

## **Introduction**

Chichester District Council is bringing forward a review of its local plan. The Plan area covers that part of Chichester District which does not fall within the South Downs National Park.

The [previous Chichester Local Plan \(2012-29\)](#) was adopted with a housing figure (of 435 dpa) below the OAN due to uncertainty around both transport matters (relating to the A27) and waste water capacity issues, subject to a review within 5 years.

The most recent [Preferred Approach](#) consultation plan was published in December 2018. It proposed allocations to deliver 650 dpa to meet local housing needs and an element of unmet need from that part of the South Downs National Park which falls within Chichester District.

Key representations received from organisations in response to the Preferred Approach consultation are available on the Council's website as follows -

- The response from Highways England is [here](#)
- The response from West Sussex County Council is [here](#)
- The response from Southern Water (SW) is [here](#)
- The response from the Environment Agency (EA) is [here](#)

Since receipt of these representations the Council has progressed work to address the issues highlighted. With both the A27 and wastewater treatment works, the existing capacity of existing strategic infrastructure is limited, and there remain uncertainties regarding the deliverability of significant expansion of capacity, due to funding and/or environmental constraints.

The Council's Development Plan and Infrastructure Panel considering a report *Local Plan Project* on 15 October 2020 which set out considerations of these projects in the context of the preparation of the new Local Plan.

## **Waste water issues affecting the Chichester Plan Area**

### **Background:**

Since the adoption of the Chichester Local Plan in 2015 additional waste water treatment capacity has been delivered at Tangmere Waste Water Treatment Works (WwTW), including a new pipeline, and the permit level increased to 3000 (dry weather flow). It is understood that although provision beyond this was considered feasible, in line with water industry funding processes, Southern Water only sought funding through the Ofwat approval process to provide the additional capacity required for the adopted plan target.

Delivery of strategic allocations served by this additional treatment capacity was scheduled to the later part of the plan period (post 2019) to allow for the improvements to be made, with development in other locations prioritised in the earlier years. More detail about phasing was set out in a [Housing Implementation Strategy](#) which accompanied the Plan.

The plan is now 5 years old. The plan is still under review and uncertainty about provision for waste water treatment beyond that in the adopted plan remains.

To support the *Preferred Approach* Plan the Council commissioned a [Water Quality Assessment](#) from Amec Foster Wheeler to consider waste water issues. Concerns raised at the preferred approach consultation, led to the Council undertaking a short focused piece of work looking at the capacity of existing WwTW and the environmental and other constraints to expanding capacity.

### **The issues:**

- 1) Current waste water treatment capacity is insufficient to meet the needs of the additional development to be delivered through the Local Plan Review which will cover the period to 2037.
- 2) Some treatment works have no capacity now (Apuldrum and Lavant) whilst others (Sidlesham and Thornham) will reach capacity within the first 5 years of the plan, based on delivery of existing permissions in the Chichester Plan Area. The situation is exacerbated by permissions in adjoining areas. A Position Statement is already in place to limit additional connections to Apuldrum WwTW.
- 3) Many of the waste water treatment works are subject to environmental constraints meaning there is limited scope to provide additional capacity.
- 4) Taking account of existing permissions and allocations (including those proposed in adjacent Havant Borough's Reg 19 Plan) additional treatment capacity would be required by 2028/9 to serve the additional quantum of development likely to come forward in the Chichester Local Plan Review.

### **Proposed solutions:**

- 1) Southern Water have suggested looking at the network connections, to reroute connections to WWTWs which have capacity. This would require a feasibility study, and funding through AMP6 which would cover the period 2025-30. [Waiting for SW to advise on feasibility study]. This solution would not be delivered within the first 5 years of the plan.
- 2) Further investigation is needed to confirm scope to expand capacity at Tangmere WwTW and increase the permit level there. Based on information prepared in relation to the adopted Local Plan it is understood that there is scope to increase the permit to 6000 (DWF) but SW have concerns about the technical ability to achieve this but there is lack of clarity between SW and EA, and in any event this will still be insufficient to meet full needs.
- 3) Increased capacity to treat an additional 3000 DWF at Tangmere would in any case still be below that required ( unless part of the network connection rerouting uses WWTWs outside of the Plan Area).
- 4) A Statement of Common Ground is being prepared to fully establish the position of both Southern Water and the Environment Agency.

### **Other options:**

- 1) Phasing of development to later in the plan period
- 2) A conditional cap on numbers (overall or in specific catchments)

### **Positions of Statutory Consultees:**

In response to consultation on the Preferred Approach Plan Southern Water supported the reference in Policy S12 to the phasing of development to align with infrastructure delivery. It was noted that network reinforcements would be needed for the proposed strategic allocations AL6 (Land SW Chichester), AL7 (Bosham), and AL12 (Selsey). The response also noted that limited capacity is not a constraint to development provided policy and subsequent conditions require appropriate phasing to align with delivery of waste water infrastructure.

In response to consultation on the Preferred Approach The Environment Agency also raised concerns about capacity at AL6 and asked that reference to the sewer network was added to proposed allocation AL13 (Southbourne). Also flagged issues re AL9 (Fishbourne) - the parish would need to consider waste water in allocating sites in the NP. The EA also advised liaison with Southern Water over delivery of improvements. Wording improvements were suggested to S31 Waste water management and water quality.

In addition, in response to a recent planning application, a consultation response from Southern Water was received which accompanies this document. The consultation response raises a number of concerns regarding the capacity of the sewer network and nearby treatment works and seeks a condition to prevent occupation until necessary network reinforcement and wastewater treatment is in place.

### **Advice Required:**

We are continuing discussions with Southern Water and the Environment Agency.

Southern Water will undertake feasibility testing of rerouting connections once we have a revised development strategy.

It is considered there is no distribution of development which would avoid the known constraints to the capacity of WwTW which serve the Chichester Plan Area. Therefore there is a need to consider how to treat the issue in the emerging Plan.. Advice is sought therefore to –

- Q1 *To what extent does the existing position justify a “phasing” of development? Has such an approach been followed elsewhere, and what else would be required to justify such an approach? If this approach was followed, what would be the approach to this matter in development management terms prior to adoption of the Plan, and thereafter?*

Q2 *To what extent could the existing position justify an overall “ceiling” on the level of development planned for over the next Plan period? Has such an approach been followed elsewhere, and what else would be required to justify such an approach? If this approach was followed, what would be the approach to this matter in development management terms prior to adoption of the Plan?*

## **Strategic Transport Issues affecting the Chichester Plan Area**

### **Background:**

The previous Local Plan was supported by a [transport study](#) and apportionment of developer contributions on strategic sites to meet the estimated £12M costs for necessary improvements to junctions on the A27 corridor which serves the majority of the Plan area.. This led to a [Position Statement](#) by Highways England confirming they were broadly content with that position. Since then contributions have been collected in accordance with that agreement though no works have been delivered.

As part of the evidence base for the Local Plan review, a [new Transport Study](#) was prepared which showed a significantly greater package of mitigation, including a new element, the Stockbridge Link Road, which in total was estimated to cost over £60M. In response Highways England has sought additional further work on the feasibility and deliverability of the proposed mitigation. Bespoke viability evidence was not available at the time of the *Preferred Approach* consultation but it is clear that the total £60M cost of strategic infrastructure was prohibitive.

Since then the Council’s transport consultants Stantec have investigated whether the Stockbridge Link Road was essential for the Local Plan mitigation package to work. That work advised Members in September 2020 that work to identify an alternative approach that would remove the need for the proposed Link Road had not been successful. Stantec have now proposed to undertake that further work on the timings of the proposed mitigation works at each of the A27 junctions (and the need for the link road) to enable an assessment to be carried out of any “thresholds” for development beyond which junctions will need improvement.

At a national level, previous plans to deliver a national roads scheme on the A27 at Chichester were withdrawn due to a lack of consensus locally. In March 2020 the scheme was identified as a “pipeline project” in [Road Investment Strategy 2](#), with funding for feasibility work. No further announcement has been made by Highways England in this regard.

### **The issues**

- 1) The need to progress a local plan mitigation scheme in the absence of a national scheme.
- 2) The timing of necessary improvements on the A27 junctions.

- 3) The potential for local plan mitigation to compliment (or be replaced by) a national road scheme.
- 4) The potential shortfall in funding to deliver the local plan mitigation scheme.

### **Advice Required**

We are continuing discussions with Highways England and West Sussex CC.

We will undertake further feasibility work on the proposed local plan mitigation to gain greater comfort regarding the proposed local plan mitigation works in terms of feasibility and costings.

It is considered there is no practical distribution of development which would avoid the known constraints to the capacity of the A27 corridor which serves the Chichester Plan Area. Therefore there is a need to consider how to treat the issue in the emerging Plan. Advice is sought therefore to –

- Q3 *To what extent does the existing position justify a “phasing” of development? Has such an approach been followed elsewhere, and what else would be required to justify such an approach? If this approach was followed, what would be the approach to this matter in development management terms prior to adoption of the Plan, and thereafter?*
- Q4 *To what extent could the existing position justify an overall “ceiling” on the level of development planned for over the next Plan period? Has such an approach been followed elsewhere, and what else would be required to justify such an approach? If this approach was followed, what would be the approach to this matter in development management terms prior to adoption of the Plan?*
- Q5 *Are there examples elsewhere of plans being found sound where there are potential gaps in key infrastructure? What action should the Council take with regards to the known high infrastructure costs of the local plan transport mitigation?*