

Chichester Local Plan
Reg 19 Consultation

Representations by Berkeley Strategic on behalf of
David Lock and Melanie Jenkins

March 2023

Executive Summary

1. This representation has been submitted by Berkeley Strategic (“Berkeley”) on behalf of David Lock and Melanie Jenkins, who own approximately 40 acres of land to the north of Chichester known as Raughmere Farm (HELAA reference HLV0007).
2. Berkeley supports the Spatial Strategy, which seeks to focus a majority of growth at Chichester City given its status as the largest settlement and most sustainable location for development in the district, and its identification as a Sub-Regional Centre at the top of settlement hierarchy.
3. However, Berkeley believe that additional housing sites should be allocated at Chichester City to better reflect the Spatial Strategy and more fully meet the identified housing need.
4. To support the environmental, social and economic sustainability of the district the local plan should, as a minimum, provide for the full identified housing need of 11,484 dwellings over the plan period.
5. However, the draft local plan fails to provide for the full housing need and Duty-to-Cooperate discussions have failed to resolve the shortfall. Therefore, there remains an unmet housing need of 1,134 dwellings which the draft plan does not address.
6. The Sustainability Appraisal and supporting evidence provide insufficient evidence to demonstrate that strong reasons exist for restricting the level of housing provision. Additionally, it is not demonstrated that the adverse impacts of delivering the housing need in full would significantly and demonstrably outweigh the benefits.
7. Berkeley considers that there is greater capacity to deliver housing at Chichester City than is identified in the draft plan, on sites, such as Raughmere Farm, which are not constrained by issues such as the capacity of the A27, sewage treatment and water neutrality which have been purported by the Council as reasons why the housing need cannot be met in full.
8. Raughmere Farm is in a sustainable location adjacent to the edge of Chichester City and within walking distance of key amenities and public transport services, and is available for development.
9. The HELAA identifies Raughmere Farm as being unsuitable only on the ground of noise impact from Goodwood Aerodrome.
10. The development of the site was recently considered at appeal where the inspector concluded, within the context of an adequate 5 year housing land supply, that the harm caused by noise and landscape / local gap impact was not outweighed by the planning benefits of the development. No other objections were raised in relation to the site.
11. Given there is now an identified shortfall in housing provision arising from the draft local plan, the suitability of the site must be reconsidered having regard to the housing shortfall. In doing so, it is evident that the development of this site would not result in adverse impacts that would significantly or demonstrably outweigh the benefits. The site should therefore be allocated in the local plan to assist in more fully meeting the identified housing need of the district.

1.0 Introduction

- 1.1 This representation has been submitted in response to consultation on the Regulation 19 Chichester Local Plan by Berkeley Strategic (“Berkeley”) on behalf of David Lock and Melanie Jenkins who own approximately 40 acres of land to the north of Chichester known as Raughmere Farm.
- 1.2 The land at Raughmere Farm is located adjacent to the built up edge of the city and is referred to in the Housing and Economic Land Availability Assessment as HLV0007. The site has previously been promoted as a suitable location on the edge of Chichester City for a development of circa 140 dwellings.
- 1.3 Berkeley support the preparation of the Local Plan and welcomes the opportunity to comment on the plan at this early stage of its preparation.

2.0 Part One: Spatial Strategy

- 2.1 Berkeley support the principle of the strategic policies and, in particular, their purpose in setting out the development needs of the district and the spatial strategy. Berkeley have a number of comments on these policies, which are set out below.

Spatial Development Strategy

Policy S1 (Spatial Development Strategy)

- 2.2 Berkeley supports focussing the majority of growth at the sub-regional centre of Chichester City, with the majority of strategic allocations (both extant and new) proposed within or adjacent to the city. Policy S1 refers to a total of six allocations around Chichester City, which could deliver 4,080 homes.
- 2.3 Berkeley objects to the level of growth proposed at Chichester City as it fails to adequately reflect the suitability and capacity of the city to accommodate growth. Whilst it has been acknowledged that Chichester City is the most appropriate location for development, Berkeley believes that there are additional sites at the city that can come forward in the plan period as they are not subject to the constraints which have been identified as restricting the ability of the District to meet its housing need in full. Berkeley therefore objects to this policy.

Policy S2 (Settlement Hierarchy)

- 2.4 Policy S2 demonstrates that Chichester City is the largest and most sustainable settlement in the district and is the only settlement in the Sub-Regional Centre tier. Berkeley therefore supports the approach that the majority of growth should be focussed around Chichester City, given its capacity for development.
- 2.5 Berkeley supports the purpose of the settlement hierarchy, to guide the location of development to the most sustainable locations. The majority of new housing should be located at settlements that sit at the top of the settlement hierarchy, such as Chichester City, given they provide the most sustainable locations for growth and thus enable easy access to jobs and facilities without the need to travel long distances.

- 2.6 Chichester City is the largest settlement in the district and Berkeley therefore supports its placement in its own category at the top of the settlement hierarchy.

Housing

- 2.7 Berkeley considers that the local plan must make provision to meet, as a minimum, the housing needs of the district in full to support economic growth, promote sustainable patterns of travel, reduce housing unaffordability and meet the housing needs of all sectors of the community, particularly first time buyers, the elderly and those who are unable to secure a home on the open market.

Policy H1 (Meeting Housing Needs)

- 2.8 Paragraph 11b of the National Planning Policy Framework indicates that policies should, as a minimum, provide for objectively assessed needs for housing, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 2.9 Paragraph 60 of the NPPF sets out that in order to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed.
- 2.10 To establish the minimum number of homes needed, paragraph 61 sets out that strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance.
- 2.11 Paragraph 66 goes on to set out that strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need can be met over the plan period.
- 2.12 Berkeley supports the identified housing need of 11,484 homes over the plan period, which equates to 638 per annum, calculated using the Standard Method and referenced in paragraph 5.1 of the Local Plan. However, it should be noted that this does not include any allowance for assisting with unmet need from the part of the South Downs National Park within Chichester District.
- 2.13 Policy H1 sets a housing requirement of 10,350 homes during the plan period, equating to 575 dwellings per annum.
- 2.14 As such, a shortfall of 1,134 dwellings exists against the calculated housing need. The plan seeks to justify this shortfall at paragraph 5.2 as a result of perceived constraints across the district, including the capacity of the A27.
- 2.15 The draft plan and evidence base provides limited justification for this shortfall. Berkeley therefore considers that, having regard to paragraph 11(b) of the NPPF, the draft plan fails to provide a strong reason for restricting the overall scale, type or distribution of development based on the application of policies in the Framework that protect areas or assets of particular importance.
- 2.16 Chichester Council have produced a Duty to Cooperate Statement of Compliance as part of their Local Plan evidence base. Whilst it has been demonstrated that the Council have attempted to establish if any neighbouring authorities can accommodate the Council's unmet

need, no local authorities have indicated that they are able to accommodate some of the unmet need, as referred to in paragraph 5.21.

- 2.17 As a result, the responsibility falls back to Chichester District Council to fulfil the unmet need within its own boundaries.
- 2.18 Fundamental to the soundness of the local plan and the future environmental, social and economic sustainability of the district is the need for the local plan to plan positively to meet the housing needs of the district in full.
- 2.19 Berkeley does not support this lower housing requirement than the identified need on the basis that the Local Plan has failed to identify sufficient grounds upon which to diverge from the District's housing need. Additionally, Berkeley believes there is greater capacity for suitable housing growth at Chichester City than has been identified in the draft plan.
- 2.20 The housing requirement of 10,350 is capacity led and has been reached given constraints such as the capacity of the A27. Additional capacity for development can be identified in the HELAA that is well located in relation to Chichester City which can assist the Council in delivering a housing supply closer to the identified need of the District and continue to accord with the spatial strategy of Policy S1.
- 2.21 It is important to note that the Inspectors Report for the Worthing Local Plan (October 2022) emphasises meeting housing needs as the '*most important and pressing of all strategic issues*'. Chichester Council should therefore utilise as much available capacity as possible to contribute to meeting their housing need.
- 2.22 To assist in providing the necessary additional level of growth in the district, there is a need to recognise the suitability of additional sites on the edge of Chichester City, through the allocation of additional housing sites such as land at Raughmere Farm in Lavant Parish.
- 2.23 Berkeley does not consider that the evidence provided to suggest this additional capacity cannot be brought forward demonstrates strong reasons why the overall scale of growth in the district should be restricted.

Neighbourhood Planning

Policy H3 (Non-Strategic Parish Housing Requirements)

- 2.24 Lavant is an area that is well located to Chichester City and should therefore be prioritised as a location for development. The emerging Local Plan, at Policy H3, indicates a housing figure of zero dwellings to be allocated through the Lavant Neighbourhood Plan. Three sites in the parish have been assessed in the HELAA and subsequently discounted, including Raughmere Farm. Given its proximity adjacent to the northern edge of Chichester City and its highly sustainable location, Berkeley believes the site should be allocated in the Local Plan or the Parish housing allocation be increased to enable a review of the Neighbourhood Plan to allocate sites to meet the local housing need more fully.
- 2.25 Berkeley therefore objects to Policy H3 on the basis that it does not provide an adequate allocation of housing to Lavant Parish.

Part 1 summary

- 2.26 Berkeley supports the spatial strategy of the emerging Local Plan, which suggests that the majority of development will be focussed around Chichester City. Berkeley also supports the identified housing need of 638 dpa. However, Berkeley believes that there is insufficient evidence to demonstrate this need cannot be met more fully, given the additional capacity of available and suitable sites around Chichester City.

3.0 Part 2: Site Allocations

- 3.1 Berkeley supports the Council's methodology of allocating housing sites to meet the housing and economic development needs of Chichester District, based primarily on their suitability, availability and achievability.
- 3.2 Berkeley supports the carry forward of existing local plan strategic site allocations. The delivery of these sites provides a critical component of the housing supply in the early years of the plan period and should be regarded as being a priority.
- 3.3 Policy H2 of the local plan suggests a further 1,125 homes could be delivered through the allocation of three new sites around Chichester City.
- 3.4 Given the length of the plan period, and the strategic importance of Chichester City, as outlined above, Berkeley consider a there is greater capacity for development surrounding Chichester City, which can contribute towards meeting the identified housing supply shortfall, such as land at Raughmere Farm.

Proposed Additional Location for Development: Land at Raughmere Farm

- 3.5 The site is located adjacent to the edge Chichester City, which as discussed above, is the most sustainable settlement in the district. The site therefore represents a suitable location for development, in accordance with the spatial strategy and is close to key services.
- 3.6 As clarified at the recent application and appeal, the development of the site would have no impact on the capacity of the A27 or wastewater treatment that cannot be mitigated. The site is not in an area constrained by water neutrality. The site is not constrained by any of the reasons given at paragraph 5.2.11 of the Sustainability Appraisal as to why housing needs cannot be met in full.
- 3.7 The only constraint referred to in the latest HELAA assessment of the site is noise as a result of proximity to Goodwood Airfield. During the appeal, the inspector did not dispute that an average 55dB noise level over a 16 hour period would not be exceeded in external amenity areas. This noise exposure standard is referred to in national guidance and as the benchmark noise threshold for external amenity areas in adopted local planning policies, such as Royal Borough of Windsor and Maidenhead. Satisfactory internal noise levels can be achieved through detailed building design. As a result, it is considered that this site is suitable for development, having regard to noise constraints.
- 3.8 Additionally, Policy A17 of the emerging Local Plan refers to development being unacceptable within a 400m buffer of Goodwood Aerodrome. The eastern edge of Raughmere Farm is not within this buffer.

- 3.9 The recent appeal decision relating to the site refers to a deterioration of the rural character of the site and a diminution of the gap separating Chichester and Lavant. Berkeley considers that through an amended scheme design, the rural character and gap can be preserved. The HELAA raised no landscape objections to the site.
- 3.10 The appeal inspector concluded that the proposed development of the site was not acceptable in landscape and noise terms and that the Council were able to demonstrate a 5 year land housing supply, meaning that the harm identified was not outweighed by the housing delivery and other benefits of the development at that time. However, it is evident now that the Council are unable to meet their housing need and so the benefit of development in this respect should be given more weight than the harm caused by any perceived landscape or other impacts.
- 3.11 As such, the perceived impacts of development at Raughmere Farm can be mitigated and are therefore not considered to outweigh the need for increased housing delivery in the District. The site is therefore suitable and available for development and should be allocated in the local plan to more fully meet the district housing need.