

Appendix 1

Chichester District Local Plan Preferred Approach Summary of Responses - Part Two

Cabinet
Council

2 March 2021
2 March 2021

Introduction

The Local Plan Review Preferred Approach was the subject of public consultation between 13 December 2018 and 7 February 2019.

Part One of the Preferred Approach Plan contained 32 Strategic Policies and 15 Strategic Allocations. Part Two set out 35 detailed Development Management Policies. In addition, a document set out proposed changes to the policies map and a Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA) were also published.

Just over 3,200 representations were made by 729 respondents. These can be broken down as follows:

	Representations	Support	Object	Comment
Part 1	2742	389	1444	909
Part 2	401	92	136	173
Appendices to document	25	1	12	12
Sustainability Appraisal	17	0	2	15
Policies Map	20	4	6	10
Habitats Regulations Assessment	3	0	0	3

All the consultation responses are available in full via the consultation portal which can be accessed via the council's website at <https://www.chichester.gov.uk/article/30923/Preferredapproach---consultation-December-2018>.

In addition, summary reports of the representations have been prepared and are also available on the same web page. This report sets out a further summary of the responses received to Part Two of the Plan. It focuses on the issues raised, and for that reason individual respondents are not named.

However, where organisations have submitted responses, to help legibility, the organisation is stated in **bold**. All respondents have been advised of their respondent and representation numbers but if further guidance is sought please

contact the Planning Policy team at planningpolicy@chichester.gov.uk

Policy DM1: Specialist Housing				
Respondents	Representations	Support	Object	Comment
Supporting Text: 5	6	2	2	2
Policy: 8	9	5	2	2
Representation numbers				
3096 (Chichester Harbour Conservancy), 3191, 3192, 3373, 2670, 2411, 2468 (Southbourne PC), 1212, 2761, 384, 3203, 3199, 1763, 1804, 3186				
Summary of issues and key comments raised by residents and other respondents				
Support for policy: (Southbourne PC)				
Housing mix: <ul style="list-style-type: none"> • Policy does not provide specialist housing for agri/horti/rural workers, or single-parent families, first time buyers or young people. • Agree with principle of additional purpose built student accommodation. • Shortage of specialist housing especially for the elderly and the disabled (Southbourne PC). 				
Consideration of aging population: <ul style="list-style-type: none"> • Greatest need is for smaller properties, generated by the formation of smaller households and downsizing by the elderly. • Identify number of specialist homes for older people and identify sites. • Design principles for older people, adapt for future extremes of temperature. • Recommend housing for older people in units in villages, to retain sense of community. 				
Rural issues: <ul style="list-style-type: none"> • In accepting housing needs from SDNP, consider locating on a site as close as possible to the park, i.e. north of Chichester. 				
Affordability: <ul style="list-style-type: none"> • No mention of affordability (Chichester Harbour Conservancy) 				
Initial Council response to issues raised and way forward for the Local Plan Review				
The Council has now published the Housing and Economic Development Needs Assessment 2020. This considers affordable housing need, the need for different sizes of homes and the needs of specific groups. The HEDNA 2020 provides key evidence on housing need and will inform any updates to Policy DM1.				

Policy DM2: Housing Mix				
Respondents	Representations	Support	Object	Comment
Supporting text:	0			
Policy: 26	27	5	9	13
Representation numbers				
3097 (Chichester Harbour Conservancy), 2857 (Persimmon Homes), 2413, 2712, 2598 (Countryside Properties), 2685 (Suez (Sita UK)), 1514 (Linden Homes & Miller Homes), 2721 (Obsidian Strategic AC Limited, DC Heaver and Eurekaquity IC Ltd), 3200, 2455 (Southbourne PC), 2712, 2647 (Barton Willmore), 2763 (Home Builders Federation), 3487, 2685, 2897 (Bloor Homes Southern), 2233, 2456 (Southbourne PC), 1349, 2497 (Chidham & Hambrook PC), 3031, 2517, 3031 (William Lacey Group), 3305 (Church Commissioners for England), 1214, 838, 3530, 1461, 101, 3022 (Thakeham Homes)				
Summary of issues and key comments raised by residents and other respondents				
Support for policy: (Chidham & Hambrook PC, Southbourne PC)				
Mix/flexibility of tenures: <ul style="list-style-type: none"> • Consideration of housing for young people, young families, self and custom builds, lifetime homes, as part of local needs assessments. • Specific support for acknowledging cases for departing from housing mix, it would be helpful if a specified mix were not introduced directly into policy (Countryside Properties) • Mix should reflect local housing need; identify need for accessible homes without compromising viability (Linden Homes & Miller Homes, Barton Willmore, Home Builders Federation). • Specialist housing, and housing for the elderly will require a lower density as it will be a single storey (Chidham & Hambrook PC) 				
Affordable housing: <ul style="list-style-type: none"> • More affordable homes required than current policy states. • Affordable rented housing and low cost home ownership dwellings including specialist housing should be encouraged and actively pursued and to a high design standard • Consider location of affordable/social housing near to Chichester and other settlements close to rail/road networks, schools, employment and other infrastructure. 				
Evidence: <ul style="list-style-type: none"> • Inconsistencies between calculations for percentage provision of 4 bed plus market dwellings; LPR, HEDNA and SDNP display different amounts (Southbourne PC). • Policy should not stipulate housing mix but instead encourage applicants to have regard to the evidence on housing mix and negotiate an appropriate mix on a site by site basis (Church Commissioners for England). 				

- Where CDC seeks to apply optional technical standards, this must be considered in viability assessment (**Home Builders Federation**).

Policy wording:

- This should be a strategic policy (**Persimmon Homes**)
- Policy should be flexible enough to recognise the range of local needs, and site specifics and context, in order to move allow home builders to respond to changing markets over the plan period (**Linden Homes & Miller Homes**).
- Policy is over restrictive and does not allow changes in house mix (**Bloor Homes Southern**)
- No justification within the policy for the inclusion of Nationally Described Space Standards, requirement should be subject to appropriate viability evidence (**Countryside Properties**).

Initial Council response to issues raised and way forward for the Local Plan Review

The Council has now published the Housing and Economic Development Needs Assessment 2020. This considers affordable housing need, the need for different sizes of homes and the needs of specific groups. At Section 9, it specifically considers accessibility and wheelchair standards. The HEDNA 2020 provides key evidence on housing need and will inform any updates to Policy DM2.

It is considered that the policy allows sufficient flexibility at Criteria 2, where developers have the opportunity to provide evidence to support an alternative mix.

Further work will need to be carried out to ensure technical standards are properly evidenced against current guidance.

Policy DM3: Housing Density				
Respondents	Representations	Support	Object	Comment
Supporting text: 0				
Policy: 14	14	5	3	6
<p>Representation numbers</p> <p>15 (Chichester City Council), 3098 (Chichester Harbour Conservancy), 1547, 804, 2985 (Plaistow & Ifold PC), 1515 (Linden Homes & Miller Homes), 839, 2962, 2276 (Historic England), 3306 (Church Commissioners for England), 3201, 2457(Southbourne PC), 2468 (Barton Willmore), 3374 (Landlink Estates Ltd)</p>				
Summary of issues and key comments raised by residents and other respondents				
Support for policy: (Historic England, Church Commissioners for England, Southbourne PC, Barton Willmore, (Linden Homes & Miller Homes))				
<p>Rationale of 35 dph:</p> <ul style="list-style-type: none"> • The policy does not fully recognise that new developments improve the provision of transport links and access to services and hence can, in themselves, provide new opportunities for higher density development (Linden Homes & Miller Homes). • No rationale for the 35 dph figure (Chichester Harbour Conservancy). • Some areas could be considered for higher densities (Southbourne PC). 				
<p>Impact on the environment</p> <ul style="list-style-type: none"> • Consider higher density housing close to city and village centres or public transport links, with less dependence on cars, to reduce carbon footprint. 				
<p>Compliance with other policies:</p> <ul style="list-style-type: none"> • The policy should reflect revised NPPF paras 122 and 123 to achieve appropriate densities (Landlink Estates Ltd). • Conflict with Policy DM28 (Plaistow & Ifold PC) 				
<p>Urban/rural:</p> <ul style="list-style-type: none"> • Consideration of difference densities in city centre/urbanised areas and village/rural locations (Plaistow & Ifold PC). 				
<p>Initial Council response to issues raised and way forward for the Local Plan Review</p> <p>As proposed, the policy does provide sufficient flexibility to support higher or lower densities where appropriate – balancing the efficient use of land with accessibility and environmental considerations. Where evidence supports a particular density at a particular location, this will be considered as part of the site allocation requirement.</p>				

This reflects the requirements of the NPPF and avoids conflict with other plan policies which seek to protect the environment.

Policy DM4: Affordable Housing Exception Sites				
Respondents	Representations	Support	Object	Comment
Supporting text: 0				
Policy: 9	9	2	4	3
Representation numbers 3099 (Chichester Harbour Conservancy), 3202, 2927 (CPRE Sussex), 50, 3531, 1611, 841, 760, 3279 (Westbourne PC)				
Summary of issues and key comments raised by residents and other respondents				
Support for policy: (Westbourne PC)				
Policy wording: <ul style="list-style-type: none"> • The term "exceptional circumstances" is too vague (Chichester Harbour Conservancy) • The term 'local connection' should include step-children and step relationships • We strongly support significant inclusion of affordable housing in the plan, but this is not strong enough as a general policy (CPRE Sussex). 				
Conflict with NPPF: <ul style="list-style-type: none"> • This policy fails to follow / include the policy for 'entry-level exception sites' as set out in para 71 of the Framework. • Paragraph 7.29 and Policy DM4 Conflict directly with the 2018 NPPF definition of affordable housing. 				
Other considerations: <ul style="list-style-type: none"> • Small developments of affordable and social housing are essential, particularly in rural communities and small villages • Consideration of allowing self-builds or building a couple of properties on exception sites at market price as a revenue model to facilitate the delivery of affordable houses through the CLT (Westbourne PC). 				
Initial Council response to issues raised and way forward for the Local Plan Review The supporting text will be reviewed and if necessary, amended to provide greater clarity on terms such as "exceptional circumstances" and "local connections". This will be done in conjunction with the Council's Housing team. The NPPF has been revised since the policy was drafted and as such, the policy will be cross-referenced against the revised NPPF to ensure consistency. Advice will be sought from the Council's Housing team regarding the need for sites to be brought forward through identified mechanisms, such as a Registered Provider. Paragraph 77 of the NPPF provides a "hook" to allow some market housing to help				

viability and this is carried through into the draft policy.

Policy DM5 : Accommodation for Gypsies, Travellers and Travelling Showpeople				
Respondents	Representations	Support	Object	Comment
Supporting Text: 1	1	1	0	0
Policy: 6	6	2	2	2
Representation numbers 102, 390, 765, 2219 (Environment Agency), 2277 (Historic England), 3100, 3277 (Westbourne Parish Council)				
Summary of issues and key comments raised by residents and other respondents				
Support <ul style="list-style-type: none"> • Supports clauses 1c and 2e as part of positive strategy for conservation and enjoyment of historic environment required by NPPF para 185 (Historic England). • Support criteria to ensure GTTS sites not located in areas at risk of flooding. (Environment Agency). • Need for more sites. 				
Evidence base <ul style="list-style-type: none"> • Concern policies based on inadequate/flawed evidence. CDC should challenge GTTS needs survey to avoid over provision. • Policy should be included to avoid overconcentration of GTTS dwellings in one location e.g. Westbourne, Funtington. • Policy wording should refer to existing sites. • Concern Westbourne NP will not carry so much weight if policy is made. (Westbourne Parish Council) 				
Policy wording <ul style="list-style-type: none"> • Existing traveller sites will be safeguarded for traveller use... is open to misinterpretation. • Opportunities for CDC to strengthen policy. 				
Site location <ul style="list-style-type: none"> • Large sites for travellers should be allocated within easy access of A27 and not in areas dependent on tourism 				
Council response to issues raised and way forward for the Local Plan Review				
<p>The Council has confidence in the Coastal West Sussex GTAA as a robust piece of evidence to support the preparation of gypsy and traveller related policies in the Local Plan Review.</p> <p>It is accepted that the policy wording may need further refining, and any changes will be considered in the next iteration of the plan.</p>				

Policy DM6: Accommodation for Agricultural and other Rural Workers

Response to supporting text: 0

Respondents	Representations	Support	Object	Comment
7	7	1	4	2

Representation numbers
3368 (**Lucken Beck MDP obo Landlink Estates Ltd**), 3101 (**Chichester Harbour Conservancy**), 2671, 2523 (**Sidlesham Parish Council**), 843, 72, 54,

Summary of issues and key comments raised by residents and other respondents

Object:

- Policy does not cover provision of specialist housing for horticultural/agricultural and rural workers. 3368 (**Lucken Beck MDP obo Landlink Estates Ltd**)
- Needs to reflect unmet housing need from SDNP
- No requirement in NPPF to show business viable and CDC should not seek to impose as no unique circumstances.

Support:

- Support reintroduction of qualifying criteria. 2523 (**Sidlesham Parish Council**)

Policy wording:

- Consider time restriction so permission expires to exclude ELD. 2523 (**Sidlesham Parish Council**)
- Approval of agricultural worker accommodation in HDAs should be restricted and limited to a residential caravan on temporary consent. 2523 (**Sidlesham Parish Council**)
- Specific use of word agriculture in criteria 1 not appropriate.
- Rewrite end of paragraph after criteria 6. If not intention of CDC to include wording on conditions to effect that occupiers will be required to live locally in order to perform role, this does not meet required tests for condition as vague, imprecise and unenforceable.
- Final paragraph criterion 3 contradicts Appendix c in terms of length of marketing.

Initial Council response to issues raised and way forward for the Local Plan Review

Consider providing greater flexibility by including reference to horticulture.

While the NPPF does not refer specifically to viability, para 83 states the policies should support the “growth and expansion of all business types in rural areas”. It is therefore reasonable to ask for evidence that demonstrates the business is viable and has the potential for “growth and expansion” in relation to specialist housing.

Review of cross referencing to Appendix C needs to be carried out as reference to paragraph E9 is incorrect.

Consultation with the Development Management team is required to ensure the policy and potential conditions do not conflict with each other and meet relevant tests. This should also include requirements for temporary permissions, which it is

considered will be specific and therefore better controlled by condition.

A requirement for marketing to be for a minimum of 18 months does not contradict Appendix C, which does not specify a time. However, Appendix C states that the period should “reflect market conditions”. Given that we are in a period of uncertainty, it may be appropriate to consider reducing this period.

Policy DM7: Local and Community Facilities				
Respondents	Representations	Support	Object	Comment
Policy:	7	4	3	0
Representation numbers: 3258 (WSCC Estates), 2799 (Sussex Wildlife Trust), 2672, 2649, 1479 (The Theatres Trust), 845, 730 (St Pancras Church)				
Summary of issues and key comments raised by residents and other respondents				
Support: <ul style="list-style-type: none"> • Policy generally 3258 (WSCC Estates), 2649 • Will help protect the district's valued facilities from unnecessary loss 1479 (The Theatres Trust) • Support encouragement of new and improved community facilities and provision of replacement facilities 730 (St Pancras Church) 				
Definition of "facility": <ul style="list-style-type: none"> • Uncertainty as to what is covered as 'a facility' - policy to include wording acknowledging site/land may form part of Green Infrastructure Network 2799 (SWT) 				
New Development <ul style="list-style-type: none"> • Policy to mention minimum threshold of development that requires improved or new community facilities 2672, 845 • Lack of provision for community facilities to be provided as part of a new development 2649 				
Initial Council response to issues raised and way forward for the Local Plan Review				
Paragraph 7.44 provides examples of community facilities, but is not exhaustive. This deliberately provides flexibility. Requirements for future provision are set out in the Strategic Site Allocations, including Parish Allocations. Requirements relate to the most up to date Infrastructure Delivery Plan, ensuring they are current and relevant.				

Policy DM8: Transport, Accessibility and Parking

Respondents	Representations	Support	Object	Comment
Supporting text: 2	2	0	1	1
Policy: 20	20	1	4	15

Representation numbers:

3103 (**Chichester Harbour Conservancy**), 2082 (**West Sussex County Council**), 2580 (**Lavant PC**), 2862 (**Persimmon Homes**), 3032 (**William Lacey Group**), 123, 44, 3204, 858, 2928 (**CPRE Sussex**), 897, 953, 1826, 2597 (**Countryside Properties**), 2911, 389, 258 (**Sustrans**), 2963, 2764 (**Home Builders Federation**), 2417, 3102 (**Chichester Harbour Conservancy**), 1813

Summary of issues and key comments raised by residents and other respondents

Support for policy: (**West Sussex County Council**)

Impact on the environment:

- Development under this policy will almost certainly lead to increased air pollution (**Chichester Harbour Conservancy**)
- Air quality management and mitigation measures arising from development should be secured by planning conditions or legal agreement (**CPRE Sussex**)
- Consider new AQMAs where development is likely to have a significant impact on an AQMA.

Other transport modes:

- Consideration within the policy for cycling routes, bus services and parking.
- Concentration on ‘the availability of car parking’ may lead to car dependent developments and not all modes of transport considered.
- Existing footpaths/cycle routes should be preserved and enhanced (**Lavant PC**).

Policy wording:

- Criteria 2 should be expanded to state that any development must not impact existing footpaths, rights of way or cycle paths.
- Criteria 4 is ambiguous, clarify meaning of ‘requisite infrastructure’ (**Countryside Properties**).
- Criterion 4 policy is unnecessary for residential developments - amend policy wording (**Persimmon Homes**).
- Criterion 6 Include parking standards as an annex to the plan (**Persimmon Homes, William Lacey Group**).
- Point 1 of policy should refer to sustainable transport networks and provision (**Sustrans**).

Impact on housing:

- Lack of investment in transport infrastructure increases negative perceptions of higher housing numbers.
- Establishing links into surrounding existing development should not be overlooked (**West Sussex County Council**).

Initial Council response to issues raised and way forward for the Local Plan Review

Effects on air quality/AQMAs could be controlled by amending Criteria 7 so that an AQ Assessment is required not just where development affects an AQMA, but also where it has the potential to impact air quality in general i.e. strengthen the policy.

Preventing any changes to existing footpaths/cycleways has the potential to be overly restrictive and could prevent wider community benefits and/or safer routes coming forward. It is therefore considered too site-specific to be included as general policy criteria and would be better determined through the application process so that all the issues can be considered together.

The technology around electric vehicle charging is evolving rapidly. Criteria 4 has to retain some flexibility to future-proof the policy as both the technology and requirements change over time. A link/signpost to the Council's Climate Change Action Plan would provide additional evidence and support for the policy requirement.

Policy DM9: Existing Employment Sites

Supporting text

Respondents	Representations	Support	Object	Comment
3	3	0	2	1
Respondents	Representations	Support	Object	Comment
12	12	3	7	2

Representation numbers:
 3311 (**Savills obo WSCC**), 3147 (**Rolls Royce**), 3104 (**Chichester Harbour Conservancy**), 2766 (**Home Builders Federation**), 2673, 2611 (**Premier Marinas**), 1620, 1241, 1154, 807, 745, 459, 3547, 3310 (**WSCC**), 1765

Summary of issues and key comments raised by residents and other respondents

Object:

- Policy wording too rigorous and could prevent development coming forward. 3311 (**WSCC**)
- No concrete provision of meeting employment needs of rural communities.
- Should provide more links with employment in north of CDC area within SDNP.
- Policy needs make provision for mixed use development to include higher value uses.
- Question removal of areas near Goodwood and why areas like AL6 been included.
- On western Manhood major employment sites been redeveloped for housing.
- To requirement that ‘the use does not prejudice the operation of and market attractiveness of wider employment area’. Appendix C does not provide guidance /definition of benchmarks against which ‘market attractiveness is judged. Policy does not reflect principles in Use Classes Order and GPDOs.
- Why restrict policy to B1-B8. Should include retailing and leisure/institutions.
- Assess Tannery site suitability for office use and reallocate for housing. 3310 (**WSCC**)
- Site south of Goodwood Aerodrome should be included as employment site.

Comment:

- Scale of development required for RR expansion could not be delivered through this policy. 3147 (**Rolls Royce**)
- Under points 1. and 2. It is unclear what ‘no material increase in noise levels’ and ‘unacceptable levels of traffic’ means. How would this be enforced. 3104 (**CHC**)
- Extend policy to include text: ‘Existing marine, coastal and water based employment sites will be retained to safeguard their contribution to the local economy. Planning permission will only be granted for alternative uses if the site can be demonstrated to be not fit for purpose for a marine related business and that any marine related business is unviable’. 3104 (**CHC**)

Support:

- General approach. Not clear how sequential test will be demonstrated? Which sequential test? Sequential test refers to new town centre uses not loss of older uses – not consistent with national policy. 2766 (**HBF**)
- General approach. Para 7.59 not consistent with Harbour Management Plan which is not a DPD or robust policy approach and should not be referenced. Para 7.59 should recognise relevance of complimentary uses which support

vitality of Marina. Lengthy marketing periods can leave empty properties creating no employment when change of use could create employment/further benefits. 2611 (**Premier Marinas**)

- Exemption for change of use of employment sites to leisure/community use.
- Paras 4.59, 7.57, 7.58, 7.60 should also apply to need for affordable housing within city's urban area and within reach of all facilities by foot and cycle
- Poor quality employment uses should be relocated to locations on periphery of city.

Initial Council response to issues raised and way forward for the Local Plan Review

This policy will require review to reflect recent changes to the Use Classes Order which have moved B1(a) office use into a new broad use class E "Commercial Business and Service" which also includes some retail and leisure uses. This will affect changes between different uses. The appropriateness of reference to the sequential test in this policy will be reconsidered.

In terms of the broader location of employment – this is being assessed as part of the review of the overall development strategy and is not specifically relevant to this policy. This review will also take into account the updated evidence on employment needs in the 2020 Housing and Economic Development Needs Assessment.

Policy DM10: New Employment Sites

Respondents	Representations	Support	Object	Comment
5	5	0	3	2

Representation numbers:
2316 (**Portsmouth Water**), 2079 (**WSCC**), 1157, 940, 461

Summary of issues and key comments raised by residents and other respondents**Comment:**

- Policy should be compatible with other policies in plan including DM9. Policy DM9 states that development should ‘not generate unacceptable levels of water pollution’ and this should include groundwater pollution. Requirement should also be applied to DM10. 2316 (**Portsmouth Water**)
- Policy should specifically aim to provide suitable walking and cycling infrastructure to encourage sustainable access and to extend outside site boundary to ensure good connections to existing infrastructure. 2079 (**WSCC**)

Object:

- To inclusion of new areas when suitable areas already exist
- 7.61 refers to AL6 for employment space. This is not required.
- Object to restriction to B1-B8 uses. Should include retail and leisure and other institutions to ensure flexibility.

Initial Council response to issues raised and way forward for the Local Plan Review

This policy will require review to reflect recent changes to the Use Classes Order which have moved B1(a) office use into a new broad use class E “ Commercial Business and Service” which also includes some retail and leisure uses. This will affect changes between different uses.

In terms of the broader location of employment, such as whether AL6 should be included – this is being assessed as part of the review of the overall development strategy and is not specifically relevant to this policy. This review will also take into account the updated evidence on employment needs in the 2020 Housing and Economic Development Needs Assessment.

The comments in relation to groundwater and to the importance of walking and cycling infrastructure are both noted. Policy DM8 requires that all developments prioritise the use of sustainable modes of transport and requires the creation of links to pedestrian, cycle and transport networks so it should not be necessary to repeat the requirement for each separate use. Similarly there are other policies in the plan to protect water quality but consideration will be given to the need for more specific reference to groundwater to ensure this is sufficiently covered in the plan.

Policy DM11: Town Centre Development				
Supporting text				
Respondents	Representations	Support	Object	Comment
1	1	1	0	0
Policy				
Respondents	Representations	Support	Object	Comment
6	6	1	2	3
Representation numbers 3137, 3018 (Savills obo Charities Property Fund), 1681 (Chichester BID), 1159, 976 (Chichester Conservation Area Committee), 549, 1685 (Chichester BID)				
Summary of issues and key comments raised by residents and other respondents				
<p>Policy Wording:</p> <ul style="list-style-type: none"> • Properties on west side of South Street between the Vicars Hall/Crypt and Canon Lane should remain as primary frontages. • Support paras 1 to 4 of policy and revision to shopping frontages. <p>Out of town retail developments should be resisted.</p> <p>Para 7.69 references the Shopfront and Advertisement guidance note, but often development does not conform within Conservation Area. Should be highlighted to applicants and Case officers. 976 (Chichester Conservation Area Advisory Committee)</p> <ul style="list-style-type: none"> • Support encouraging more residential development in upper storeys, despite the capacity problems on waste water treatment. This may need a change to the application of the policy on Wastewater Management (S31), as residential city centre developments have been positively discouraged in the past due to the lack of capacity at Apuldram Wastewater Treatment Works. 				
<p>Object:</p> <ul style="list-style-type: none"> • The East Street primary retail policy area is too long and should terminate more or less at the end of the pedestrian area.1681 (Chichester BID) • Town centre dying due to coffee shops and eateries. Need encourage more retail. 				
<p>Support:</p> <ul style="list-style-type: none"> • 3018 (Savills obo Charities Property Fund) • 1685 (Chichester BID) 				
<p>Initial Council response to issues raised and way forward for the Local Plan Review</p> <p>The Council's Retail Study is being updated and the findings will be reflected as the policy is reviewed for the Regulation 19 publication, including any changes to primary and secondary frontages.</p>				

Policy DM 12:Edge and Out of Centre Retail Sites				
Respondents	Representations	Support	Object	Comment
5	5	2	2	1
Representation numbers 2419, 1162, 456, 443, 259 (Sustrans)				
Summary of issues and key comments raised by residents and other respondents				
Comment/Policy wording:				
<ul style="list-style-type: none"> • Out of town development strips town centre of shops. Empty shops should be turned into housing. 				
Support:				
<ul style="list-style-type: none"> • 259 (Sustrans) 				
Object:				
<ul style="list-style-type: none"> • Need to restrict number of large stores selling clothing in edge of centre locations to ensure centre remains attractive/competitive. • Out of centre stores detrimental impact on city centre. Need free/cheaper parking in city centre. 				
Initial Council response to issues raised and way forward for the Local Plan Review				
The Council's Retail Study is being updated and the findings will be reflected as the policy is reviewed for the Regulation 19 publication.				

Policy DM 13: Built Tourist and Leisure Development

Supporting text

Respondents	Representations	Support	Object	Comment
1	1	0	0	1

Policy:

Respondents	Representations	Support	Object	Comment
7	7	1	1	5

Representation numbers
 2614 (**Premier Marinas**), 2421, 2278 (Historic England), 2080 (**WSCC**), 1543 (**Natural England**), 808, 296, 3105 (**Chichester Harbour Conservancy**)

Summary of issues and key comments raised by residents and other respondents

- Comment/Policy wording:**
- Policy conflicts with DM9. Comfortable with approach if Marina becomes settlement hub. Otherwise too restrictive. 2614 (**Premier Marinas**)
 - Support clause 2 in principle. Policy should be to avoid adverse impact on historic environment as part of positive strategy for conservation and enjoyment of historic environment. Wording used in Policies DM3 and DM5 would be appropriate. 2278 (**Historic England**)
 - Policy should aim to provide suitable walking and cycling infrastructure to encourage local sustainable access which may need to extend beyond site boundary. 2080 (**WSCC**)
 - Policy should make it clear tourist accommodation must contribute to relevant strategic access management strategies to mitigate recreational disturbance to SPAs. 1543 (**Natural England**)
 - Chichester Harbour should be listed before Pagham Harbour as bigger. 3105 (**Chichester Harbour Conservancy**)

Initial Council response to issues raised and way forward for the Local Plan Review

It is not considered appropriate to designate the marina a settlement hub, due to its characteristics as a marina rather than a settlement where people live (on a permanent basis), work or shop. As drafted, the criteria in the policy would allow further development at the marina where justified, while still protecting the environmental qualities of the locality. The policy is not considered overly restrictive.

The policy does refer to the historic environment but could be amended to “so as to avoid adverse impact on the natural and historic environment” at Criterion 2.

Add “where new units of overnight tourist accommodation are proposed, appropriate avoidance/mitigation measures must be provided in accordance with the provisions of Policy DM30”

Amend so that Chichester Harbour is listed first in supporting text.

Policy DM 14: Caravan and Camping Sites

Supporting text:

Respondents	Representations	Support	Object	Comment
1	1	0	0	1

Policy:

Respondents	Representations	Support	Object	Comment
5	5	2	1	2

Representation numbers
 2423, 2220 (**Environment Agency**), 2081 (**WSCC**), 1544 (**Natural England**), 57, 3106 (**Chichester Harbour Conservancy**)

Summary of issues and key comments raised by residents and other respondents

Support:

- Reference to restricting occupancy in flood risk areas, but specific mention should be made of avoiding flood risk area where possible – amend policy. 2220 (**EA**)

Policy wording/comment:

- Policy should aim to encourage local sustainable access in respect of infrastructure. 2081 (**WSCC**)
- Amend second part of policy as period of occupancy not dependent on degree of protection desirable to reduce disturbance to designated site. Caravan and camping needs to contribute to relevant strategic access management strategy. Pro rata contribution may be made if part of site not open for part of season. 1544 (**Natural England**)
- Conservancy support seasonal closure of caravan and camping sites within 1km of AONB in accordance with overwintering bird season. 3106 (**Chichester Harbour Conservancy**)

Object:

- Storage is year round and more sustainable to allow owners to store caravans on site. Winter caravan storage should not be limited to existing caravan sites.

Initial Council response to issues raised and way forward for the Local Plan Review

Add Criterion 6: They avoid being sited in areas at risk of flooding

Delete 2. “The degree of protection....” And replace with, “where new units of overnight tourist accommodation are proposed, appropriate avoidance/mitigation measures must be provided in accordance with the provisions of Policy DM30”

Add Criterion 4 to second part of policy “Avoiding disturbance to sensitive sites of ecological value” (copied from original Criterion 2)

The policy relates to caravan and camping sites. Proposals for winter-storage on other sites will be assessed through the policies relevant to the existing and proposed use of that specific site.

Policy DM15: Horticultural Development				
Respondents	Representations	Support	Object	Comment
Supporting text:	1			1
Policy:	7	1	2	4
Representation numbers: 3107 (Chichester Harbour Conservancy), 3375 (Landlink Estates Ltd), 3267 (Kingsbridge Estates Ltd), 2369 (West Sussex Local Access Forum), 2317 (Portsmouth Water Ltd), 2222 (Environment Agency), 1402, 351				
Summary of issues and key comments raised by residents and other respondents				
Support: <ul style="list-style-type: none"> • Specific reference to the need to demonstrate adequate water resources are available and/or water efficiency measures 2222 (EA) 				
Light pollution: <ul style="list-style-type: none"> • Better regulation 3107 (CHC) 				
Runcton HDA: <ul style="list-style-type: none"> • Extend Runcton HDA to the South – see map supplied 3375 (Landlink Estates), 3267 (Kingbridge Estates) • Enhance/upgrade routes for NMUs if land is used for housing at later date 2369 (WSLAF) 				
Tangmere HDA: <ul style="list-style-type: none"> • Map of Tangmere HDA should be provided showing latest glass house proposal to south west 351 				
Development outside HDAs: <ul style="list-style-type: none"> • Investment should be encouraged outside HDAs 1402 				
Horticultural Development definition: <ul style="list-style-type: none"> • Enlarge definition to accommodate warehouse/packhouse structures and expand title to “<i>Horticultural Development or Chichester Food Cluster</i>” 3375 (Landlink Estates), 3267 (Kingbridge Estates) 				
Types of Horticultural Development: <ul style="list-style-type: none"> • Chichester Food Cluster should also be focus for smaller scale horticultural glasshouses as well as existing Sidlesham and Almodington HDAs 3375 (Landlink Estates), 3267 (Kingbridge Estates) • Policy to refer to large scale horticultural glasshouses as well as related B Class uses 3375 (Landlink Estates), 3267 (Kingbridge Estates) • controls on glasshouse and other protected cultivation need to be relaxed 				

(1402)

- Planning permission should be granted for new glasshouse, polytunnel and related development (not ancillary development) 3375 (**Landlink Estates**), 3267 (**Kingbridge Estates**)

Impact on Views:

- Suggest policy wording at point 11 – “*long views across substantially open land are broadly retained or otherwise mitigated*” 3375 (**Landlink Estates**), 3267 (**Kingbridge Estates**)

Water pollution:

- Policy should include groundwater pollution; potential impacts on public water supply abstraction must be assessed for any SUDS; EA 'Abstraction Licencing Strategy' (ALS) may give indication about availability of groundwater but it does not cover derogation of existing supplies 2317 (**Portsmouth Water**)

Initial Council response to issues raised and way forward for the Local Plan Review

Adequate and appropriate water resources/efficiency are required by the Criteria in DM15 which also provides that any proposal must not generate unacceptable light and water pollution.

Council officers have produced a dataset from records of horticulture development within the entire plan area (excluding the SDNP) to recognise historic levels of development both inside and outside of HDAs in the local plan area. This has been used by the Consultants in the recent HEDNA to forecast future need for horticulture development inside and outside of the HDAs. The forecast need within HDAs exceeds the current land availability within the HDAs and policy officers are therefore investigating whether potential extensions to the current HDAs are appropriate.

The recent HEDNA acknowledges both from historic trends of permitted horticultural development and generally from discussion with industry, the changing nature of horticulture operations. The policy wording reflects the fact that horticulture development goes beyond glasshouse development and may include warehouse/packhouse development by reference to “ancillary development”.

Policy DM16: Sustainable Design and Construction				
Respondents	Representations	Support	Object	Comment
Supporting Text: 2	2	1	1	0
Policy: 25	25	4	11	10
Representation numbers				
58, 520, 761, 863, 954, 1091, 1165, 1225, 1318 (Seaward Properties Ltd), 1516 (Linden Homes & Miller Homes), 1545 (Natural England), 1806, 1940, 2223 (Environment Agency), 2318 (Portsmouth Water Ltd), 2427, 2596 (Countryside Properties), 2752, 2768 (Home Builders Federation), 2802 (Sussex Wildlife Trust), 2863 (Persimmon Homes), 2902 (Bloor Homes Southern), 3024 (Thakeham Homes), 3033, 3166, 3193, 3205.				
Summary of issues and key comments raised by residents and other respondents				
Support				
<ul style="list-style-type: none"> • Push for higher standards for new dwellings is a positive and welcome proposal, for energy efficient, sustainability and affordability reasons. 				
Carbon zero/neutral				
<ul style="list-style-type: none"> • Homes Quality Mark 4 stars is not good enough. • As an absolute minimum, CDC should demand the recommended UKGBC requirement of all new homes going forward and working towards carbon zero. • Should acknowledge need for new building to be carbon neutral. • Within plan period there is a target for zero carbon homes. Plan does not meet these requirements and object to the unsustainable design of developments. 				
New dwellings should be required to have Solar Panels				
<ul style="list-style-type: none"> • All new properties should be built with solar panels. Renewable should be encouraged as part of the planning process. • More detail required as to sustainability. 				
Overall requirements should be higher				
<ul style="list-style-type: none"> • Must be much higher requirement for on-site energy creation, i.e. through solar panels, heat pumps, energy-neutral building design, etc. 				
Support higher water efficiency				
<ul style="list-style-type: none"> • Advocate a target of 100l/person/day, in line with Southern Water's policy. (Natural England) • Aspiration to reduce overall water use to 100 litres/head/day and this policy will help to achieve that aim. (Portsmouth Water) • Support maximum use of 110litres per head per day. Recommend that point 5 is expanded to include compensation as well as make reference to net gain. In line with NPPF para 170. Support requirement in point 8 with regard to measures to adapt to climate change. (Environment Agency) 				
Need evidence to justify requirements /remove criterion				
<ul style="list-style-type: none"> • Criterion 1 - no evidence to justify requirement for higher water efficiency • Criterion 6 - should be removed (Persimmon Homes) 				

- Criteria 2 superseded in March 2015. Appears to relate to old CSH level 4. Deregulation Act 2015 amended Planning and Energy Act 2008 and removed clause 1(c) which allowed LPAs to have a requirement in a Development Plan that development should comply with energy requirements that exceed the energy requirements of the building regulations. Delete criterion 2.
- Wording of para 4 considered prescriptive and inflexible. No reference to 'fabric first principles' **(Countryside Properties)**
- Part 4 of policy not consistent with NPPF, suggest policy rewording **(Home Builders Federation)**
- Requirement for 10% of energy to be renewable not consistent with NPPF which states that development should comply with local requirements for decentralised energy where this is feasible and viable - amend policy. **(Thakeham Homes)**
- Object to 10% of energy from renewable resources. Amend policy wording to: Where possible, suitable, feasible and viable, the energy supplied from renewable resources will be maximised. **(Bloor Homes Southern)**
- Support DM16 to minimise the environmental impact of development during construction and post occupancy, hence aspirations of the policy are supported. However, Policy is overly prescriptive in terms of the standards and considerations that are required to reduce energy demand. **(Linden Homes & Miller Homes)**

Other

- It is desirable to specify a build height restriction for the city.
- Pleased to see policy acknowledge biodiversity and encourage CDC to ensure the wording reflects the ethos of measurable net gains to biodiversity in paragraph 174b of the NPPF. Suggested amendments to bullet point 9: 'The natural environment and biodiversity will be protected and/or where appropriate provision will be made for improvements to deliver measureable net gains to biodiversity areas and green infrastructure.' **(Sussex Wildlife Trust)**

Initial Council response to issues raised and way forward for the Local Plan Review

Since this policy was drafted, the Council has declared a climate emergency and has published a Climate Change Action Plan for consultation. The legislation, targets and technology relating to this issue are evolving all the time and it will therefore be appropriate to review these comments in detail, against the objectives and targets in the CCAP. This will ensure that policies are appropriately evidenced and reflect current standards – albeit recognising that the policy also needs to be future-proofed so that it can be applied to 2037. Further discussion with the Councils Environment Team is required.

Policy DM17: Stand-alone Renewable Energy				
Respondents	Representations	Support	Object	Comment
Supporting Text: 1	1	0	0	1
Policy: 7	7	2	3	
Representation numbers				
521, 762, 864, 1226, 2279 (Historic England), 2426 (South Downs National Park Authority), 3109, 3206.				
Summary of issues and key comments raised by residents and other respondents				
Support				
<ul style="list-style-type: none"> Support clause 1 as part of positive strategy for conservation and enjoyment of historic environment required by paragraph 185 of the NPPF. (Historic England) 				
Ambition				
<ul style="list-style-type: none"> Not ambitious enough. Biomass and energy crops should not form part of this section are not sustainable and use agricultural land to produce energy that could come from wind and solar. Need to be much more proactive and positively encourage such proposals, for reasons of climate change emergency. 				
Sites for renewable energy				
<ul style="list-style-type: none"> Space required for renewable energy developments, wind turbines, battery storage and more solar panels on roofs and biomass. With move to more electric heating and electric cars, space needed for large batteries. Provision may be required on coast for enabling connection of off-shore wind farm and other marine generation. 				
More on-site renewable energy needed				
<ul style="list-style-type: none"> Object to reliance on off-site renewable energy as this wastes the potential of on-site use of roofs, ground source pumps. 				
Policy wording				
<ul style="list-style-type: none"> Policy requirement for demonstrating no significant adverse impact on landscape or townscape character is welcomed. Request reference made of views of SDNP. (South Downs National Park Authority) Reword paragraph 7.106 to include 'landscape and visual impact assessment'. 				
Council response to issues raised and way forward for the Local Plan Review				
Renewable technologies, including standby generation and battery storage, are rapidly evolving and it is important to ensure the policy is flexible enough to accommodate new/cleaner technologies over the plan period. It is also important to recognise the need for standby generation and storage to support these less reliable/intermittent technologies.				

Types of renewable are listed as examples and are not prescriptive. It is recognised that some of these impact on agricultural land, including solar. It may therefore be appropriate to include an additional criterion, which requires the applicant to demonstrate that the loss of high-quality agricultural land is unavoidable.

It is considered that the requirement for a Landscape Assessment provides sufficient protection for the SDNP, although agree this should be amended to a Landscape and Visual Impact Assessment.

Policy DM18: Flood Risk and Water Management				
Respondents	Representations	Support	Object	Comment
Supporting text:	2		2	
Policy:	9	1	4	4
Representation numbers 3208, 391, 3110 (Chichester Harbour Conservancy), 2760, 2561 (Chichester Harbour Trust), 2511 (Bosham Parish Council), 2319 (Portsmouth Water Ltd), 2225 (Environment Agency), 1171, 844, 392				
Summary of issues and key comments raised by residents and other respondents				
Support policy in general 2561 (CHT)				
Flood resistance/resilience measures: <ul style="list-style-type: none"> Should include flood prevention measures 3208 				
Development location: <ul style="list-style-type: none"> Plan should not permit development on flood plain 3208 Policy to be more restrictive on development proposed within flood zones 391, 1171, 392 para. 7.116 - basement dwellings would not be supported in flood zone 3 - paragraph should be amended to reflect this 2225 (EA) 				
Impact of sea level rise: <ul style="list-style-type: none"> An assessment of the implications of sea level rise on coastal communities and development along coastal inlets and MP should be made 844 Should be blanket provision against building on land lower than 1.5m above sea level to protect against effects of sea level rise 2760 				
Policy layout <ul style="list-style-type: none"> Ensure consistency with strategic policy 2225 (EA) Suggest DM policy requires strategic policy criteria must be satisfied as well 392 Separate DM policies for flood risk and water management though suggest overarching strategic policy to address flood risk and water management together 2225 (EA) 				
Current adopted plan: <ul style="list-style-type: none"> Number of criteria included in current adopted Local Plan policy have been stripped out, recommend further consideration of this for next iteration of Plan 2225 (EA) 				
Sequential test:				

- Include in DM as well as strategic policy 3110 (**CHC**), 2225 (**EA**)

Flood warning and evacuation plans:

- Penultimate paragraph - “will” be required rather than “may” 3110 (**CHC**)

Flood Management Plans

- Include specific reference to Solent Shoreline Management Plan and aspiration to create new guidance for East Head to Emsworth 2561 (**CHT**)
- Include additional criteria requiring development proposals to outline robust strategy for addressing surface water drainage and flood risk 2511 (**Bosham PC**)

SuDS

- Using SUDS needs to take account of groundwater quality and avoid direct infiltration into the chalk aquifer - especially important within the source protection zones 2319 (**PW**)
- para 7.115 - remove reference to EA - responsibility for surface water drainage and consideration of SuDS sits with West Sussex County Council as the Lead Local Flood Authority for this area 2225 (**EA**)

Initial Council response to issues raised and way forward for the Local Plan Review

This policy is being reviewed alongside the strategic policy to ensure consistency and remove duplication. This will include tightening up the wording in response to comments in discussion with stakeholders such as the Environment Agency and the Lead Local Flood Authority. It is considered that more explicit reference to groundwater quality in the plan would be appropriate, although this may sit better in a revised strategic water quality policy.

It is noted that Shoreline Management Plans are already listed in the policy.

A site specific flood risk assessment as required by the first criterion would be expected to cover surface water drainage, flood risk and flood resistance and resilience. Such an assessment would also take into account sea level rise and climate change based on the latest available information at the time of a planning application.

The broader approach to the location of development is not set through DM policies which relate to individual applications but through the development strategy and strategic policies.

Policy DM19: Chichester Harbour Area of Outstanding Natural Beauty (AONB)

Supporting text:

Respondents	Representations	Support	Object	Comment
3	4	1	1	2

Policy:

Respondents	Representations	Support	Object	Comment
12	12	2	4	6

Representation numbers

3113 (**Chichester Harbour Conservancy**), 2929 (**CPRE**), 2656 (**Church Commissioners for England**), 2615 (**CBRE obo Premier Marinas**), 2562 (**Chichester Harbour Trust**), 2428 (**South Downs National Park Authority**), 1236, 1066, 810, 393, 103, 59, 3209, 3112 (**Chichester Harbour Conservancy**), 3111 (**Chichester Harbour Conservancy**), 1808 (**Harbour Villages Lib Dems Campaign Team**)

Summary of issues and key comments raised by residents and other respondents

Policy Wording:

- Chichester Harbour Conservancy requests the wording of the originally worded policy is reinstated. i.e. the reinstatement of ‘demonstrated that all the following criteria have been met’ to ensure policy not weakened. 3113 (**Chichester Harbour Conservancy**)
- Policy Point 5 to be reworded as follows: ‘The development is in accordance with the policies of the Chichester Harbour AONB Management Plan and the Joint Chichester Harbour AONB SPD’. 3113 (**Chichester Harbour Conservancy**)
- Agree with wording ‘The flatness of the landscape makes the AONB particularly vulnerable to visual intrusion from inappropriate development, both within or adjacent to the boundary, which can often be seen from significant distances across inlets, the main harbour channels, or open countryside’ 2929 (**CPRE**)
- Chichester Harbour Management Plan should be amended as non-statutory/consistent with NPPF. 2615 (**Premier Marinas**)
- Amend criteria 3 to identify relationship by way of indivisibility between AONB and SDNP. 2428 (SDNPA)
- Strengthen second sentence in introduction.
- Have reference to third review of Chichester Harbour Management Plan 2019-2024.
- 7.120 – wording suggested: ‘Applicants are encouraged to seek pre-application advice from Chichester Harbour Conservancy for proposed development including intertidal structures, reclamation and dredging, increases in the resident fleet or moorings and dry berth transfers’.3112 (**Chichester Harbour Conservancy**)

Object:

- Policy needs to link more closely with NPPF para 172 as fails to explain purpose of AONB designation and implications for new development. 2929 (**CPRE**)
- A286 will have significant impact on AONB and views towards cathedral.
- Requirement in criterion 1 is onerous as there will be cases where it is

impossible to demonstrate 'enhancement' for more minor development.

- Object to 7.118 – Productive farmland should not be developed. Allow more sensitive building of affordable houses in SDNPA especially supporting villages whose facilities might be under threat of closure.

Support:

- Support general principles. Where suitable development is proposed in AONB, its designation alone should not be used as reason to prevent sustainable development coming forward. 2656 (**Church Commissioners for England**)
- Inclusion of dedicated AONB policy. 2562 (**Chichester Harbour Trust**)
- Retention of AONB. Very limited development should be allowed on existing sites. Marine businesses must be retained and sites not used for development of housing. Conservancy must always be consulted on harbour development issues. 1808 (**Harbour Villages Lib Dems Campaign Team**)

Initial Council response to issues raised and way forward for the Local Plan Review

The NPPF affords the highest level of protection to AONBs. In addition, the Chichester Harbour Management Plan (CHMP) provides detailed guidance on all aspects of development within and affecting the harbour. The role of the Local Plan is to provide appropriate policy to guide development, but not to repeat policy which is provided elsewhere.

The CHMP is not part of the Development Plan, but is relevant to proposals affecting the harbour. It is therefore appropriate to refer to it, rather than repeat it, in Policy DM19. This also future proofs it, particularly given that the timescales for the CHMP and Local Plan are different.

The responses will be reviewed in more detail and amendments made if appropriate, where they do not repeat existing policy or provide unnecessary detail which is already contained within the CHMP.

Policy DM20: Development Around The Coast

Supporting text:

Respondents	Representations	Support	Object	Comment
1	1	0	1	0

Policy:

Respondents	Representations	Support	Object	Comment
9	10	3	4	3

Representation numbers

2930 (**CPRE Sussex**), 2808 (**Sussex Wildlife Trust**), 2617 (**CBRE obo Premier Marinas**), 2280 (**Historic England**), 2226 (**Environment Agency**), 1177, 1020, 812, 104, 3210

Summary of issues and key comments raised by residents and other respondents

Policy wording:

- Difficult to relate policies DM20 to Policy S24. Need to ensure consistent approach. 2930 (**CPRE Sussex**)
- Para 7.127 overly restrictive. Propose: ‘Council will permit development associated with marine employment, leisure, tourism and related uses, provided that it does not:
 - a) Jeopardise the safety and ease of navigation on the water or have a detrimental impact on the regime of the river;
 - b) Adversely affect nature conservation, landscape or heritage interests; or
 - c) Cause a reduction of water quality
 Development or redevelopment will be permitted incorporating floorspace not restricted to boat related uses, where such a use is appropriate to, and needed to secure the future of a boatyard or marina and it is demonstrated that the development will complement the use of the site and/or the enjoyment of the water. 2617 (**CBRE obo Premier Marinas**),
- Change 7.122 to ‘Villages and hamlets should be protected and enhanced and actions brought forward by the plan to combat climate change in line with Government policy as outlined by the Committee for Climate Change’.

Support

- 2808 (**Sussex Wildlife Trust**)
- Clause b of DM20. 2280 (**Historic England**)
- Requirement to safeguard strip of land behind sea defence/coastal works (16m) and requirement to protect water quality. 2226 (**Environment Agency**)

Object

- Over development. In danger of destroying water quality and the quality of the environment that attracts people to area.
- Ambiguity between Policies DM19 and DM20. Much of coastline in plan area within AONB and Policy DM19 should apply as more demanding.
- No reference to Manhood Peninsula
- Concern over impact of additional development on tourism and access.

Initial Council response to issues raised and way forward for the Local Plan Review

Comments relating to specific word changes will be reviewed in more detail, to determine if they are appropriate, particularly when cross referenced with policies DM19 and S24 and policies relating to water quality.

It is not considered that non-boat yard related uses being permitted “exceptionally” is too restrictive; instead it allows a proposal to be considered where it is fully justified and evidenced.

Consider differentiating policy from DM19 so that it is applicable to all development outside the AONB.

Policy DM21: Alterations, Change of Use and/or Re-use of Existing Buildings in the Countryside

Supporting text:

Respondents	Representations	Support	Object	Comment
1	1	1	0	0

Policy:

Respondents	Representations	Support	Object	Comment
6	7	2	4	1

Representation numbers
 3114 (**Chichester Harbour Conservancy**), 2810 (**Sussex Wildlife Trust**), 2662 (**Church Commissioners for England**), 2282 (**Historic England**), 1209, 60, 2281 (**Historic England**)

Summary of issues and key comments raised by residents and other respondents

Policy wording:

- Strengthen to ‘Development will need to ensure it is sensitive to its surroundings, respect the landscape setting and character of the locality. Sites within or adjoining the Area of Outstanding Natural Beauty will need to demonstrate that the design and scale of the proposal is in keeping with the special designation’. 3114 (**Chichester Harbour Conservancy**)
- Criterion 5 should be repeated in a separate para pertaining to residential alterations.
- Criterion 2 overly restrictive. Economic and community uses should be discounted if they are either inappropriate or unviable.
- Change wording of penultimate para on isolated homes to better reflect NPPF para 79. A conversion is development so don’t need both words. NPPF does not use the word ‘Special’.

Object:

- Text needs to highlight buildings in countryside may be valuable for biodiversity. Suggest additional bullet point. 2810 (**Sussex Wildlife Trust**)
- Strengthen DM21 to include stronger protection for farm buildings that may be of historic interest as required by para 185 of NPPF. 2282 (**Historic England**)
- Policy does not reflect NPPF which places no priority over economic or commercial re-uses of rural buildings over residential re-uses.

Support:

- Main objective of DM21. Additional flexibility required to avoid buildings lying empty where they do not strictly meet the criteria of the policy. 2662 (**Church Commissioners for England**)
- Support para 7.129. 2281 (**Historic England**)

Initial Council response to issues raised and way forward for the Local Plan Review

The NPPF has been amended since the policy was drafted, to promote more flexibility for the re-use of buildings in the countryside, particularly where a proposal supports the rural economy. As such, this policy needs to be reviewed in its entirety to address representations and ensure conformity with the NPPF.

Policy DM22: Development in the Countryside

Supporting text:

Respondents	Representations	Support	Object	Comment
4	4	0	4	0

Policy:

Respondents	Representations	Support	Object	Comment
10	14	2	7	5

Representation numbers

2812 (**Sussex Wildlife Trust**), 2711, 2664 (**Church Commissioners for England**), 2618 (**CBRE obo Premier Marinas**), 2430 (**SDNPA**), 1783, 1664, 1179, 705, 62, 3213, 1809 (**Harbour Villages Lib Dems Campaign**), 707, 61

Summary of issues and key comments raised by residents and other respondents

Object:

- Supporting text does not acknowledge biodiversity value of wider countryside. 2812 (**Sussex Wildlife Trust**)
- Priority should be given to edge of settlement sites if there is a need.
- Overly restrictive and contrary to NPPF. Should not be requirement to demonstrate the need cannot be met within or adjacent to settlements. No mention encouraging development on PDL within policy although referred to in supporting text at 7.137.
- No mention of supporting live/work units in appropriate situations in countryside.
- A consideration in determination of applications should be the need to relocate to more suitable premises and that there will be a requirement for open market housing to support delivery of sites.
- No mention high quality eco buildings.
- Harmful to restrict range of goods sold as in rural communities a wider range of goods could reduce need to travel.

Policy wording:

- Revise policy to ensure plan flexibility e.g. edge of settlement
- If Marina not incorporated into settlement boundary policy is too restrictive. 2618 (**Premier Marinas**)
- Wording to be more proactive by including wording to direct people to ‘respect and respond to the National Park landscape, its setting and purposes prior to development design’. 2430 (**SDNPA**)
- Wording should allow for the need to potentially relocate to more suitable premises and there will be a requirement for open market housing to support delivery of sites.

Support:

- Support principles. Additional flexibility required to allow development in countryside where sustainable and supports vitality and character of rural areas. 2664 (**Church Commissioners for England**)

Initial Council response to issues raised and way forward for the Local Plan Review

Since this policy was drafted, the NPPF has been revised, with increased emphasis on supporting the rural economy and providing for community needs. As such, it will be necessary to review the policy in its entirety, to ensure it reflects the updated NPPF.

Reference to B Use Class will need to be reviewed as the Use Classes Order has been updated. It could be beneficial to refer to types of use (industry/office/storage etc.) rather than a use class, to future proof the policy.

Policy DM22 would benefit from further clarity over “countryside”, particularly with reference to “immediately adjacent to existing settlements”.

It is noted that responses also refer to the fact that certain issues are not addressed within the policy, for example, biodiversity, eco-homes and previously developed land. However, these are issues all covered by other policies in the plan. It is important that the plan is read as a whole and that each policy does not repeat criteria that are better suited to another policy.

Policy DM23: Lighting				
Respondents	Representations	Support	Object	Comment
Supporting Text: 0	0	0	0	0
Policy: 5	5	3	0	2
Representation numbers 202, 1324, 2432 (South Downs National Park Authority), 2814, 2931.				
Summary of issues and key comments raised by residents and other respondents				
AONB <ul style="list-style-type: none"> Policy restricts development where it has a harmful impact on the wider landscape; would benefit from explicit reference to protecting AONB. 				
SDNP Dark Skies <ul style="list-style-type: none"> Reference to South Downs International Dark Skies Reserve welcomed. Proposals that aren't immediately adjacent to Reserve may have significant adverse impact, egg due to the site's particular visibility within landscape or sky glow; suggest wording amended to reflect this. (South Downs National Park Authority) 				
Policy wording <ul style="list-style-type: none"> Support inclusion of policy; welcome acknowledgement that wildlife can be impacted by lighting schemes. Do not feel is clearly translated into policy and may not be effective. NPPF (para 180c). Propose amendments to bullet point 3: 'There is no significant adverse impact on neighbouring development, or the wider landscape or nature conservation;' 				
Lighting level <ul style="list-style-type: none"> To avoid light pollution glare and spillage on new build sites suggest lighting should be low level and if needed motion activated. Would save expense, more environmentally friendly. 				
Council response to issues raised and way forward for the Local Plan Review No significant changes are required as a result of these representations. However, as a criteria based policy, it may be useful to state that a Lighting Assessment will be required in sensitive locations, to demonstrate how these criteria will be met and set out any proposed mitigation in a Lighting Strategy.				

Policy DM24: Air Quality				
Respondents	Representations	Support	Object	Comment
Supporting Text: 2	2	1	1	0
Policy: 24	26	2	16	8
Representation numbers 178, 394, 470, 474, 516, 629, 763, 772, 813, 846, 923, 1121, 1403, 1483, 1529, 1531, 1772, 1774, 1811, 1864, 1980, 2227 (Environment Agency), 2429, 2679, 2912, 3211, 3454, 3535				
Summary of issues and key comments raised by residents and other respondents				
Support <ul style="list-style-type: none"> • Agree with this policy. 				
AQMA's <ul style="list-style-type: none"> • No recommendations for reduction in air pollution and the management of AQMA. • No confidence in Development Proposals being declined on grounds of impact to current AQMA's. • Chichester already has 3 AQMA's; the majority of Chichester's schools are close to these and on walking routes, resulting in breathing these pollutants. Going through the motions and not fully relating it to Chichester's major issue, the 48% of through traffic on the A27. • AQMA's identified in 3 locations. Traffic build-up from Emsworth to Fishbourne roundabout every weekday must have a significant local air pollution impact. Further impact assessments warranted. Requirement for more thorough and regular air pollution monitoring. • Policy DM24, S28 + Statement in Para 1.2.1 do not appear to be an integrated or coherent approach. The statement on using the IP model, with the AM and PM peak hour models, would have the effect of flattening the spikes that occur in AQMA's in peak times where the NO₂ & fine particulates, will be at their highest pollution levels. 				
Stockbridge <ul style="list-style-type: none"> • Concerned about air quality in the Stockbridge Road locality. • Stockbridge Roundabout has frequently breached air quality limits in recent years and continues to do so. Link road will contribute to increased air pollution • Air Quality will further deteriorate as a result of the proposed plans. • The PBA report states that within existing AQMA's (Air Quality (page xvii)), there are no predicted exceedances of NAQOs. Appendix G, Tables 4.1 and 4.6 show levels of NO₂ at Stockbridge have consistently exceeded maximum levels. On page xvi of the Executive Summary, Table 1 shows that Stockbridge ranks 5th in priority of construction. Many years before any expected improvement in Air 				

Quality at Stockbridge.

- AL6 already part of the Stockbridge AQMA and would be surrounded by the A27, A286 and the proposed SLR, and changes to the Fishbourne and Stockbridge junctions at either end. Dwellings are going to be surrounded, with associated health risks and rather than mitigating will cause significant damage.
- Not good enough to "maintain" current levels of air pollution through the plan period.

Reduction in pollution

- No recommendation for reduction in air pollution.

Health

- Large number of deaths and illnesses connected to air pollution. Plan needs to include more detail on how air pollution risks will be mitigated.

Mitigation

- Not detailed enough. More monitoring and more measures to be included to ensure actions are taken. These should include Clean Air Zones introduced, cleaner buses, car free day, workplace parking levy, anti-idling zones, increased pedestrianised areas in our villages and towns, better joined up cycle network.
- Paragraphs 4 and 5 state that where development or traffic is likely to have a "significant impact" on air quality an assessment will be required. Does not quantify how the judgement of "significance" will be made, or what decision would be made based on adverse assessments. Cumulative effect of air pollution sources is just as damaging as one significant addition. Makes no commitment to take prevailing wind direction into account when locating such developments.
- The policy is not nearly forceful enough. It allows for developments to assess air quality, to put in mitigation measures, but still permits them. They should not be allowed until after improvement in air quality has taken place.

Other

- Pleased to see that policy recognises that new development may be located near to existing uses that may be potentially polluting to housing. Important that onus be on the developer/applicant to manage any impact to ensure that they don't leave the existing user affected. **(Environment Agency)**

Council response to issues raised and way forward for the Local Plan Review

The Council's Environmental Protection Team is responsible for monitoring air quality impacts and has commissioned work in support of the Air Quality Action Plan. Recent data suggest that air quality compliance has been achieved in some of the AQMAs and modelling suggests this trend will continue.

New development can only be expected to mitigate its own impacts and not address any existing issues. It is considered that the policy is sufficiently robust to achieve this. However, the cumulative effects are noted and it may be worth deleting "major" so that AQ assessments can be requested for a wider range of development types.

Policy DM25: Noise				
Respondents	Representations	Support	Object	Comment
Supporting Text: 2	2	0	1	1
Policy: 3	3	1	1	1
Representation numbers 219, 924, 1044, 1466, 2431				
Summary of issues and key comments raised by residents and other respondents				
Support <ul style="list-style-type: none"> • Support Policy 				
Impact of new development <ul style="list-style-type: none"> • Support policy to minimise noise disturbance, however AL6 with proposed development and road construction adjacent to dwellings and the Chichester Harbour AONB is ill thought out as a suitable location to avoid such impact. 				
Acceptable Level / Mitigation Measures <ul style="list-style-type: none"> • What is an "acceptable level" of noise pollution? Aspects of plan increase noise pollution. Where is reference to industry standards, DMRB and DEFRA's END - Action Plans designed to manage environmental noise and its effects, including reduction if necessary, and preservation of quiet areas. • Excess noise is subjective and difficult to define against other background noise. Success of mitigation measures is not assured. Much more assessment and modelling needs to be carried out before any planning permission is granted and/or highway improvements demanded. 				
Council response to issues raised and way forward for the Local Plan Review Difficulties in assessing what is "acceptable" noted. Consider amending policy to place more emphasis on the requirement for Noise Impact Assessments, so that effects are modelled and mitigated against recognised standards/limits.				

Policy DM26: Contaminated Land

Respondents	Representations	Support	Object	Comment
Supporting Text: 0	0	0	0	0
Policy: 1	1	1	0	0
2228 (Environment Agency)				
Summary of issues and key comments raised by residents and other respondents				
<ul style="list-style-type: none">• Support policy as drafted. (Environment Agency)				
Council response to issues raised and way forward for the Local Plan Review				
Support noted.				

Policy DM27: Historic Environment

Supporting text:

Respondents	Representations	Support	Object	Comment
5	5	0	1	4
Policy:				
Respondents	Representations	Support	Object	Comment
6	6	1	1	9

Representation numbers:
 3214, 2713, 2284 (**Historic England**), 1367, 977 (**Chichester Conservation Area Advisory Committee**), 930, 395, 1605, 1812 (**Harbour Villages Lib Dems Campaign Team**), 2283 (**Historic England**), 3115 (**Chichester Harbour Conservancy**)

Summary of issues and key comments raised by residents and other respondents

Comment:

- Additional wording to protect existing trees and hedging
- Policy more onerous than NPPF
- Criterion e should specify wholly exceptional circumstances. More detail required in policy in terms of considerations when assessing development proposals affecting heritage assets. 2284 (**Historic England**)
- Additional wording to protect assets as well as conserve and enhance. 977 (**Chichester Conservation Area Advisory Committee**)
- Chichester Harbour and its rich historic environment should be recognised on the list of four locally distinctive character areas. 3115 (**Chichester Harbour Conservancy**)
- Para 7.154-7.161 should be reworded to clarify the distinction between designated and non-designated heritage assets. 2283 (**Historic England**)
- Support - retain the fabric of old buildings but allowing design to move sites forward. 1812 (**Harbour Villages Lib Dems Campaign Team**)

Support:

- Require more enforcement and monitoring

Object:

- 7.162 makes no mention of the Chichester Harbour AONB

Initial Council response to issues raised and way forward for the Local Plan Review

The wording of the policy must be consistent with the NPPF, which has been updated since the policy was drafted – cross reference between the two is required.

Further advice will be sought from Historic England on what constitutes “wholly exceptional circumstances” and how best to define designated and non-designated assets, to provide greater clarity in the application of the policy.

Chichester Harbour is part of the Coastal Plain, which is referenced in the supporting text as one of four locally distinctive character areas. This could include “(which includes the Chichester Harbour AONB)” at Criterion 4.

Policy DM28: Natural Environment				
Respondents	Representations	Support	Object	Comment
Supporting text: 2	2	0	0	2
Policy: 14	14	2	4	8
Representation numbers				
3116 (Chichester Harbour Conservancy), 1101, 2715 (Gladman), 2816 (Sussex Wildlife Trust), 3034 (William Lacy Group), 1368, 218, 1959, 2595 (Countryside Properties), 2769 (Home Builders Federation), 2515 (Bosham PC), 3170, 1191, 906, 2398 (South Downs National Park Authority), 2563 (Chichester Harbour Trust)				
Summary of issues and key comments raised by residents and other respondents				
Support for policy: (South Downs National Park Authority)				
Impact on the AONB: <ul style="list-style-type: none"> Reference should be made to protecting views of the AONB. 				
Policy wording: <ul style="list-style-type: none"> Policy should include wording to say ‘there is no adverse impact on the openness...setting of Chichester Harbour AONB or the SDNP’ (Chichester Harbour Conservancy). Criterion 5 – the word ‘perceived’ may be challenging for decision makers and applicants (Gladman, William Lacy Group, Countryside Properties). Criterion 5 – inconsistent with NPPF para 16 (Home Builders Federation). Section 7.169 should be worded to ensure mitigation hierarchy clearly indicates the need to avoid impacts first (Sussex Wildlife Trust). Explain what is meant by ‘no adverse impact’. Criterion 1 should include reference to Chichester Harbour AONB (Chichester Harbour Trust). 				
Impact on environment: <ul style="list-style-type: none"> Consideration of development on light pollution/dark skies policies. Biodiversity is an essential feature of the natural environment, treating it as a separate policy risks conflict between the two policies. Consideration of agricultural land should not be sacrificed for development. 				
Evidence : <ul style="list-style-type: none"> Evidence base (Landscape Capacity Study) is not robust. Assessment during winter months required (Bosham PC). 				
Initial Council response to issues raised and way forward for the Local Plan Review				
Further consideration will be given on whether references to “coast” need to include				

Chichester Harbour AONB separately – as this has been raised in several responses.

Further consideration also required in respect of “perceived”. If it is retained, the supporting text should explain its application.

Para 7.169 could be amended to refer to the mitigation hierarchy, as this would add clarity.

It is considered appropriate to have DM28 and DM29 as separate policies. DM28 deals predominantly with landscape character and DM29 has an ecological application.

“No adverse impact” could be demonstrated through a Landscape and Visual Impact Assessment – so that it is demonstrated through a recognised methodology.

A Landscape Capacity Study provides useful evidence in respect of the Local Plan. Where a specific proposal is expected to have an impact on the landscape, an LVIA will be required.

Policy DM29: Biodiversity				
Respondents	Representations	Support	Object	Comment
Supporting text:	1		1	
Policy:	15	6	3	6
Representation numbers: 1781, 3285 (Westbourne PC), 3117 (Chichester Harbour Conservancy), 2932 (CPRE Sussex), 2818 (Sussex Wildlife Trust), 2320 (Portsmouth Water), 2229 (Environment Agency), 2074 (WSCC), 1968, 1834, 1791, 1779, 1626 (Natural England), 1360, 764, 204				
Summary of issues and key comments raised by residents and other respondents				
Support: <ul style="list-style-type: none"> • Policy generally 3285 (Westbourne PC), 2818 (SWT), 2229 (EA) 1834 • Measures to safeguard and enhance biodiversity value of development sites including seeking net biodiversity gain 2074 (WSCC) • Welcome inclusion of net gain policy 1626 (NE) 				
Work in progress: <ul style="list-style-type: none"> • Will need to be consulted on prior to examination 1781 1779 • Explain in para 7.171 how CDC is using biodiversity data to inform site allocation process 2818 (SWT) • Query whether area around Church Farm Land, Stubcroft Farm and Stubcroft Lane have been mapped as areas of outstanding diverse wildlife habitat 204 				
Chichester Harbour: Include reference to biodiversity value of CH 3117 (CHC)				
Extent of biodiversity: <ul style="list-style-type: none"> • Policy needs to reflect need to protect and enhance irreplaceable and priority habitats and species more clearly 2818 (SWT) • Extends beyond ecological networks and wildlife corridors 1968 • Views and protected habitat particularly along the canal must be protected 1360 				
Net gains: <ul style="list-style-type: none"> • CDC to undertake biodiversity audit to form baseline data and monitor developments against to demonstrate the net gains in biodiversity 3117 (CHC) • “Net gain” principle to be more firmly established in policy and be set as requirement especially for site allocations 2932 (CPRE) • Suggest inclusion of measures to aid implementation by developers – use of DEFRA biodiversity metric and net gain plans 1178 (NE) • Consideration should be given to Government consultation on mandating biodiversity net gain in all new development and whether further strengthening of policy wording is required 2229 (EA) 				

Benefits of development outweighing adverse impact on the biodiversity

- Remove point 6 as suggests biodiversity can be damaged legitimately under policy - such damage should be considered only in very exceptional circumstances 2932 (**CPRE**) 768

Exploiting planning system rules:

- Further consideration to be given to abuses of planning system where sites cleared before submission of planning applications 3117 (**CHC**)
-

Partnerships

- Seek recognition by CDC to support schemes in areas such as Bosham Stream, Lavant Stream and Fishbourne Stream which could be developed in partnership with local housing developments 2320 (**PW**)

Supporting text consistent with national policy:

- Change “prevent” in para 7.172 to “avoid” 2818 (**SWT**)
- First sentence of 7.172, change to read “*All new developments are required to take account.....*” 1968
- Insert new sentence in 7.172 as follows “*.... will be sought. However, this is in the recognition that some developments will cause irreparable harm to local biodiversity, i.e. ancient woodlands, and that no mitigation or compensation measures will be adequate to make up for this loss.*” 1968

Policy text changes:

- Introduction to read “*Planning permission will only be considered where it can be demonstrated.....*” 1968
- New point 1 to read: “*Planning applications should be supported by relevant environmental information, which is informed by appropriate up-to-date ecological information, prior to determination*” 2818 (**SWT**)
- Change current point 1 to read: “*All development should ensure the conservation and enhancement of biodiversity, including: International, National and Locally designated sites; Marine habitats and other Biodiversity Action Plan (BAP) priority habitats; Irreplaceable Habitats; Protected and priority species; Biodiversity Opportunity Areas (BOAs); Wildlife corridors and stepping stones*” 2818 (**SWT**)
- Change current point 2 to read: “*If significant harm to biodiversity cannot be avoided (by locating development on an alternative site with less harmful impacts or through design), then such harm should be adequately mitigated. Where it cannot be adequately mitigated then such harm must be compensated for. Where it cannot be compensated for, then planning permission should be refused*” 2818 (**SWT**)
- Change current point 3 to read: “*The proposal has incorporated features that enhance biodiversity as part of good design and sustainable development, and identifies and pursues opportunities for achieving a measurable net gain in biodiversity;...*” 2818 (**SWT**)
- Insert “*or mitigated*” at point 5 after “avoided” 1791

- Current point 6 third line to read “..... *planning obligations will be imposed.....*” 1968

Initial Council response to issues raised and way forward for the Local Plan Review

A significant number of comments have been received in respect of DM29. As such, a comprehensive review of this policy will be required to ensure that it addresses key issues made by stakeholders. Of particular importance is biodiversity net gain, which is being proposed through the Environment Bill which is going through Parliament (Nov 2020). If passed, there will be a mandatory biodiversity gain objective of at least 10% of pre-development biodiversity value. In addition, the Bill also provides that where a developer carries out activities which do not have planning permission and which lower the biodiversity value of onsite habitat, the pre-development biodiversity value must be the value prior to those activities taking place. This is intended to prevent developers from degrading habitat before planning permission is obtained in order to reduce their net gain obligations.

Policy DM30: Development and Disturbance of Birds in Chichester, Langstone and Pagham Harbours Special Protection Areas

Respondents	Representations	Support	Object	Comment
8	8	2	1	5

Representation numbers:
 2933 (**CPRE Sussex**), 2819 (**Sussex Wildlife Trust**), 2568 (**Friends of Pagham Harbour**), 2564 (**Chichester Harbour Trust**), 2436 (**SDNPA**), 1632 (**Natural England**), 1369, 815

Summary of issues and key comments raised by residents and other respondents

Comment:

- Support inclusion of issue of development in bird area. No indication that mitigation strategy is realistic or what package of measures might be. 2933 (**CPRE Sussex**)
- Buffer around Pagham Harbour is smaller than around Chichester Harbour
- Policy should be made clearer by:
 Moving background explanation to supporting text;
 Remove reference to Pagham LNR Management Plan;
 Separate out and expand parts of policy relating to functionally linked land. 1632 (**Natural England**)

Policy wording:

- Text refers to bullet points a and b however bullet points are numbered. 2819 (**Sussex Wildlife Trust**)

Support:

- Support policy. Concern scheme can only have limited impact on effects of recreational disturbance in reality. Alternative public open spaces should be standard practice for new housing development. 2564 (**Chichester Harbour Trust**)
- Support policy. 2436 (**SDNPA**)

Object:

- Medmerry must be included.

Initial Council response to issues raised and way forward for the Local Plan Review

The general support for the policy is noted. Amendments suggested by NE and SWT will be considered/discussed further with each organisation.

The provision of public open space is covered by a separate policy and evidenced through the Open Spaces Strategy.

Policy DM 31: Trees, Hedgerows and Woodlands

Representations on supporting text:

Respondents	Representations	Support	Object	Comment
1	1	0	0	1

Representations on policy wording

Respondents	Representations	Support	Object	Comment
9	11	3	2	6

Representation numbers

3215, 3118 (**Chichester Harbour Conservancy**), 2934 (**CPRE Sussex**), 2824 (**Sussex Wildlife Trust**), 1836, 1370, 1326, 550, 205, 2756

Summary of issues and key comments raised by residents and other respondents

Comment/Policy wording:

- Suggest wording to provide additional criteria that encourages tree and hedgerow planning to reduce the risk of climate change, offer shade, reduce urban heat effect, reduce risk of flooding.
- Amend point 1 – change ‘existing valued trees’ to ‘existing valued and statutorily protected trees’. 3118 (**Chichester Harbour Conservancy**)
- Item 2 unacceptable. You cannot replace protected trees, non-protected trees, woodlands and hedgerows as it is unsustainable and conflicts with policy aims. The timescale to replace features is longer than timescale of plan.
- Few new housing developments have adequate screening.
- Specific protection for hedgerows required to protect against loss of character and creeping urbanisation brought in by bland fencing.

Support:

- Especially wording in bullet point 4. Benefit from additional wording to avoid impacts on Ancient Woodland and Ancient/veteran trees. 2824 (**Sussex Wildlife Trust**)
- Demonstrate how plan will deliver Government tree planting targets.

Object:

- Further definition on ‘valued trees’ required.
- Need better protection for trees in public spaces as well as private.

Initial Council response to issues raised and way forward for the Local Plan Review

“Valued tress” needs further consideration/explanation as difficult to define. However, the inclusion of “protected trees” would repeat existing legislation.

Replacement planting can be managed through a Landscape Strategy. Properly managed, replacement planting can bring about long term benefits and should not be disregarded as always a negative measure.

Consideration will be given to introducing a positive criterion which actively promotes planting trees and hedgerows as part of new development.

Policy DM 32: Green Infrastructure

Representations on supporting text:

Respondents	Representations	Support	Object	Comment
2	2	0	0	2

Representations on policy

Respondents	Representations	Support	Object	Comment
18	20	6	1	13

Representation numbers

3216, 2935 (**CPRE**), 2826 (**Sussex Wildlife Trust**), 2433 (**South Downs National Park Authority**), 2370 (**West Sussex Local Access Forum**), 2230 (**Environment Agency**), 2078 (**WSCC**), 1837, 1831, 1522 (**WYG obo Linden Homes and Miller Homes**), 1371, 1137 (**British Horse Society**), 1126 (**Chichester and District Cycle Forum**), 919, 870, 859, 206, 124, 2437 (**South Downs National Park**), 869

Summary of issues and key comments raised by residents and other respondents

Comment/Policy wording:

- Insert at point 1 ‘and the protection and enhancement of existing green infrastructure including Salterns Way, Centurion Way and other existing cycle routes’
- Change point 4 ‘the proposals do not lead to the dissection of the linear network of cycle ways, public rights of way, bridleways and ecological corridors especially Salterns Way, Centurion Way and the Chichester to Bognor and Chichester to Emsworth and Chichester to Selsey cycle routes’
- Rename policy to avoid confusion with S29. 2935 (**CPRE**)
- Policy should cite that green infrastructure should be multifunctional and refer to making better green infrastructure connections to ensure spaces function and deliver benefits. 2433 (**SDNPA**)
- Para 7.185 should include examples of PROW. 2370 (**WSLAF**)
- Bullet 4. More positive wording required. 2370 (**WSLAF**)
- 2230 (**EA**)
- Policy could lend support to establishing new routes. 2078 (**WSCC**)
- Policy should not hinder other policy aims such as implementation of Key infrastructure. 1522 (**WYG obo Linden Homes and Miller Homes**)
- Wording is negative....better to tell someone what they should do not what they shouldn't. 1137 (**British Horse Society**)
- Centurion Way needs to be protected from unreasonable changes and incorporate light maintenance. 1126 (**Chichester and District Cycle Forum**)
- Amend wording to ensure paths not rerouted along roads or around perimeter of developments.
- Add para on how Local Green Spaces will be supported (e.g. through Neighbourhood Plans and Site Allocations).
- Para 7.189 replace last sentence with ‘See Maps S30a and S30b.
- Mown park areas do not support wildlife.
- Include more detail in wording at para 7.185. Medmerry re-alignment as a new bullet point as intertidal habitat created in 2013 to compensate for historic losses. 2437 (**South Downs National Park**)

Support:

- Reference to Delivering Green Infrastructure Local Plan Area Document (2016) checklist should be made within policy and policy made more

ambitious. 2826 (SWT)

Object:

- 'Sufficiently mitigate' requires better definition.

Initial Council response to issues raised and way forward for the Local Plan Review

In general, the proposed changes would provide clarity/explanation and will therefore be considered when the next version of the policy is drafted.

The policy may also benefit from reference to the Local Cycling and Walking Infrastructure Plan (LCWIP) and Wildlife Corridors.

As mentioned elsewhere, there is a balance to be achieved so that routes are protected, but recognising that there may be circumstances where changes would facilitate wider benefits. Some flexibility is therefore considered appropriate to future-proof the policy.

Policy DM 33: Canals

Representations on supporting text:

Respondents	Representations	Support	Object	Comment
2			2	

Representations on policy wording

Respondents	Representations	Support	Object	Comment
6			3	3

Representation numbers: 1022, 1025 (**Friends of the Old Ford to Hunston Canal**), 76 (**Chichester Ship Canal Trust**), 2285 (**Historic England**), 2619 (**Premier Marinas**), 3119 (**Chichester Harbour Conservancy**)

Summary of issues and key comments raised by residents and other respondents

Comment/Policy wording:

Policy DM33 makes no mention of protecting the historic significance of the remaining canal sections. Reword the first paragraph of Policy DM33 as follows;

"Development that makes provision of through navigation or enhancement of the Chichester Ship Canal and the Wey and Arun Canal will be supported where it meets environmental, ecological, historical and transport considerations." (Historic England)

To note that the Chichester Ship Canal is an existing wildlife corridor with a high recreational value. Suggest re-word policy. (Chichester Harbour Conservancy)

Policy should refer to houseboat living/development along the canal.

Support:

Pleased to see DM33 Canals, which recognises the value of the work we are doing and a context for future restoration. (Chichester Ship Canal Trust).

Object:

We object to the poor ambition of the draft DM33 policy on Canals. The Council should start from the goal of reinstating a continuous right of way along its section of the disused Portsmouth and Arundel Canal as part of a green corridor. The Council should encourage proposals which would seek to realign public footpaths as close to the original canal towpath as possible. As demand for green space increases alongside housing developments, the Colworth to Hunston section of the Canal presents an opportunity for public authorities to meet their objectives to enhance the potential for outdoor leisure activities

We propose a rewording of DM33, second paragraph, as follows:

Development will be permitted where this will preserve and enhance the remaining line and

configuration, and features within it, of the Portsmouth and Arundel Canal. Where past developments have diverted the line of rights of way from the original towpath and route of the canal, developments would be welcomed that seeks to reinstate public rights of way closer to the original route.

Object to the limited scope of the statements in 7.194 and 7.195 – new wording proposed regarding restoration and significance of historic features,

Initial Council response to issues raised and way forward for the Local Plan Review

There is scope to improve the wording of this policy and supporting text to reflect the ecological, historical and recreational opportunities of the canal. In addition, opportunities for the reinstatement/improvement of paths along the original route should be promoted as part of the policy. Refer to full reps for policy wording.

Policy DM34: Open Space, Sport and Recreation including Indoor Sports Facilities and Playing Pitches

Responses to supporting text:

Respondents	Representations	Support	Object	Comment
2	2	0	2	0

Responses to Policy:

Respondents	Representations	Support	Object	Comment
11	12	6	4	2

Representation numbers

2453 (**Southbourne Parish Council**); 871; 2828 (**Sussex Wildlife Trust**); 2514 (**Bosham PC**); 2371 (**West Sussex Local Access Forum**); 2286 (**Historic England**); 2019 (**Sport England**); 2018 (**Sport England**); 1997 (**Bishop Luffa School**); 1517 (**Linden Homes & Miller Homes**); 1372; 1313 (**Bosham Football Club**); 1208; 1138 (**British Horse Society**).

Summary of issues and key comments raised by residents and other respondents

Support policy: (**Sussex Wildlife Trust; West Sussex Local Access Forum; Historic England; Bishop Luffa School; British Horse Society**).

1. Supporting Evidence:

- Object to supporting evidence – IDP reference to ‘children’s playspace’ in relation to Southbourne Parish should say ‘children and youth’ (**Southbourne PC**)
- Object - The Open Space Study Sub Area Analysis (Part 2 of 2) Page 13 table 4 says there is good provision for children’s play space, when section 2.3 table 3 shows there to be a shortfall throughout the district (**Southbourne PC**).

2. Open Space Standards:

- Reduced standards are inadequate (**Bosham PC**)
- Existing Standards should be maintained (**Bosham PC**)

3. Policy Wording

- Policy requires rewording in order to be in line with the NPPF. First, it suggests that all criteria must be met, and then states that either 1 or 2 must be met - this is a contradiction. The sentence regarding exceptions should also be reworded to ensure that it is clear that any new development considered to outweigh the loss should be for alternative sports and recreational provision rather than for any other type of development, in order to be in line with national policy. (**Sport England**)
- The policy is not, and nor are the tables 7.1-7.3 to which it refers, clear in regards how very local need will be considered when requiring new open space or sports provision to be provided. (**Linden Homes & Miller Homes**)
- Deficits in the Playing Pitch Strategy should be included in the Study

4. Supporting Text:

- The value of sport to the economy should be reflected within the Local Plan. **(Sport England)**
- It is suggested that the policy, or its supporting text, give recognition to the benefits of sharing of sports facility space in particular between different users, or benefits of relocating open space. **(Linden Homes & Miller Homes)**

Initial Council response to issues raised and way forward for the Local Plan Review

Supporting Evidence: The IDP will be updated throughout to amend the heading to Play Space (Children & Youth)

No Change - The table says good access across key populated areas, but also mentions there are some gaps in access in the north of Chichester Parish.

Open Space Standards: No Change - The previous open space study is out of date and the most up to date study must be used to inform the LPR.

Policy Wording: The policy will be amended by removing the second paragraph, and replacing it with: ' Existing open space, playing fields, sports and recreation buildings and land, should not be built on unless:'...& removing the sentence relating to exceptions after point 3.

Paragraph 7.202 explains that further details are set out in the Open Space, Sport and Recreation Study including Indoor Sports facilities and Playing Pitch Strategy 2018, and the standards and methodology will be set out in a revised Planning Obligations and Affordable Housing SPD. The reference to the SPD will be amended to read – Appendix within the LPR.

Supporting Text: New sentences will be added to the end of 7.196 to read: 'Sport makes a substantial contribution to the local economy, contributing significantly in terms of spending, economic activity (measured using Gross Value Added) and employment. The total direct economic value of sport in the district is £43.9m, and a further £9.7m indirectly as of November 2015'.

Policy DM 35: Equestrian Development				
Respondents	Representations	Support	Object	Comment
5	5	1		4
Representation numbers 2986 (Plaistow and Ifold Parish Council), 2829 (Sussex Wildlife Trust), 2536 (Sidlesham Parish Council), 2322 (Portsmouth Water), 2076 (WSCC)				
Summary of issues and key comments raised by residents and other respondents				
Comment/Policy wording:				
<ul style="list-style-type: none"> • Policy provides no protection for and retention of viable agricultural land and farm units meeting the need for food production. 2986 (Plaistow and Ifold Parish Council) • Amend Policy 4 to ensure potential impacts to biodiversity are captured. 2829 (SWT) • Concern some equestrian development deemed as agricultural use when really it is a change of use. Seek clarity – true recreational nature of horsekeeping and how often large numbers of horses kept on a small acreage might be exercised. 2536 (Sidlesham Parish Council) • Concern over degradation of paths. Future developments must contribute to mitigate additional impact. 2076 (WSCC) 				
Support:				
<ul style="list-style-type: none"> • Protection of water courses and aquifers. 2322 (Portsmouth Water) 				
Initial Council response to issues raised and way forward for the Local Plan Review				
Consider additional criterion to prevent loss of viable, high quality agricultural land.				
Should the proposal include development which will involve the loss of protected habitats or species, an ecological assessment would be required to determine the impacts and propose mitigation. This is covered by existing legislation and it is not considered that it needs to be included in the policy.				
There should be a discussion with WSCC regarding the implications of/options for contribution to bridleway maintenance.				

Schedule of Proposed Changes to Policies Map – Preferred Approach

Respondents	Representations	Support	Object	Comment
17	20	4	6	10

Representation numbers:
 3520 (**HMPC Ltd**), 3406 (**South by East Property Development**), 3405 (**South by East Property Development**), 3379 (**Landlink Estates**), 3327 (CEG), 3266 (**Kingsbridge Estates Ltd**), 3007 (**Danescroft Land Ltd**), 2921, 2915, 2914, 2723 (**Obsidian Strategic AC Limited**), 2688 (**Suez**), 2680, 2601 (**Countryside Properties**), 2294, 1457 (**Berkeley Strategic Land Ltd**), 862, 861, 436, 352

Summary of issues and key comments raised by residents and other respondents

Comment:

- Definition of City Boundary (Plan SB1) should not simply be red line on plan but supported by policies and proposals to encourage boundary to be enhanced and defended. 3520 (**HMPC Ltd**)
- Map AL4 – no justification for removing area (marked Green) from Strategic Site Allocation.
- Wildlife Corridors – should be planned so all options for improving development of city retained. All possible routes for building better A27 safeguarded and wildlife corridors not invoked to prevent development.
- Amendment to settlement boundary should include proposed allocation AL3. 2723 (**Obsidian Strategic AC Ltd**), 2688 (**Suez**)
- Amendments to Tangmere legend and boundary. 2601 (**Countryside Properties**)
- All of property (White Poplars) should be in settlement boundary as currently split site.
- Amend map to include all land owned by Berkley Strategic Land Ltd. 1457 (**Berkeley Strategic Land Ltd**)
- Should be map of Tangmere HDA to confirm boundary and glass house development.

Object:

- Object to inclusion of The Barn, Little London within any shopping frontage. No direct retail street frontage and low pedestrian flows. Vacancy adds nothing to vitality or viability of Chichester’s Retail centre. Exclusion would provide more flexibility in securing alternative reuse and provide economic benefit to centre. 3406 (**South by East Property Development**).
- Plan SB1 shows settlement boundary amendment for Chichester City which includes land at Fuel Depot Bognor Road. Springfield Lorry Park should also be included within Settlement policy boundary amendment on Plan SB1 as same designation. 3405 (**South by East Property Development**).
- DM15 – Runcton HAD too small, inappropriate in configuration and unacceptable for development. 3379 (**Landlink Estates Ltd**)
- Remove 2.3ha of land at Church Field and extend HDA to replace this. 3379 (**Landlink Estates Ltd**)
- Amend Map S15 to remove part of land from site. 3327 (**CEG**)
- Redraw map SB1 to include West of Chichester allocation as has permission and include sites north of Brandy Hole Lane and West of Plainwood Close.
- SB1 should include employment space and residential site as exception site for unmet SDNP housing need.
- S16 Goodwood buffer and adjoining land to be made strategic employment

site.

- S30a and S30b are draft corridors as biodiversity study is incomplete at consultation and will need to be consulted on.
- AL1 incomplete. Settlement boundary should extend to include sites to north to accommodate unmet need from SDNP.
- AL4 – land proposed for removal should not be removed as strategic employment site.

Support:

- Exclusion of Vinnetrow Business Park from HDA. 3266 (**Kingsbridge Estates Ltd**)
- SB1 and AL3 (**Danescroft Land Ltd**)
- Additions to Eastern Wildlife corridor to provide sufficient width and inclusion of significant Green Network features to reinforce function of corridor.
- Removal of field to west of Madgwick Lane from current Strategic Site Allocation.

Initial Council response to issues raised and way forward for the Local Plan Review

The majority of comments relate to the boundaries of specific sites or designations. As the plan is progressed and policies are refined, we will continue to update and make amendments to the proposals map to reflect changes – including settlement boundaries which are affected by proposed development. Site allocation details will be cross-referenced with the policies map to ensure they are shown accurately on the final version.

Habitats Regulation Assessment

Respondents	Representations	Support	Object	Comment
3	3	0	0	3

Representation numbers:
 3524 (**Portsmouth Water Ltd**), 2869 (**Sussex Wildlife Trust**), 2583 (**Natural England**)

Summary of issues and key comments raised by residents and other respondents

Comment:

- Groundwater abstraction in coastal plain will require an impact assessment under Habitats Regulations. 3524 (**Portsmouth Water Ltd**)
- SWT not confident plan deliverable: no assessment of whether possible to avoid all significant adverse effects given amount of development proposed in such close proximity to internationally designated sites. Lack of data on Dark bellied Brent Geese. 2869 (**Sussex Wildlife Trust**)
- Habitat Regulations clear that precautionary principle should be applied when it comes to likely significant effects and deliverability. Concern over 5yhls. 2869 (**Sussex Wildlife Trust**)
- Refer to Arun DC application P/140/16/OUT regarding functionally linked supporting habitat. 2869 (**Sussex Wildlife Trust**)
- NE concurs with findings HRA in respect of likely to have significant effects on European sites through the following pathways for impact; water quality, recreational disturbance, urbanisation, loss of supporting habitat (functionally linked land), coastal squeeze and air quality. Recommend checking Southern Water supply in north of district and whether there may be likely significant effects associated with water supply in that area. 2583 (**Natural England**)
- Agree sites in section 4.5 are those at risk of likely significant effects.
- Agree policy mitigation measures are available to address identified impacts and some amendments to policy wording necessary to conclude no adverse impacts on integrity of European sites. 2583 (**Natural England**)
- Nitrates: NE recommends a nutrient neutral policy backed up by a nutrient management plan to ensure no net effect of development within Harbour catchment on the nutrient status and recovery of harbour water quality is not put in jeopardy by additional nutrients from development. NE therefore concurs with the HRA assessment that the protective policies are needed to avoid an adverse effect on integrity on Chichester Harbour both alone and in combination. NE's view is that Policy S31 requires some redrafting. NE ask CDC to note investigations into Pagham harbour water quality are planned with completion by 2022. 2583 (**Natural England**)
- Functionally linked land: the first step in deciding which sites to allocate for development should be to avoid sites identified in the Solent Wader and Brent Goose Strategy (SWBGS). Then, if there are no other alternatives available, the SWBGS mitigation guidance should be followed. 2583 (**Natural England**)
- Air quality: welcomes commitment to further modelling work at Ebernoe Common, The Mens and Butser Hill SACs; recommend following the approach set out in 'NE's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations'2. 2583 (**Natural England**)

Initial Council response to issues raised and way forward for the Local Plan Review

The comments from Natural England are welcomed. These demonstrate that the impacts are properly identified in the HRA and with appropriate amendments, the impacts can be mitigated. However, there is a need for further more detailed work in relation to the impact of nitrates on Chichester Harbour, bearing in mind this issue may extend to Pagham Harbour in the future subject to NE's assessment work. This work is well underway. There is also a need to investigate the issue of water supply in the north of the district and this is being explored further.

The HRA is carried out by consultants (Aecom) and all consultation responses will be sent to Aecom so that they can be addressed in the next version of the HRA, which will be published formally alongside the Regulation 19 Local Plan.

Sustainability Appraisal

Respondents	Representations	Support	Object	Comment
17	17	0	2	15

Representation numbers:
 3554, 3328 (**CEG**), 3196, 3037 (**Rydon Homes Ltd**), 2681, 2676 (**Devonshire Developments Ltd**), 2602 (**Countryside Properties**), 2506 (**Hunston Parish Council**), 2501 (**Chidham and Hambrook Parish Council**), 2265, 2096, 1922, 1437 (**Natural England**), 994, 576, 151, 64,

Summary of issues and key comments raised by residents and other respondents

Comment:

- Indicator 22 should be expanded to include those attending retail/entertainment/refreshment.
- SA assessment of 800dpa is flawed. Disagree with 1A, 1B, 2A, 3D, 5B – both options should be graded the same. 4B – delivery of Option 2 could require more larger scale strategic sites that could deliver new infrastructure which would be integrated into wider masterplan and reduce need to travel. Option 2 could be accommodated through delivery of sites adjoining main settlements with existing infrastructure and can be integrated to existing settlement to encourage walking. 6A, 7B – increase amount of development to be tested at Southbourne. 7C - both options same conclusions but ranked differently, both should be considered neutral. 3037 (**Rydon Homes Ltd**)
- SA makes no mention of AP6 on strategic sites list and therefore has not been assessed as strategic site and should be excluded from plan.
- Next iteration of SA should test strategic growth at North Mundham. 2676 (**Devonshire Developments Ltd**)
- Suggested changes to scores – 1a - site at Tangmere secured minor negative red scoring yet no reference to evidence to support conclusion. Score should be amber/positive. 6a/6b – Tangmere SDL ideally placed to access village and Chichester facilities. Score should be changed to positive. 7C – Score changed to neutral.2602 (**Countryside Properties**)
- Allocation of 200 houses conflicts judgements made in SA. 2506 (**Hunston Parish Council**).
- Agree with judgements on points 1a, 4b, 5a, 6a, 9, 10a-12b, 13a, 13b but with additions. Chidham and Hambrook less suitable for large scale housing. 2501 (**Chidham and Hambrook Parish Council**)
- Allocation for Chidham and Hambrook not consistent with sustainability evidence. Fails to make a proper distribution of housing in district.
- Welcome SA and lower dpa figure and spatial strategy focusing on existing settlement hubs. 1437 (**Natural England**)
- Prefer Option 1a due to lack of infrastructure on Manhood Peninsula. Question land grading. Prefer higher density housing within settlement boundary to better meet local needs.
- Update AL11 to reflect current reality of Hunston and in context of new development.
- The difference between Option 1 and 1a is that option 1a reduces scale of development on Manhood and redistributes it to Southbourne, Hunston and Tangmere. However, Chidham and Hambrook allocation reduces from 600 in option 1 to 500 in option 1a with no explanation. The 600 allocation for

Chidham and Hambrook should be carried forward to option 1a as it has a railway station and 700 bus route. Reduce 200 allocation for Hunston to 100 as less sustainable.

Object:

- Allocation AL7 should be split between High Grove and the French Gardens site which has lower transport impact and is more sustainable than High Grove site.
- No comparative assessment of reasonable alternatives to sites proposed for allocation. 3328 **(CEG)**
- SA not considered potential for development of additional land that forms part of Westhampnett/NE Chichester SDL. 3328 **(CEG)**
- SA questionable on whether option has positive or negative impacts. Disadvantages not mentioned in relation to potential increase in population from allocation of 1250 dwellings in Southbourne. Lack of information on railway infrastructure for Southbourne dealing with potential increase in passengers from new development.

Initial Council response to issues raised and way forward for the Local Plan Review

SA is an iterative process, which is carried out throughout the plan making process to ensure the most sustainable solutions are carried forward. The SA is produced by the Council's Environment Team. The team is separate from the Policy Team and this ensures that the appraisal is carried out objectively. The comments received in respect of the SA have been passed to the Environment Team to ensure that where appropriate, they are addressed in the next iteration of the SA, which will be published formally alongside the Regulation 19 Local Plan.