



Chichester Local Plan Examination

Main Modifications consultation

Response from
West Sussex County Council

May 2025

1. Introduction

- 1.1 This representation on the Chichester Local Plan Main Modifications consultation 2025 is from West Sussex County Council (WSCC). It relates to the following proposed main modifications:

<i>MM Ref</i>	<i>Policy</i>
MM56	E1 Meeting Employment Land Needs
MM11	NE4 Strategic Wildlife Corridors
MM23	NE15 Flood Risk and Water Management

- 1.2 WSCC's concerns with the Main Modifications (MM) can be broadly categorised as:

- Undermining of delivery;
- Potential introduction of unreasonable additional burdens;
- Inconsistency on floorspace figures between policies.
- Lack of clarity and certainty

Overall, the soundness of the above identified modifications is questioned.

- 1.3 The remainder of this representation looks at each of the above modifications in detail setting out why they are not considered to be sound and where relevant, suggesting changes to the MM to improve soundness,

2. MM56 - Policy E1 Meeting Employment Land Needs

Specific details of modification that are of concern

- 2.1 Areas of concern relate to modifications to policy and explanatory text.

New table added as part of explanatory text

Table 7.X – Employment Floorspace Supply

Employment floorspace supply

Part of the employment floorspace requirement will be met through: • 14,097 sqm of completions since April 2021; and

• 74,470 sqm of commitments as at 1st April 2024. This includes planning permissions, allocations brought forward from the 2015 Local Plan and extant allocations from the Site Allocations DPD 2014-29

This leaves a residual requirement of 26,433sqm which will be met through a new strategic site allocation at Land South of Bognor Road, allocated in Policy A20.

Policy E1 Meeting Employment Land Needs

Policy title amended

Most of text and Table deleted

New text

The employment requirement for the plan area is for at least 115,000sqm of employment floorspace to be delivered in the period 2021/22-2038/39

Why modification is considered unsound

- 2.2 MM56 (especially when read with other policies and modifications in the emerging plan) is inconsistent, confusing and unjustified. Consequentially the amendments are considered to be unsound.
- 2.3 Modification MM56 has removed the table setting out how employment growth will be delivered around the District from the policy text and located it in supporting text. Spatial distribution of growth is an important component of strategic planning and it is disappointing to see it removed from policy. Unhelpfully, the new table in the supporting text is written as policy and thus creates a confusing situation in terms of its status and the weight that will be given to it.
- 2.4 Furthermore, the table contains significant inconsistencies. The new supporting text table states that a residual requirement of 26,433 sqm will be provided at a

new strategic allocation at Land South of Bognor Road. This is inconsistent with statements made elsewhere in the Plan about the amount of economic growth that will be accommodated in this allocation:

- Paragraph 7.7 - And a new allocation at: • Land south of Bognor Road (see Policy A20) a minimum of 28,000sqm
- Policy A20 – “A 19.5ha site is allocated for employment uses, to accommodate at least 28,000sqm of employment floorspace.
- Policy E1 former text – Land South of Bognor Road – 28,000 m2

Requested change to MM

2.5 To make the Plan and Policy E1 sound, MM56 should be amended to:

- Clarify the status of the table;
- Place the new table in Policy E1 and not in the explanatory text;
- Make the employment floorspace requirements for the Land South of Bognor Road in Policy E1 consistent with the minimum of 28,000 sqm found elsewhere in the plan.

3. MM11 - Policy NE4 Strategic Wildlife Corridors

Specific details of modification that are of concern

3.1 Areas of concern relate to modifications to policy.

Policy NE4 – Strategic Wildlife Corridors

Development **proposals** will only be permitted **where they can demonstrate they** it would not lead to an adverse effect upon the ecological value, function, integrity and connectivity of the strategic wildlife corridors, **and protect and enhances its features and habitats.**

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

- ~~1. There are no sequentially preferable sites available outside the wildlife corridor; and~~
- ~~2. The development will not have an adverse impact on the integrity and function of the wildlife corridor and protects and enhances its features and habitats.~~

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

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

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

Why modification is considered unsound

- 3.2 MM11 is considered unclear and has the potential to add significant burdens for developers. As currently drafted it is considered unjustified, onerous and unsound.
- 3.3 In the Submission Plan Policy NE4 seeks to manage development within and in close proximity to the Strategic Wildlife Corridors. MM 11 has removed reference to development “outside but in close proximity” to the corridors and instead states that “Development proposals will only be permitted where they can demonstrate they would not lead to an adverse effect...”
- 3.4 The proposed supporting text and policy wording and removal of the geographic context (“in close proximity”) has the consequential effect of expanding the impact of the Strategic Wildlife Corridor across the entire district. On this basis,

all development in Chichester District will be required to assess the impact on the strategic wildlife corridors and demonstrate they will not lead to adverse effects even when they are very distant from them. This would be a significant, and in many cases unnecessary, added burden.

- 3.5 If the Council does intend for this policy to cover the entire Chichester District this should be clearly set out in the policy and the Validation Local List amended to reflect this.

Requested change to MM

- 3.6 To make the Plan and Policy NE4 sound, MM11 should be amended to:
- Provide clarity by including a clearly defined and limited geographic area where development proposals would need to assess impacts on the corridor and demonstrate no harm.
 - Provide certainty and avoid unnecessary burdens on development.

4. MM23 - Policy NE15 Flood Risk and Water Management

Specific details of modification that are of concern

4.1 Areas of concern relate to modifications to policy.

Policy NE15 – Flood Risk and Water Management

Elsewhere, new development should be set back at least 8m from fluvial watercourses **(including when within culverts)** and 16 m from tidal watercourses to allow easy access for maintenance and repair.

Why modification is considered unsound

- 4.2 MM23 has the potential to add significant burdens for developers. As currently drafted it is considered unjustified, onerous and unsound.
- 4.3 The requirement to set back development 8m from fluvial watercourses when they are in culverts is considered unjustified and onerous. Such spaces can be accessed from the ends of the culverts for repairs and maintenance. In addition, it is not clear whether development needs to be set back 8m either side of the culvert giving a corridor of 16m.
- 4.4 Either 8m or 16m, this would be an excessive requirement with the potential to significantly reduce the developable area of a site to accommodate what is likely to be small watercourses passing through an underground structure. This has the potential to reduce site viability and add a significant burden, especially when considered in conjunction with other burdens potentially being introduced through these modifications.

Requested change to MM

- 4.5 To make the Plan and Policy NE15 sound, MM23 should be amended to clarify that NE15 does not require an 8m setback for fluvial water courses when in culverts. Policy text would then read

Elsewhere, new development should be set back at least 8m from fluvial watercourses **(excluding when within culverts)**