

CHICHESTER LOCAL PLAN 2021 - 2039
REGULATION 19 CONSULTATION
REPRESENTATIONS

Land East of Southbourne
On behalf of Wates Developments
and Seaward Properties

March 2023

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1.0 INTRODUCTION

- 1.1 These representations have been prepared by Barton Willmore on behalf of Wates Developments Ltd and Seaward Properties (hereby referred to as 'the Consortium'), who are jointly promoting Land East of Southbourne, the settlement being proposed for a mixed-use allocation under draft policies H2 and A13. It is submitted to the Chichester Local Plan Regulation 19 consultation.
- 1.2 The Consortium agrees with the broad direction of the draft plan in allocating housing in Southbourne and present the land east of Southbourne as a sustainable, deliverable and appropriate mechanism to deliver a development that meets the aspirations of the community.
- 1.3 The Consortium has been working together to promote the land east of Southbourne and have previously committed to working with the Neighbourhood Plan Group and wider community to develop an agreed masterplan and phasing approach to comprehensively deliver housing, community facilities, employment and green infrastructure as guided by the emerging local plan.
- 1.4 The following sections of the report provide comment to support the proposed allocation and its effective delivery in the future. Alongside these representations, the submission also includes the following:
- Highways Technical Note prepared by i-Transport.
- 1.5 The Consortium is in agreement with the overarching principles of the emerging Local Plan, including the drive for a sustainable development that is environmentally responsible, meeting biodiversity net gain and nitrate neutrality, as well as sensitively masterplanned to develop the community as a whole and integrate the facilities such that they are accessible to the existing residents, as well as the new.
- 1.6 A robust and extensive evidence base has been prepared to inform the illustrative masterplan and prior submissions to the Southbourne Neighbourhood Plan preparation. This evidence base continues to evolve and be updated, and we feel this information will be invaluable in forming the final agreed masterplan in terms of its deliverability and comprehensiveness.

Existing policy position

- 1.7 The Chichester Local Plan was adopted in 2014, and the Inspector was clear that it would require a review within 5 years to ensure that the housing needs of the district would be met in the long term. As required, Chichester District commenced a Plan Review. These representations support the broad direction of the plan and offer comments to the "Proposed Submission" (Regulation 19) stage of the preparation process.
- 1.8 By way of background, Policy 2 of the adopted Local Plan identified Southbourne as a settlement capable of strategic allocation and housing delivery, acting as a Settlement Hub that provides services for the surrounding communities. It is therefore identified as a location and focus for growth. This approach is carried forward in draft Policy S1, S2 and H2 of the emerging Local Plan.
- 1.9 As noted above, the overarching principles of spatial strategy and settlement hierarchy are consistent between the adopted Plan and emerging document. Therefore, the principle of a strategic extension to Southbourne is consistent with the strategic policies of the adopted Local Plan.

2.0 REPRESENTATIONS TO THE REGULATION 19 CONSULTATION

The Local Plan Vision

- 2.1 Whilst we support the broad direction of the vision within the draft Local Plan for sustainable development, improved accessibility and climate change mitigation, we question whether the identified issues within the Chichester Plan Area are addressed by the vision. There would appear to be a lack of aspiration as to what the Council want Chichester District to become over the course of the plan period and beyond. Issues are identified, namely those of out-commuting and an ageing population, with no tangible solutions identified at the overarching direction stage. This results in the vision portraying a bland image and lack of overall ambition.
- 2.2 The Vision acknowledges that, by the end of the plan period (2039), only half of the District's population will be working age, a fall from 55.8% and well below the national average of 62.3%. Despite the Plan's recognition of this the vision fails to identify how the District plans to attract those of a working age at this stage, which will only exacerbate the HEDNA's forecast of a further fall away from the national average in terms of active workforce. We would suggest that the most appropriate solution to champion at the vision stage is to utilise housing and the spatial strategy as a means to not only address the decreasing active workforce but also to confront other issues such as outcommuting and increased reliance on private motor vehicles.
- 2.3 In this regard, we consider there is an opportunity for the strategic allocations across the District to plan for working aged people to be a major constituent part of the communities created, whilst also planning for a mixed uses and meaningful alternatives to the private car so as to reduce reliance on the private car and create sustainable communities.

Spatial Strategy

- 2.4 We support the overall spatial strategy within the Draft Plan and agree with the continuing stance that Southbourne should act as a sustainable settlement hub with the potential for new residential development proportional to its size and influence in the District.

Climate Change and the Natural Environment

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- 2.5 We support the requirement of Policy NE5 to provide a minimum of 10% biodiversity net gain against a pre-development baseline. Further, we agree that the Bird Aware Solent strategy is an effective mechanism for avoiding adverse effects on the Chichester and Langstone Harbours (SAC, SPA and Ramsar).
- 2.6 We do have concerns in relation to Policy NE16 (Water Management and Water Quality) and the potential overreliance on necessary improvements to the wastewater treatment works (WwTW) to support residential development. The emerging plan makes it clear that that upgrades to wastewater infrastructure will be necessary to manage the increased wastewater from housing growth over the plan period. The emerging plan relies on the upcoming Southern Water Drainage and Wastewater Management Plan (DWMP) to provide solutions for conveyance and treatment of wastewater over the next 25 years yet there is no fallback position should these WwTW improvements not be delivered in time. Southbourne currently drains to Thornham wastewater treatment works, which is heavily constrained, with the SoCG between CDC, the Environment Agency and Southern Water stating, "*whilst no definite showstoppers to treating wastewater from new homes across the plan period have been established, it is clear that providing significant additional capacity at Thornham WWTW is dependent upon significant infrastructure improvements*".
- 2.7 The Thornham position statement, referenced in Draft Policy NE16 requires new development proposals within the area served by Thornham WwTW to demonstrate that, taking account of both the latest DWF based headroom information and the needs of extant planning permissions yet to be built/completed, sufficient headroom exists to serve the development, or alternatively that no net increase in flows to Thornham WWTW will result from the development. Alarming, it is suggested that capacity will be taken up on a first come first served basis, as opposed to prioritising the strategic allocations.
- 2.8 Further, draft Policy NE16 requires any development outside of Chichester, Fishbourne and Stockbridge to not drain into Apuldram (Chichester) Wastewater Treatment Works, a position which would hold to ransom any strategic sites within the Apuldram WwTW catchment, until a time at which Southern Water make the necessary capacity improvements.
- 2.9 As there is at present no absolute certainty of the timescale for a deliverable solution for the Thornham catchment, we recommend that the policy wording acknowledges the need for a fallback scenario should the lack of WwTW upgrades not be forthcoming and to recognise the impact this may have on the District's overall housing trajectory. For

example, there should be an allowance for schemes to demonstrate through their own Ww mitigation strategy and drainage impact assessment that they can operate within the capacity of existing wastewater treatment infrastructure.

Housing

- 2.10 We note that within Policy H1, there is a larger than average reliance on windfall sites to meet the overall total supply for the plan period. We would question whether sufficiently compelling evidence has informed a figure that equates to over 20% of the figure applied to strategic allocations has been set aside for a windfall allowance.
- 2.11 Further, we would also question the reliance on 2,210 dwellings that are currently allocated in the adopted plan/Site Allocations DPD but do not yet benefit from planning permission. Even with both of these assumptions included, there does not appear to be a significant headroom within the housing supply in the event of a delay to a strategic development or reduced levels of windfalls or sites delivered from existing applications. The delays experienced at the strategic developments at Tangmere and West of Chichester (totalling 2,900 dwellings from the 2015 adopted plan), it is clear that there is a need for sufficient housing allocations so as to not plunge the Council once again into a housing supply shortfall in the event of unexpected events. We would encourage the emerging plan to be prepared with a degree of hindsight to inform those future scenarios in which these two large strategic sites are not delivered at the rates envisaged when they first benefitted from allocation.
- 2.12 We acknowledge the difficulties experienced in Chichester District in meeting their historic housing need; based on a number of constraints, infrastructure delivery and the Duty to Cooperate. In particular, the Council has removed the estimated need within the area of the District within the South Downs National Park Authority. An acceptance of a lack of delivery within the National Park inevitably increases the pressure on the areas outside the National Park.
- 2.13 We would therefore encourage the Council to undertake a review of the district's housing needs immediately following adoption of the 2021-2039 Local Plan, which takes into account forthcoming census-based household and population projections and is subject to the current proposed changes to the National Planning Policy Framework.
- 2.14 The emerging Local Plan proposes 535 dwellings per annum (dpa) set against an objectively assessed need of 638dpa, which in itself is a reduction on the standard

method calculation due to the portion of the District within the SDNP. The deficit between OAN and the 535 adjusted figure equates to a shortfall of more than 1,000 dwellings. It cannot be argued that the plan has been positively prepared when it proposes both an unjustified reduction in its own housing delivery *and* a failure to accommodate unmet need from SDNP, based on the transport evidenced outlined in the accompanying note it is apparent that there is significant headroom in the strategy to accommodate an increase in dwellings per annum to at least allow CDC to meet their OAN with an appropriate buffer.

- 2.15 This DPA reduction has been justified by the Council based primarily on operational capacity constraints of A27. However, the accompanying transport response from i-Transport demonstrates the Council's justification for reducing their housing delivery per annum has in fact been based on out-of-date traffic modelling, overestimates background traffic growth, utilises ineffective parameters for traffic generation in the face of sustainable travel, fails to seek other funding sources for transport improvements and does not provide modelling data of the proposed mitigation package within the constraints level of housing delivery proposed by the plan. Sensitivity testing within the Council's LPRTA (Jan 2023) demonstrates that a delivery of 700 dwellings per annum could be accommodated, a figure significantly higher than the adjusted figure from CDC. The unevidenced assertions regarding the constraints posed by the A27 results in the justification for constraining housing delivery being undermined; the plan risks being found not sound as a result of this, and we propose that additional capacity is found within appropriate sites such as land east of Southbourne to help address this risk.
- 2.16 CDC has struggled with a precarious housing land supply, with the most recent assessment resulting in a shortfall of 176 dwellings. Within the housing supply for the upcoming plan period, over 20% of these are sites without the benefit of planning permission that have been carried forward with no recent evidence of deliverability or suitability. The risks, based on historic underdelivery, result in this strategy not being positively prepared and failing to be supported by robust and recent evidence. Further, based on recent appeal decisions overturned on the grounds of an unstable housing supply, it is apparent that the reliance of Chichester District Council's on interim housing policies is not a long-term or sustainable solution. The likely need during the upcoming plan period for interim housing policies is an approach that is wholly unsustainable and would be inappropriate and ineffective to maintain throughout the plan period.
- 2.17 Policy H2 allocates 1,050 dwellings at Southbourne with the allocation of the site to be identified through either the neighbourhood planning process or subsequent Site Allocation DPD. We recommend that the plan be prepared with sufficient flexibility to

allow for this (and potentially other) broad locations of development to provide additional housing than prescribed within the current emerging plan.

- 2.18 The Southbourne Neighbourhood Plan had initially allocated 1,250 dwellings on land east of Southbourne, prior to concerns being raised by the Examiner (based on a pre-emption of the emerging local plan). The Examiner did not conclude that the proposed allocation was unsustainable for growth or inappropriate in size, but simply that the timing of the Neighbourhood Plan was too early against the emerging Local Plan timetable which had unfortunately been delayed. Indeed, the draft policy A13 includes a wide range of facilities and requirements that can be more comprehensively and fully met with some flexibility over the final quantum of development. Furthermore, through a masterplanning design-led approach, it may be that a higher quantum of development is deemed appropriate in any event.
- 2.19 We continue to recommend that the land east of Southbourne (Policy A13 in emerging LP) is identified for mixed use development as the most sustainable and appropriate location for development at Southbourne, as was acknowledged within the draft submitted Neighbourhood Plan previously.
- 2.20 One aspect of the delivery in Southbourne that will need some further consideration is the follow-up process, post-adoption of the Local Plan. The draft policy identifies the need to formally allocate a site within either the neighbourhood planning process or subsequent Site Allocation DPD. It is worth noting that despite valid attempts by the Southbourne Neighbourhood Plan to allocate land East of Southbourne, they were prevented from doing so by the recommendations of the Examiner. In order to protect their community from speculative allocations (and in direct response to the recommendations of the Examiner), the NPG has proceeded with a plan with zero allocations. If a new NP is to be prepared to inform which areas of Southbourne will be subject to the overarching BLD policy, it will be the neighbourhood planning group's fourth attempt at doing so. Whilst we are confident that the NPG will be proactive in their efforts to secure a comprehensively masterplanned residential scheme in Southbourne, this community has gone far beyond what many others have in seeking to plan for their community. There is therefore a risk that they will decide to not prepare a new NP. In this instance, Chichester District should provide timescales for the preparation of the Site Allocations DPD post-local plan adoption and also assess the impact of this on the overall housing trajectory. In the event the NPG once again proactively seek to plan for this new allocation, they should be given every support by the District Council. Alternatively, we recommend that a specific site in Southbourne should be identified at this stage, reducing any reliance on a secondary policy

mechanism. Given the level of detail within the draft wording for the BLD policy within Southbourne it is unclear whether there are any benefits to leaving allocation to a DPD or NP document. We feel that suitable and sufficient justification and rationale has been presented to bring forward the land east of Southbourne as a specific allocation in this local plan and we would question why a site that has been comprehensively masterplanned, is available, suitable, and deliverable, has not been given specificity within the emerging plan and is instead vulnerable to the delays and changes likely to be experienced with the drafting of a DPD or NP.

- 2.21 We broadly support the Council's emerging policies regarding affordable housing, housing mix and tenure, design and sustainability.

Transport, Accessibility & Infrastructure

- 2.22 We acknowledge the emerging plan's shift away from 'predict and provide' approach to recommending mitigation based on forecast growth, to an approach of 'monitor and manage', based on identifying a package of potential highway improvements which alongside schemes identified through the development management process, may be implemented following a monitoring process that will monitor the actual demand on the network and the requirement for the schemes.
- 2.23 We consider that a shift instead towards 'vision and validate' would be more aspirational for the plan. This approach will allow our Consortium to best envisage the place that Chichester District wants to create at Southbourne, and to target sustainable transport measures, alongside a carefully planned new community, that minimises travel needs and provides genuine sustainable options for movement. Such an approach needs to reimagine the hierarchy of transport users, prioritising pedestrians first, followed by cyclists, public transport, specialist service vehicles and finally other motor traffic. The scheme should prioritise support and encouragement for sustainable travel in line with this new hierarchy whilst now linking transport intrinsically with masterplanning, carbon reduction, air quality, health and lifestyle and biodiversity, instead of seeing it as a standalone consideration. We would therefore recommend Chichester District encourage ambitious developers to explore the 'vision and validate' approach within draft Policy T1
- 2.24 The land east of Southbourne will deliver a comprehensive development that also secures benefits for the existing community, including:

- i. Delivery of a significant portion of the Green Ring, in both a central location and also an enhanced, longer walking route around the edge of the allocation. This has the benefit of creating a meaningful gap between settlements that is focused on the delivery of environmental enhancements and a wildlife corridor, whilst also offering alternative longer route for walking/recreation, reducing pressure on the Chichester Harbour SPA.
- ii. A connected integrated community that delivers sustainable transport improvements and alternatives for the whole of Southbourne.
- iii. A focus on connectivity through the green ring and connecting green corridors that focus movement on walking and cycling, rather than vehicular travel.
- iv. A central community hub that can deliver a new 2FE primary school, a community building, small scale retail and an enterprise hub to support homeworking, shared office space and start-ups.

2.25 With regards to the proposed S106 contribution per dwelling of £7,728 to act as A27 mitigation, we are concerned that this is not justified (see attached note from i-Transport). Furthermore, the imposition of CIL on the scheme at Southbourne would reduce the level of control over the above package of infrastructure improvements and sustainable movement provision associated with the development. With a contribution made to Chichester District in place of direct involvement of the consortium in the improvements to the village infrastructure, there is a risk that the enhancements that form a key element of the proposal may be delayed or fail to be delivered in a timescale that would best benefit the residents of the village.

2.26 Considering the above, we recommend that the BLD at Southbourne be CIL-exempt to catalyse the delivery of the infrastructure associated with the scheme and avoid the village’s infrastructure funding being stagnated within a larger and district-wide funding mechanism.

Strategic and Area Based Policies – A13 Southbourne

2.27 We broadly support the sixteen development requirements included within the allocation wording of emerging policy A13; these are briefly addressed in turn below;

Provide an appropriate mix of housing types, sizes and tenures to meet evidenced local need including affordable housing and specific provision to meet specialised housing needs including 16 serviced self/custom build plots,	The scheme would present an emerging policy compliant mix of housing types and tenures. We would look to work closely with the local community to identify the appropriate location and phasing for self and/or custom build plots within the Masterplan to ensure the plots
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accommodation for older people and accessible and adaptable homes in accordance with relevant Plan policies;	come forward in a suitable location that has been considered alongside the wider masterplanning exercise.
Provide 12 gypsy and traveller pitches in accordance with Policy H11;	Whilst we recognise the need for the provision of G&T pitches within the District; based on the previous discussions with the Neighbourhood Planning group and local community we feel that the Council would benefit from exploring more appropriate areas for new sites and/or the intensification of nearby sites.
Provide a serviced site(s) for travelling showpeople which should deliver 12 plots, each of sufficient size to allow for the provision of accommodation and equipment plus storage/maintenance, in accordance with Policy H11;	As above.
Provide a suitable means of access to the site(s), securing necessary off-site improvements (including highways) in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development) to promote sustainable transport options;	The comprehensive masterplanning approach that has been and will continue to be taken with the scheme will ensure a cohesive layout and access arrangement to best integrate with the existing community. Paragraphs 2.20-4 above outline our recommendation to the Council with regards to infrastructure improvements and we maintain that the most effective way of securing on- and off-site improvements is to place the onus on the developer to ensure their delivery and integration with the local community.
Provide any required mitigation to ensure there is no adverse impact on the safety of existing or planned railway crossings;	Any submission will be supported by a robust transport assessment and mitigation strategy.
Ensure adequate provision of supporting infrastructure including education provision, community facilities and transport in accordance with the most up to date Infrastructure Delivery Plan;	We support the need for supporting infrastructure, which forms a primary objective of the proposals on last east of Southbourne. We feel that their delivery will be most appropriately secured outside of the limitations of CIL.
Give detailed consideration of the impact of development on the surrounding landscape, including the South Downs National Park and Chichester Harbour AONB and their settings. Development should be designed to protect long-distance views to the South Downs National Park;	We support the desire to protect these areas and their settings. Any submission will be supported by a full landscape and visual impact assessment to demonstrate that the scheme east of Southbourne can be a cohesive visual element into the existing built form of the village and avoid any element of incongruousness or harmful impact on the surrounding protected areas.
Ensure that multifunctional green infrastructure provision is well related to the overall layout and	The proposed scheme to the east of Southbourne would be capable of delivering a significant portion of the Green

<p>character of the development as well as providing opportunities to extend into the wider countryside and surroundings;</p>	<p>Ring, originally allocated in the Southbourne Neighbourhood Plan 2015. The Consortium is also supportive of a central feature through the site and the approach to align the Green Ring with the north-south public right of way which connects with the green infrastructure on the eastern edge of the neighbouring Cooks Lane development. This approach would allow the green ring to be cohesive with the neighbouring green infrastructure, whilst also maintaining the public rights of way, in conformity with paragraph 98 of the NPPF. Whilst this central 'Inner' Green Ring could include play, gym trail, walking and cycling, benches and a variety of greenspace (amenity and natural), which would create a varied and engaging corridor, we would work wish to with the Neighbourhood Plan Group to identify the best mechanism to position sports and allotments through a masterplanned approach.</p>
<p>Demonstrate that development would not have an adverse impact on the nature conservation interest of identified sites and habitats including the strategic wildlife corridors;</p>	<p>We support the desire to protect key habitats and the scheme will be informed by extensive habitat surveys and mitigation strategies.</p>
<p>Provide mitigation to ensure the avoidance of adverse effects on the SPA, SAC and Ramsar site at Chichester Harbour including contributing to any strategic access management issues, loss of functionally linked supporting habitat and water quality issues relating to runoff into a European designated site;</p>	<p>We echo the need to avoid adverse effects on the SPA, SAC and Ramsar site at Chichester Harbour and all necessary mitigation will be provided on- and off-site where required.</p>
<p>Protect any other key views;</p>	<p>We support the desire to protect the key views of the wider area. Any submission will be supported by a full landscape and visual impact assessment.</p>
<p>Ensure that allocations and policies accord with the sequential approach to flood risk, and that development will be safe for its lifetime, taking account of climate change impacts, as per the requirements set out in national policy and having due regard to the council's latest Strategic Flood Risk Assessment;</p>	<p>We support this requirement and discussions with the Environment Agency and the LLFA will inform the most effective flood mitigation and drainage strategy for the site.</p>
<p>Ensure sufficient capacity within the relevant wastewater infrastructure before the delivery of development as required;</p>	<p>Addressed in Paragraphs 2.5-10 above, we have concerns regarding the emerging plan's wording around the future capacity improvements of WwTW in the Apuldram catchment.</p>

Demonstrate that development would not have an adverse impact on the significance of heritage assets or their settings;	Any submission will be supported by a full heritage assessment and the layout and scale will be adjusted accordingly to best protect any nearby heritage assets.
Maintain the character and integrity of existing settlements and provide clear separation between new development and neighbouring settlements including through the definition and protection of landscape gaps.	The consortiums approach allows for the masterplan to be designed to best protect the existing settlement of Southbourne from any coalescence with surrounding hamlets. The location of development to the east of the village and the inclusion of the Green Ring is the most appropriate and effective way to protect the village's visual separation and identity.
Consider the Minerals Safeguarding Area and in line with the West Sussex Joint Minerals Local Plan, a minerals resource assessment may be required to assess if the land contained a mineral resource that would require extraction prior to development. Account should also be taken of the West Sussex Waste Local Plan and associated guidance in relation to safeguarding policy W2.	We support this inclusion, and any proposal will be accompanied by a minerals resource assessment if needed.

- 2.28 In general, we support the comprehensive masterplanning approach for development in Southbourne. Our proposals are the result of a complete collaboration between landowners and reiterate that the Consortium has always maintained a desire to deliver a comprehensive development that secures substantial benefits to the existing community. It is obviously important that any landowners included within the proposed allocation are required to work collaboratively with others and the local community, sharing the overall infrastructure and policy requirements fairly and proportionately.
- 2.29 We strongly support an amendment to be made to Policy H2 to allow for the provision of circa (or a minimum of) 1,250 dwellings at Southbourne. The accompanying sustainability appraisal, discussed later, supports a larger quantum of development on this site, with benefits realised of accessibility, environmental quality, climate change mitigation, community enhancement, health, historic environment and landscape. A major element of our proposals at Southbourne are in the infrastructure and community improvements to the local residents and increasing the overall housing numbers by less than 20% on this site is key in the wider delivery of package of the infrastructure improvements associated with the scheme.
- 2.30 There is no intention to deliver piecemeal development proposals within the area, which would likely prejudice the delivery including infrastructure delivery. We maintain the most effective way to ensure the infrastructure improvements associated with the

scheme would come forward at an effective and appropriate time would be to remove the need for the proposals to contribute to CIL and instead have a direct commitment between the scheme and the improvements to Southbourne.

'Proposed Submission' Local Plan Appendix E – Housing Trajectory

- 2.31 Appendix E outlines the indicative housing trajectory for the plan period 2021-2039. The trajectory for delivery of the development in Southbourne has construction commencing in earnest in 2028/2029. Subject to the adoption of the plan within the anticipated timescales and the subsequent early preparation and adoption of a Site Allocations DPD (or neighbourhood plan), alongside the timely determination of planning applications / conditions, we envisage delivery of units on land east of Southbourne to instead commence from 2027/2028. There is a need within the emerging plan to secure new allocation sites to commence early in the plan period and this earlier delivery will help relieve pressure arising from the anticipated delivery of both Tangmere SDL and West of Chichester SDL, both expected to commence in 2027/2028 and both of which have experienced substantial delays to their preparation to date.

Sustainability Appraisal (SA)

- 2.32 We broadly support the assessment within the SA regarding the strategic argument for directing a good proportion of growth to Southbourne through the local plan, i.e., a good proportion of ~2,450 home target figure that is arrived at by deducting supply from completions (658 homes), commitments (5,476 homes), windfall (595 homes) and new supply from Chichester Parish (450 homes) from the 9,630 target figure for the southern plan area.
- 2.33 The consortium maintains that the proposals for Southbourne should allow for c1,250 dwellings to be constructed, in line with the position accepted by the Neighbourhood Planning group and, in principle, the plan Examiner. The SA reiterates this point, stating that:

"with regards to the number of homes that should be supported, there is logic to further exploring the scale of growth that was previously considered through the now withdrawn Southbourne NP, and it is not clear that there is an argument for considering lower growth. Additionally, there is a clear argument for exploring the possibility of higher growth, to ensure a suitably comprehensive scheme, with a high level of 'planning gain'".

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- 2.34 The SA explores a number of growth scenarios for Southbourne, either with a base of 1,050 homes or 1,500 homes. The SA scored scenario 5 (Scenario 5 – Scenario 1 plus higher growth at Southbourne, 1500 homes) highest under most topic headings including accessibility, environmental quality, climate change mitigation, community, health, historic environment and landscape.
- 2.35 In terms of the assessment of a scheme to the west of Southbourne, the SA rightly acknowledges the lack of the same level of masterplanning effort. A scheme of a similar size to that proposed in the emerging plan would highly likely lead to a consolidation of the village of Southbourne and Emsworth due to the limited dimensions of the land and constraints from the A27 to the north. The SA advises that a split of growth to the east and to the west would potentially result in sub-optimal outcomes in terms of securing community infrastructure benefits / planning gain to the benefit of the village as a whole, a key element of the scheme to the east. The masterplan prepared for land to the east of Southbourne seeks to deliver the visionary green ring around Southbourne, protecting it from cohesion with the two settlements of Nutbourne and Hambrook further to the east.
- 2.36 In terms of community building, higher growth at Southbourne feasibly leads to related benefits over-and-above those already discussed within the SA. We feel that the SA doesn't go far enough to explore the potential for genuine community building and the more abstract side of the proposed strategic developments. Development east of Southbourne would contribute a significant benefit to the community and village through the delivery of a community hub, primary school and shared, co-working office space which could support both new and existing residents, therefore having benefit for the village as a whole. The central location of this facility, which could be delivered with relationship to the Green Ring, would ensure the accessibility for all within the community.

3.0 CONCLUSION AND SUMMARY

- 3.1 CDC fails on a number of counts to provide a sound reason for constraining development delivery to 535 dwellings per annum. We find that the Council's failure to adhere to the OAN on the basis of ineffective evidence results in plan that has not been positively prepared and adopts a strategy that is not justified. We believe the plan is capable promoting a greater level of housing delivery which will, in turn, help bring the estimated infrastructure contribution per dwelling to a more deliverable and realistic level.
- 3.2 This representation provides continued support and draft policy context for the development on land east of Southbourne. We consider it to provide a suitable and sustainable location for large-scale strategic residential growth and substantial associated infrastructure improvements.
- 3.3 The area was due for allocation within the Southbourne Neighbourhood Plan, having been initially allocated 1,250 dwellings on 'land east of Southbourne', prior to its removal post Examination (based on concerns of the Examiner over a pre-emption of the emerging local plan). Importantly, the Examiner did not conclude that the proposed allocation was unsustainable for growth or inappropriate in size, but simply that the timing of the Neighbourhood Plan was too early against the emerging Local Plan timetable which had unfortunately been delayed.
- 3.4 We continue to recommend that the land east of Southbourne (Policy A13 in the emerging LP) provides the most appropriate location for development at Southbourne. Indeed, the land to the east of the settlement was chosen as the most appropriate location, as opposed to the land to the west which is more constrained by the A27 and would likely result in amalgamation with the settlement of Emsworth.
- 3.5 We consider that the increase in the quantum of development at Southbourne from 1,050 to c1,250 not only ensures the highest level of community enhancements and infrastructure improvements for Southbourne and the wider area but also helps mitigate certain aspects of the emerging plan that risk being found unsound, including the potential for delays in housing delivery across the largest strategic sites and the potential for Chichester District to accommodate unmet need across neighbouring authorities (and within SDNP).
- 3.6 Considering the above, and in terms of specific policy amendments, we recommend the

following policies be reworded to ensure the plan's overall soundness:

3.6.1 **Policy H1 – Meeting Housing Needs** – The housing requirement (10,350) for the plan period 2021-2039 must reflect Objectively Assessed Need to avoid the risk of failing to be seen as positively prepared. The evidence base on which the justification for a reduction in housing delivery is flawed and not credible. The plan fails the tests of soundness to this regard and Policy H1 should be amended in line with a reassessment of highway constraints.

3.6.2 **Policy H2 – Strategic Locations/Allocations 2021-2039** – The quantum of development at Southbourne (A13) should be 1,250 to reflect the conclusions of the sustainability appraisal, the capacity within the land east of Southbourne and the importance in bringing forward all infrastructure improvements to the village and wider area.

3.6.3 **Policy A13 – Southbourne Broad Location for Development** - In line with the above, the total number of dwellings allocated to Southbourne should be 1,250. Further, it is recommended that a specific location is selected within Southbourne, to align with all other allocations within Chapter 10 and to avoid a significant risk to the delivery of housing. No rationale is presented as to why development in Southbourne should be delayed until the adoption of a subsequent DPD or Neighbourhood Plan. The long-term assessment and findings of the Neighbourhood Plan group and the plan examiner remain sound and should be respected and reflected in a specific and precise housing allocation for the village. We recommend this policy is rewritten to allocate 1,250 dwellings on land east of Southbourne and to align with the comprehensive masterplanning exercise that has been completed to-date.

3.7 These representations bring to light a number of recommended reconsiderations with regards to the emerging local plan, these include a reassessment of the quantum of development in Southbourne, the mechanism for infrastructure funding and delivery, the contingency planning around wastewater treatment capacity and the supporting of Vision & Validate as an approach for encouraging safe, efficient and sustainable transport.

3.8 For the reasons outlined throughout, these representations also raise significant concerns that the plan as drafted, in particular the housing delivery strategy, risks being found 'unsound' on the grounds of failing to be positively prepared and lacking a fully considered highways evidence base. We believe the changes outlined above with regards to reflecting OAN and adding realistic capacity and specificity to the proposed allocation in Southbourne will help address these concerns.



Local Plan Review – Highways Representations

Project No: ITB14672
Project Title: Land East of Southbourne
Title: Local Plan Review
Ref: ITB14672-017 TN
Date: 10 March 2023

SECTION 1 Introduction

1.1 This note provides a transport response to the Chichester Local Plan 2021-2039: Proposed Submission. It has been prepared on behalf of Wates Developments in respect to their emerging allocation of 1,050 homes in Southbourne (*ref: Policy A13*).

1.2 The note focusses on:

- a The transport work that underpins the emerging Local Plan has been used to constrain housing numbers below the objectively assessed need¹. However, that work:
 - Uses an out-of-date model, which will not reflect post-COVID traffic conditions with lower levels of peak hour traffic.
 - Over-estimates background traffic growth.
 - Uses traffic generation parameters that lack ambition in terms of what can be achieved with the effective implementation of sustainable transport strategies, and therefore over-estimates traffic impacts.
 - Lacks ambition in terms of seeking other funding sources for transport improvements.

¹ The emerging Local Plan proposes 535 dwellings per annum (dpa) set against an objectively assessed need of 638dpa.

- Does not provide modelling data of the proposed mitigation package with the constrained level of housing delivery proposed by the local plan. It is expected that such work would identify a material net benefit between the 'do minimum' and 'with local plan' scenarios, i.e. the local plan more than mitigates its impact and there is headroom for additional growth and/or the transport mitigation package could be reduced (although the former is preferable).
- b The proposed transport contribution of £7,826 per dwelling towards improvement works on the A27 (*ref: paragraph 8.21*):
 - The costs of works used by CDC are significantly greater than those produced by Stantec and National Highways and may be significant over-estimates.
 - A greater level of development delivery is achievable (see a. above) and will bring the contribution-per-dwelling down to a more acceptable/deliverable level.
 - The transport package is likely to go beyond mitigating the impact of the planned growth and therefore results in an unnecessary financial burden on development to resolve existing transport issues.

SECTION 2 The traffic modelling work is unduly onerous and should not constrain housing delivery unnecessarily

2.1 Introduction

2.1.1 The emerging local plan restricts housing delivery to an average of 535 dwellings per annum (dpa) until 2039², with transport identified as being the main constraint for delivery of housing (in particular the operational capacity of the A27 Chichester by-pass).

2.1.2 The Local Plan Review Transport Assessment has informed this decision. For the reasons set out below, the transport work has much greater headroom and should enable housing delivery to be much higher than the 'plan-to-fail' numbers in the emerging Local Plan.

² Ref: paragraph 5.2

The parameters used in the traffic modelling provide an overly worst case

2.1.3 The traffic model is derived from a 'base' year of 2014. This is several years out of date and pre-dates significant behavioural changes that have arisen as a result of the COVID-19 pandemic, notably a substantial shift towards hybrid working.

2.1.4 The DfT's own National Road Traffic Projections of 2022 are now based on the assumption that car traffic will be 5% lower than it would have been without COVID-19. No adjustments have been made for this.

The traffic growth factors used are too high

2.1.5 Growth factors are derived from a dated version of the DfT's growth forecasting software³, which assumes higher levels of growth than is now expected to occur. This is acknowledged in the LPRPA (ref: paragraph 10.4.4) and contradicts the Local Plan's assertion that congestion on the A27 constrains housing delivery:

"growth is likely to be lower than is currently predicted within the models. The outcome of this is that the mitigation identified may not actually be required within the future."

Vehicular trip rates are too high and assume too modest a level of mode shift

2.1.6 The residential trip generation of the Local Plan development is based on a trip rate of 0.47 trips per dwelling. This is in line with typical historic residential trip generation and fails to allow for a shift to sustainable travel that the 'monitor and manage' approach to trip forecasting, advocated by the Local Plan, should inherently allow for.

2.1.7 No allowance is made for internalisation of trips between homes and facilities on site that can be expected at strategic sites, which will reduce trips off site. The approach has been accepted elsewhere in West Sussex, for example the Mid Sussex Transport Study (Stage 4, July 2022). An exceptionally modest allowance of 10% for internalisation would equate to nearly 50 two-way movements when applied to the emerging 1,050 home allocation at Southbourne. On a network that is sensitive to additional traffic, this will materially affect modelling results.

2.1.8 Whilst a 5% allowance has been made for modal shift at strategic sites, this is at odds with WSCC's own Travel Plan guidance, which seeks a reduction of 10%. This allowance should be made for all development sites in excess of 80 homes, in line with WSCC's guidance. This would reduce the traffic generation for the Southbourne site by a further 25 vehicles per hour during peak hours.

³ TEMPRO version 7.2 rather than 8.0, released December 2022, was used in the LPRTA.

- 2.1.9 Local Plan modelling in neighbouring Arun (*ref: Enterprise Bognor Regis – Transport Review 2017, Table 4*) is based on a lower trip rate of 0.35. This agreed lower trip rate would reduce the number of trips associated with the Southbourne allocation of 1,050 homes by over 125 two-way movements, which will materially change modelling results in a sensitive network. Under a ‘monitor and manage’ approach, trip rates of this level are perfectly plausible⁴.
- 2.1.10 The overall approach is a significant ‘step back’ to layering worst case parameters upon worst case parameters. It is disappointing that such an approach has been taken given we are in more enlightened times, e.g. than when WSCC undertook the traffic modelling for the Arun Local Plan. The approach taken for the emerging Local Plan is based on an outdated ‘Predict and Provide’ approach, i.e. one that over-estimates the volume of traffic generated and provides capacity improvements to alleviate both the resulting impact of development and, (in some places) deal with long-standing congestion issues.
- 2.1.11 This contrasts poorly with an approach taken by other authorities where there is significant investment to enhance to sustainable transport and manage traffic demands⁵. This is a missed opportunity particularly for the larger allocations, whose scale provide greater opportunities for the delivery of sustainable transport measures for the benefit of both new and existing residents.

The results of the modelling suggest that greater levels of development can be achieved without an unacceptable impact

- 2.1.12 With these worst case⁶ parameters, the modelling ‘with mitigation’ shows a substantial improvement in network performance. The ‘with mitigation’ scenario assumes all of the following highway improvements:

⁴ Taking the trip rate of 0.47 and applying a 10% reduction in trip rate for internalisation and a 10% reduction for modal shift, yields a trip rate of 0.38. These are modest assumptions.

⁵ E.g. Oxfordshire County Council who are investing in ‘Smart Corridors’ including high quality Park and Ride, strategic cycle improvements, high quality bus corridors and town centre management (e.g. car parking charges, emission zone charging) as a means of addressing traffic impacts.

⁶ Worst case – i.e. not robust. They are too high.

Table 2.1: Highway Mitigation Schemes

A27 Chichester Bypass	Chichester City	Wider Chichester	Neighbouring Authorities
Fishbourne Roundabout	A286 New Park / St Pancras	Fishbourne Road West / Appledram Lane South	A259 / B2132 Comet Corner
<i>Stockbridge Roundabout</i>	A259 Via Ravenna / Cathedral Way		
<i>Whyke Roundabout</i>	A259 Cathedral Way / Fishbourne Road East		
Bognor Road Roundabout	A286 / B2178 Churchside		
Portfield Roundabout			
Oving Junction			

2.1.13 The modelled improvement schemes at the Stockbridge and Whyke roundabouts (*italics* above) have been omitted from the final strategy. The modelling should be updated (using more appropriate parameters as set out already) to include the mitigation schemes that are actually proposed.

2.1.14 Notwithstanding this, the modelling shows a clear net benefit between ‘do minimum’ and ‘with 535dpa’ scenarios. The residual cumulative impact is therefore beneficial and so falls a long way short of the ‘severe impact test’⁷.

2.1.15 The LPRTA shows that this remains the case if the Local Plan planned for circa 700dpa, a level of housing delivery above the objectively assessed need:

“The network performance outputs analysed comprising V/C%, Delays, and Queues suggest that generally the proposed SRN mitigation identified for the Core Scenario can accommodate in the most part, additional increase in development to 700dpa.” (ref: LPRTA paragraph 5.6.3).

The Local Plan should allow for other funding sources for A27 improvements

2.1.16 As set out above, the Local Plan seeks to constrain housing delivery based on unevidenced assertions regarding traffic constraints, i.e. the modelling does not show that housing numbers should be constrained. Even then, the modelling uses overly worst case parameters – more reasonable and appropriate parameters would yield similar/better modelling results with a level of housing delivery in line with the objectively assessed need.

⁷ Ref: paragraph 111 of the NPPF

- 2.1.17 Ostensibly the Council's approach is that the improvements at the Whyke and Stockbridge roundabouts are unaffordable and therefore development delivery should be constrained. This scenario has not been tested using reasonable parameters or otherwise.
- 2.1.18 It is a significant lack of ambition within the Local Plan that other routes to delivering strategic A27 improvements have not been considered and are not referred to.
- 2.1.19 The A27 Chichester by-pass improvements are included within National Highways' current RIS 3 funding review. This process will conclude in 2023/24, i.e. within the lifetime of the local plan. Allocated funding would unlock significant additional growth, e.g. the 700dpa sensitivity test shows that at least an additional 165 dpa can be achieved with the delivery of the full LPRTA mitigation package.
- 2.1.20 Funding of circa £100m was identified previously towards improvement of the Chichester by-pass. Whilst this fell away because of a lack of consensus by the various authorities, it is reasonable to plan for potential a funding award – the issues were significant enough to justify a funding award previously.
- 2.1.21 It is redolent of the Local Plan's *planning-to-fail* approach that this potential delivery route to A27 improvements is not considered. Similarly, the Council has not explored other funding sources.

SECTION 3 Lack of Evidence to Support Cost Increase

3.1 The costs of the mitigation schemes may have been over-stated

- 3.1.1 The emerging Local Plan proposes to improve two of the junctions on the A27 – the Fishbourne roundabout and the Bognor roundabout, at an estimated cost to developers of £27m⁸.
- 3.1.2 The LPRTA provides a cost estimate for all junctions on the A27 to be improved at £89m to £134m. These are based on costings provided by CDC / WSCC (*ref: LPRTA Table 9-3*).
- 3.1.3 It is unclear why the cost is so much greater than the range previously provided by Stantec, at £49m to £64m (*ref: LPRTA Table 9-3*).
- 3.1.4 Stantec has extensive experience of delivering large scale infrastructure projects including public sector works. They produced their costings with input from National Highways (NH), who are responsible for the proposed junctions (*ref: LPRTA paragraph 9.5.3*). NH are experienced in delivering works to the strategic highway network. The evidence to support such a substantial increase (and why Stantec and NH have got it wrong) has not been provided.

⁸ The higher cost of works to the two junctions where mitigation is planned minus funding already secured.

3.1.5 As set out above, the Local Plan rules out funding under the RIS 3 funding review, scheduled to be completed in 2023 / 24 (i.e. prior to likely adoption of the Local Plan). The A27 at Chichester is a strong candidate for funding and previously benefitted from an award of RIS 2 funds. The Local Plan should acknowledge that an award of funds is perfectly plausible. If it did happen, the need for contributions will be substantially reduced or even eliminated.

3.2 **Delivery of housing in line with the objectively assessed need would reduce the contribution per dwelling**

3.2.1 The proposed level of contribution at £7,826 per dwelling is a significant cost in delivering the much-needed new homes.

3.2.2 For the reasons set out in Section 2 of this note, there is no sound reason for constraining housing delivery to 535dpa. The level of housing delivery should be in line with the objectively assessed need.

3.2.3 This would bring the contribution-per-dwelling down to a more acceptable/deliverable level.

3.3 **A reduced transport package may be more appropriate and/or other sources should be used to deal with existing issues**

3.3.1 As set out in Section 2, the transport package is likely to go beyond mitigating impacts. It results in a net improvement in the operation of the highway network.

3.3.2 The planned development should deal with its impacts, but it is not the role of development to resolve existing issues. The approach of the emerging Local Plan (which shows a betterment in the operation of the highway network) results in an unnecessary financial burden on development, which is being expected to do more than 'wash its own face'. This does not comply with the relevant CIL tests.

SECTION 4 Summary

4.1 The local plan should plan to meet the objectively assessed need. The modelling that seeks to demonstrate that only 535dpa can be achieved:

- i Does not reflect post-COVID traffic conditions with lower levels of peak hour traffic.
- ii Uses out-of-date traffic growth parameters and thus over-estimates background traffic growth.
- iii Uses traffic generation parameters that do not allow for the effective implementation of sustainable transport strategies (which has been allowed for in WSCC modelling of other local plans) and therefore over-estimates traffic impacts.

- iv Follows an outdated 'predict and provide' approach and does not consider properly what might be deliverable with effective sustainable transport measures and demand management.
- v Does not identify a material difference between 535dpa and 700dpa.
- vi Does not provide modelling data of the proposed mitigation package with the constrained level of housing delivery proposed by the local plan.
- vii Does not allow for other potential delivery mechanisms, e.g. RIS 3, that plausibly might deliver strategic improvements to the A27 Chichester bypass.

4.2 There is no sound reason for constraining development delivery to 535dpa. This is not evidenced by the LPRTA.

4.3 The available evidence suggests that the local plan more than mitigates its impact. There is headroom for additional growth (preferable) and/or the transport mitigation package could be reduced. In any event, more appropriate parameters – i.e., in line with the purported 'monitor and manage' approach in the Local Plan – would yield greater levels of development and should enable the objectively assessed need to be met.

4.4 A greater level of housing delivery is appropriate and has the knock-on benefit of reducing the (very high) transport burden⁹ currently proposed by the Local Plan. This transport burden would be further reduced if:

- i The Stantec/National Highways cost estimates are used. The use of the materially higher WSCC/CDC estimates is not evidenced or explained properly.
- ii The mitigation package mitigates the additional burden of the planned development rather than delivering a net benefit.

⁹ i.e. £7,826 per dwelling

