located within closer proximity to the A27 Chichester Bypass are typically expected to have a greater 'per dwelling' traffic impact on it, compared with proposed developments located further away. However, we would add that any approach should also reflect the extent to which car trips from a development are shifted onto sustainable transport modes.
- 4.1.2 The consultation draft SPD identifies a per bedroom contribution rate (£3,049.16 per bedroom), which would therefore result in the contribution per dwelling varying depending on the number of bedrooms it comprises. However, it is noted that there is no variation in the contribution rate as a result of geographical location or proximity to the A27 Chichester Bypass, or indeed the role of sustainable travel.

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- 4.1.3 Whilst it is accepted that the traffic impact of a dwelling *may* vary depending on the number of bedrooms it comprises, because in turn it could be assumed, for example, that the greater number of bedrooms a dwelling comprises, the more occupants it has and therefore the greater the level of car ownership and/or traffic generation (for example, the number of car trips per day), it is concerning that there appears to no longer be any variation in the contribution rate, due to the geographical proximity of the proposed development site to the A27 Chichester Bypass. It is surmised that the consultation draft SPD simply requires a certain size dwelling to pay the same contribution, regardless of its location within the District and proximity to the A27 Chichester Bypass – this omission, it is considered, is fundamentally flawed and unfair to proposed developments situated further away from the A27 Chichester Bypass, which would logically have a lesser traffic impact on it, compared with proposed developments situated in closer proximity.
- 4.1.4 Additionally, this 'per dwelling' approach does not account for different levels of traffic generation, determined by other factors including the promotion of effective sustainable (e.g. walking, cycling and public transport) transport measures at a development, and therefore does not incentivise the development of these measures.

5 Consideration of the Strategic Role of the A27 Chichester Bypass

- 5.1.1 As detailed with Section 9.9 'Apportionment of A27 Scheme Costs' of the January 2023 Stantec Transport Study, a 'SATURN' area-wide strategic traffic model was used to estimate traffic demands impacting the SRN A27 Chichester Bypass, split into Local Planning Review and committed development, and background traffic growth. Paragraph 9.9.4 states that, "*an assessment was undertaken at each of Fishbourne, Bognor, Whyke and Stockbridge Roundabouts on the SRN. For each junction, the assessment (2 way by direction) was undertaken for each approach arm in the 2014 Base Model and in the 535 DPA scenario Plan Year model (assumed to be 2039). This was used to estimate growth due to CDC proposed development and due to background growth. This also included an analysis of through traffic on the A27 by undertaking the appropriate assessment.*"
- 5.1.2 In order to circumvent modelling limitations such as suppressed trips in the more congested AM and PM peak hours, the flow analysis was undertaken at Annual Average Daily Traffic (AADT) flow level by converting model AM and PM peak flows accordingly.
- 5.1.3 The results of the model demonstrated that developments within Chichester District are forecast to contribute 28% of the growth at the A27 Chichester Bypass Fishbourne and Bognor Road roundabouts, between base year 2014 and Local Plan year 2038. As referenced in Paragraph 9.9.6, "*The results indicate that at Fishbourne junction, Chichester developments contribute only 28% of the growth at the junction between 2014 Base Year and 2038 Local Plan year. At Bognor Junction this figure is also estimated at 28%. The figures at Stockbridge and Whyke Roundabouts are 14% and 18% respectively. This will be proportionately less when considering only new*

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development proposed by the emerging Local Plan (i.e. that which is not already committed), which is approximately a third of the overall development envisaged by the Plan."

- 5.1.4 Paragraph 9.9.7 states, "All the junctions are shown to be over capacity without the Local Plan traffic added in. Therefore, it is clear that the issues seen at these junctions are not just a result of the Local Plan and committed development traffic, but other background and existing traffic also impact on performance of the junctions."
- 5.1.5 CDC would be expected to contribute these proportions towards scheme mitigation costs, whilst the remaining funding should come from other sources. As noted, the A27 (including the Chichester Bypass) is a Trunk Road forming part of the national SRN. Given the important role of the A27 Chichester Bypass in facilitating longer distance strategic journeys as well as more local journeys, it is considered that funding for junction improvements along the A27 Chichester Bypass should also come from Central Government level – it should not fall to CDC and developments in the local area to mitigate more than their respective impacts.

6 Future Developments Proposed Dwelling 'Cap' and Suggested Alternative Approach

- 6.1.1 The consultation draft SPD proposes the implementation of a 'cap' on future housing development in the south of the district, to 3,551 uncommitted dwellings (Paragraph 4.12). The SPD states, "a ceiling or cap on the level of new homes coming forward. But that 'cap' does not only apply 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."
- 6.1.2 The consultation draft SPD states that viability test has been undertaken which equated to £7,623 per dwelling (Paragraph 4.16). Arriving at this figure is considered to be premature, if impacts from outside Chichester District, including impacts from longer distance strategic journeys, have not been taken into account.
- 6.1.3 Furthermore, the very limited number of dwellings (3,551) left to implement in the south of the district up to 2029 will have a significant and detrimental impact on housing supply within the district, potentially exacerbating existing housing shortages at a local level.
- 6.1.4 The imposition of a cap on the number of *dwellings* that can be delivered is also considered to be fundamentally flawed. This cap does not take account of the varying levels of traffic generation that can come from a development, influenced e.g. by the site's location and potential for travel by sustainable transport modes. It has also been proposed in the context of mitigation schemes that do little for sustainable travel and which are focussed on improving highway capacity. We would assert that no such housing cap should be put in place and, instead, planning applications

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for developments should continue to be determined based on residual traffic impact and proposed mitigation (including their ability to shift car trips onto sustainable transport modes).

- 6.1.5 The cap should not be predicated on the number of residential dwellings, rather it is suggested that a 'Vehicle Trip Budget' should be determined for the entire area and apportioned evenly across the allocated sites. The individual sites should then develop communities that can exist within the limits of their own individual share of the Vehicle Trip Budget.
- 6.1.6 The principle of a Vehicle Trip Budget is to identify the maximum level of external vehicular peak hour development trips, to ensure that future development does not result in a deterioration in the performance of the immediate highway network. This approach also directs development and growth towards the utilisation of non-car modes, which will both enable and promote sustainable development, allowing sites with better sustainable credentials to achieve a higher level of development. To ensure that the trip budget is met, a 'Monitor and Manage' approach should be adopted which provides measures for reducing vehicle car trips if targets are not achieved.
- 6.1.7 The overall approach outlined above allows new developments to be brought forward without altering the modelled performance of the highway network. The principle here is that developments must not further increase car driver delay on the network, nor must schemes be proposed that increase highway capacity above what has been tested and deemed acceptable within the modelling. This approach is in line with the latest good practice guide to transport planning which promotes a 'Vision and Validate' approach to new development, whereby the level of vehicle trips is capped in line with the level of capacity on the network (previously established by modelling work on traffic impact). The Vehicle Trip Budget is then not exceeded, through the Vision for the new development (which should promote sustainable transport measures), and is validated by the Monitor and Manage approach.
- 6.1.8 If the proposed cap is based on dwelling numbers alone, then the result will be a 'business-as-usual approach' and limited incentive to provide sustainable infrastructure to support new housing. Therefore, it is concluded that, instead, a Vehicle Trip Budget be established to help support a Vision and Validate approach to developments across the District, that seeks to maximise opportunities to travel by non-car modes by creating places and providing facilities that enable this.

7 National Highways Position

- 7.1.1 National Highways issued a letter, dated 11 September 2023 to CDC, in the context of a recent planning appeal, setting out NH's position with regards to the adopted CDC SPD. NH states that it is in agreement with *"the Council's [CDC's] decision to revise and replace the current SPD to reflect the current and future circumstances including the emerging Local Plan. We [NH] agree that the Council should now lead the collection and governance of developer contributions to fund mitigation measures, including the collection of higher contribution levels, as part of the delivery of the overall Local Plan and its supporting infrastructure and measures; (noting that some mitigation measures/schemes may not directly include the strategic road network (SRN))."*

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- 7.1.2 NH states within its letter that it will consider proposals on a ‘case-by-case’ basis and either recommend that planning permission should be refused, or recommend a set of appropriate planning conditions to make the development acceptable, as follows: *“So far as future planning applications are concerned any responses from NH will consider proposals on a case-by-case basis and if, as a result of traffic generated by the development there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the SRN would be severe, NH will either recommend that permission should be refused or recommend appropriate Planning Conditions to make the development acceptable.”*
- 7.1.3 It is understood, in light of the letter, that NH will continue to work with CDC, *“to identify measures necessary to mitigate the impact of the Proposed Submission Local Plan on the SRN. NH are supportive in principle of a Monitor & Manage approach that reflects the principles of current policies, including C1/22, subject to the technical and policy details.”*
- 7.1.4 It is evident from NH’s letter that, whilst it agrees with CDC’s decision to revise and replace the current adopted SPD, it does not endorse the consultation draft SPD nor does it provide a position with regards to the proposed per bedroom contribution rate. It remains unclear how NH’s proposed position going forwards, to consider proposals on a case-by-case basis, is consistent with CDC’s proposals to continue collecting contributions, albeit at a new higher rate and, it is argued, with less technical robustness.

8 Emerging Draft Local Plan

- 8.1.1 The ‘*Chichester Local Plan 2021-2039 Proposed Submission (February 2023)*’ has not yet been adopted and therefore the current CDC Local Plan still remains in force. It is accepted that the SPD formula for A27 Chichester Bypass mitigation contributions (cost per dwelling) as set out in the adopted SPD (which forms part of the adopted Local Plan) needs to be updated to account for cost inflation. However, without a proper formula that is robust and subject to examination (as would be the case with CIL), and which is based on the use of industry standard calculations, it is considered that the proposed formula put forward is premature and requires further scrutiny.

9 Summary and Conclusions

Summary

- 9.1.1 This representation has been prepared on behalf of the CCfE in respect of CDC’s ‘*Chichester Local Plan 2014-2029: A27 Chichester Bypass Mitigation*’ consultation draft SPD, which was issued for consultation in August 2023. CCfE is currently promoting a number of residential developments across West Sussex, including both within Chichester District and as part of strategic allocations within neighbouring Arun District, and therefore has an interest in the status and content of the consultation draft SPD.
- 9.1.2 This representation highlights several significant issues and concerns with the consultation draft SPD, which are summarised as follows:

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1. The consultation draft SPD identifies a range of cost estimates for the proposed A27 Chichester Bypass junction improvements. However, to fund the improvements it also identifies a precise per bedroom contribution rate. It is unclear how such a precise per bedroom contribution rate can be identified, given the cost estimates are so wide-ranging – indeed ranges of several million pounds per junction.
2. The technical evidence base that it is understood underpins the consultation draft SPD remains a 'work in progress'. The identification of such a precise per bedroom contribution amount is also considered to be premature at this stage.
3. The previous SPD set out a formula for calculating the required development contributions, which varied depending on where in the District the proposed developments were located. It is our view that this previous approach was largely sufficiently robust and logical, accepting that proposed developments located within closer proximity to the A27 Chichester Bypass are typically expected to have a greater 'per dwelling' traffic impact on it, compared with proposed developments located further away. However, in the consultation draft SPD there is no variation in contribution rate as a result of geographical location or proximity to the A27 Chichester Bypass, or indeed the role of sustainable travel.
4. As noted, the A27 (including the Chichester Bypass) is a Trunk Road forming part of the national SRN. Given the important role of the A27 Chichester Bypass in facilitating longer distance strategic journeys as well as more local ones, it is considered that funding for junction improvements along the A27 Chichester Bypass should also come from Central Government level – it should not fall to CDC and developments in the local area to cover more than their respective impacts.
5. The consultation draft SPD suggests the implementation of a 'cap' on future housing development in the south of the district, to 3,551 uncommitted dwellings – this approach is considered to be fundamentally flawed. This cap does not take account of the varying levels of traffic generation that can come from a development, influenced e.g. by the site's location and potential for sustainable travel. It has also been proposed in the context of mitigation schemes that do little for sustainable travel and which are focussed on improving highway capacity.
6. We would assert that no such housing cap should be put in place and, instead, planning applications for developments should continue to be determined on a case-by-case basis, based on residual traffic impact and proposed mitigation (including their ability to reallocate car trips onto sustainable transport modes). It is evident from recent NH correspondence that it does not endorse the consultation draft SPD. However, it is clear that NH proposes to consider development proposals on a case-by-case basis.
7. Instead of a cap on the number of dwellings, it is suggested that a Vehicle Trip Budget should be determined for the entire area and apportioned proportionally across the allocated sites. This approach also directs development and growth toward utilisation of

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non-car modes, which will both enable and promote sustainable development allowing sites with better sustainable credentials to achieve a higher level of development. To ensure that the trip budget is met, a Monitor and manage approach should be adopted which provides measures for reducing vehicle car trips if targets are not achieved.

8. The '*Chichester Local Plan 2021-2039 Proposed Submission (February 2023)*' has not yet been adopted and therefore the current CDC Local Plan still remains in force. It is accepted that the SPD formula for A27 Chichester Bypass mitigation contributions (cost per dwelling) as set out in the adopted SPD (which forms part of the adopted Local Plan) needs to be updated to account for cost inflation. However, without a proper formula that is robust and subject to examination (as would be the case with CIL), and which is based on the use of industry standard calculations, it is considered that the proposed formula put forward is premature and requires further scrutiny.

Conclusions

- 9.1.3 In conclusion, we have a number of significant concerns and issues with the approach taken in the consultation draft SPD and cannot support it in its current form.
- 9.1.4 Our concerns include the proposed application of a per bedroom contribution rate (even though the underlying technical work remains a 'work in progress' and cost estimates for junction improvements remain varied and wide-ranging), and a proposed cap on the number of dwellings that can be accommodated. Instead of a cap on the number of dwellings, it is suggested that a Vehicle Trip Budget should be determined for the entire area and apportioned proportionally across the allocated sites – developments would therefore be encouraged to identify sustainable transport solutions to reduce their traffic impacts, potentially allowing a greater number of overall trips (by all modes) and therefore a greater amount of development.
- 9.1.5 NH has stated that it proposes to consider proposals on a case-by-case basis, on the basis that it has not endorsed the approach set out in the consultation draft SPD. We agree insofar that a more nuanced and case-by-case approach to development should be taken.