

Chichester District Council

Development Plan and Infrastructure Panel

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Options for Southbourne Parish following Neighbourhood Plan examination

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2. Recommendation

- 2.1 That the Development Plan and Infrastructure Panel agree that a Broad Location for Development is progressed for Southbourne Parish through the Local Plan Review.**

3. Background

- 3.1 Southbourne is identified as a 'Settlement Hub' as part of the settlement hierarchy in the Chichester Local Plan Review 2035 Preferred Approach (Dec 2018) and Policy AL13 provides for a mixed use development to include 1,250 dwellings to come forward as a proposed level of strategic development through the neighbourhood planning process. A review of the 'made' Southbourne Parish Neighbourhood Plan 2014-2029, the draft Southbourne Parish Neighbourhood Plan Review 2019-2037 (NP2), was progressed on this basis and included Policy SB2 which sought to allocate 'Land east of Southbourne' for a residential mixed-use scheme of at least 1,250 dwellings.
- 3.2 The examination of NP2 began towards the end of 2021 and a hearing was held in January 2022. Under Schedule 4B of the Town and Country Planning Act 1990 (as amended) the Examiner is required to consider whether a neighbourhood plan meets 'Basic Conditions'. These include that the plan is in general conformity with the strategic policies contained in the development plan for the area. The Examiner concluded that NP2 had not met this condition as the allocation of the 1,250 dwellings was a different strategy from the adopted Local Plan which proposed 300 homes for Southbourne, and therefore Policy SB2 was inconsistent with the adopted Local Plan.

- 3.3 The Parish Council discussed the Examiner's findings and possible next steps at a meeting on 12 April 2022 and decided that it would withdraw the NP2 from any further consideration by the District Council.
- 3.4 The Parish Council has now decided to prepare a modified version of the 'made' neighbourhood plan excluding new housing allocations, to avoid the conflict with the basic conditions issue identified; with the intention of securing protection from the 'presumption in favour of sustainable development' by having an up-to-date Neighbourhood Plan (NP) that is less than two years old (and provided the District Council can demonstrate a 3+ years housing land supply).
- 3.5 As a consequence, the Parish Council has written to the Council to 'hand back' the strategic housing allocation. As a result, the Council will need to objectively consider the approach to development for the plan area including making provision for the 1,250 dwellings through the Local Plan Review process.
- 3.6 This report sets out the implications of the change in position with respect to taking development forward for Southbourne and the options for how this may be addressed, including a recommended option.

Current Local Plan Review position

- 3.7 The Preferred Approach Plan identifies Southbourne as one of the plan area's 'settlement hubs', which are second only to Chichester in the settlement hierarchy. 'Policy AL13: Southbourne Parish' identified that land would be allocated for development in the revised Southbourne NP for mixed used development to include a minimum of 1,250 dwellings and set out the infrastructure requirements for the future allocation. The supporting text identified that the council would monitor the progress made in preparing neighbourhood plans and would consider whether there may be a need to allocate additional sites within the Local Plan Review prior to submission.
- 3.8 The revised distribution currently being tested retains 1,250 dwellings at Southbourne.

Work carried out to date

- 3.9 To allocate a strategic site in a local plan, the council needs to have sufficient evidence to demonstrate that it can come forward, to make a reasonable assessment about it being developed and the likely delivery rates, as well as understanding any technical constraints. Officers also need to have engaged with infrastructure providers to ensure that the necessary infrastructure for the site can be secured at the time it is required. For any sites identified within the first 5 years of the plan period there needs to be robust evidence that they are 'deliverable'. The evidence that the District Council has gathered is set out in Appendix A. Whilst some of this work has been carried out for the NP (see Appendix B), the council

would also need sufficient evidence to demonstrate that any site is deliverable and developable, which goes beyond the work done on behalf of the Parish Council.

Options

3.10 There are three potential options to consider for the Local Plan Review:

Option 1 – allocate a strategic site at Southbourne

Option 2 – identify a 'Broad Location for Development' (BLD) at Southbourne

Option 3 – don't allocate in Southbourne Parish but redistribute the housing numbers elsewhere

3.11 Option 3 is not considered further below, as this would be a departure from the spatial development strategy identified in the Local Plan Review - which seeks to focus the majority of planned growth at Chichester and within the east-west corridor, with Southbourne identified as a sustainable settlement hub.

3.12 For comparison purposes, the following table illustrates the differences between the level of detail that needs to be provided for:

- (a) Allocation through a Neighbourhood Plan (current position);
- (b) Option 1: Allocation of a strategic site in the Local Plan Review; and
- (c) Option 2: Identification of a broad location for development.

	Current position Policy AL 13 (Neighbourhood Plan to allocate site)	Allocation (Option 1)	Broad Location (Option 2)
Number of dwellings identified	✓	✓	✓
Quantum of other uses identified (e.g. employment)	✗	✓	✓
Local facilities identified (e.g. community centre, primary school)	✓	✓	✓
Site specific green infrastructure requirements set out (e.g. Country Park)	✗	✓	✗
Key urban design requirements and opportunities identified (e.g. links with existing settlement, views to protect, areas to keep undeveloped)	✓ But less detailed	✓	✓ High level
Specific heritage assets to enhance and conserve identified	✗	✓	✗
Specific biodiversity assets to protect, enhance and mitigate identified (e.g. mitigate impact	✓ But higher level	✓	✓ High level

on Chichester Harbour SAC/SPA/Ramsar)			
Key landscape and/or ecological buffers identified	✓ At higher level (e.g. views to South Downs National Park)	✓	✓ High level
Main vehicular access points and site specific transport mitigation identified	✗	✓	✗
Key site specific public transport, cycle and pedestrian improvements identified	✗	✓	✗
Other key constraints identified (e.g. waste water treatment capacity, noise, Mineral Safeguarding Area)	✓ But higher level (e.g. A27 noise)	✓	✓ High level
Any phasing requirements identified	✓ But higher level (e.g. phasing in line with Waste Water Treatment Works capacity)	✓	✓ High level
Infrastructure requirements identified in the Infrastructure Delivery Plan (IDP)	✓	✓	✓
Identification of site boundary	✗ Through Neighbourhood Plan	✓ On Policies Maps	✗ On Key Diagram

Option 1: Allocate land at Southbourne in the Local Plan Review

What would this involve?

- 3.13 In order to allocate a site in a Local Plan, it needs to have gone through a rigorous process to ensure that the Council can demonstrate that the allocated site is suitable, given reasonable alternatives, and is based on proportionate evidence.
- 3.14 Given there is more than one site or combination of sites that could come forward as an allocation in Southbourne, there needs to be a clear process set out for why one site was chosen over the other. Both land to the east and land to the west of Southbourne have been promoted to the Council as suitable sites and have been assessed as being deliverable in the HELAA, as well as the smaller sites to the south of the railway line (but north of the A259). The work carried out by the Council on Southbourne is based on the principle of an overall development of 1,250 dwellings coming forward, rather than one specific site. As set out in the table above, identifying a specific allocation would require technical information to be gathered to determine the suitability of a potential allocation, for example:

- Vision/ high level masterplan and feasibility layout
- Surveys of any constraints e.g. air quality, noise
- Preliminary transport strategy/ points of access
- Preliminary ecology appraisal
- Preliminary landscape analysis
- Topographical survey
- Heritage assessment
- Preliminary Drainage strategy – informed by groundwater monitoring

3.15 Information is also needed to demonstrate the availability and achievability of each site (e.g., infrastructure requirements, viability, phasing etc). All of this information then needs to be formulated into a suitable allocation policy, with clear policy boundaries that can be defined on the Policies Map. Throughout the preparation process, the allocation needs to be tested and informed by the Sustainability Appraisal (SA) and Habitat Regulations Assessment (HRA).

How long would it take?

3.16 The promoters of the various sites would be approached to provide more detailed technical studies to inform the work. This could take between 6 – 8 months to complete (depending on whether any work has already been carried out), in addition to final stage SA and HRA testing (6-8 weeks). Consideration would also need to be given to the need to carry out consultation.

Benefits of allocating a site

3.17 Identifying a site allocation provides certainty to local communities and site promoters. It enables a site to start coming forward earlier in the plan period (providing there are no constraints that require a later phasing, which at present there do appear to be). If appropriately phased, it could help to ensure that there is a 5-year housing land supply when the plan is adopted. There would be no need for a subsequent Development Plan Document (DPD) or reliance on the NP to provide the details of the allocation.

Risks of this approach

3.18 If technical work were to be commissioned by promoters in July, this would mean that assessment results would be available by December 2022 at the earliest, resulting in a further delay to the submission of the Regulation 19 Plan. There is also an increased risk of challenge from unsuccessful site promoters – a clear site selection process would need to be in place to minimise this risk.

Option 2: Identify a Broad Location for Development (BLD) at Southbourne

- 3.19 A 'broad location for development (BLD)' is an alternative to specific site allocations and can be used for identifying housing supply for years 6-10 and years 11-15 of the plan. A BLD would be illustrated graphically on a key diagram, rather than being clearly defined on the Policies Map.
- 3.20 The relevant test for a BLD is that it is 'developable'. To be considered developable, sites should be in a suitable location for housing development with a reasonable prospect that they will be available and could be viably developed at the point envisaged.

What would this involve?

- 3.21 Southbourne would be identified as a 'broad location for development' and included in the latter part of the plan period (years 6 onwards). It would be illustrated graphically in the local plan (including on a key diagram) rather than on the policies map. The policy would refer to the production of a later Site Allocation Development Plan Document which would establish the boundary, nature and form of development within the broad location. It would also include an option for the Neighbourhood Plan to do the same if the Parish Council changed their position on this. The District Council would need to be able to demonstrate there is a reasonable prospect that development in this broad location could contribute to the delivery of homes within the plan period. The broad location also needs to fit with the District Council's overall development strategy (focussing new development at the most sustainable locations at Chichester and within the east-west corridor), which growth at Southbourne does.
- 3.22 Policy AL13 for Southbourne in the Preferred Approach Plan could be adapted to work as a broad location policy, as it sets high level criteria which would be applied when considering the site allocation through a Development Plan Document or Neighbourhood Plan.
- 3.23 If the District Council had been taking this approach from the start of the preparation of the Local Plan Review, then it would have been reasonable to test the total amount of development that could be delivered within the broad location, (including beyond the plan period) on the basis of the sites available within the broad location (approximately 4,000 based on deliverable HELAA sites). This testing would then help to define what would be an appropriate figure to assign to the BLD. However, due to the recognised constraints on development within the Plan area as a whole, including transport and wastewater, the figure for the broad location should remain at 1,250 dwellings. This also ensures consistency with the evidence base for the Local Plan Review, which is based on 1,250 dwellings at Southbourne.

How long would it take?

- 3.24 The broad location approach could be taken forward relatively quickly. The promoters would be approached to provide high level information to demonstrate

that the sites within the broad location are available, suitable and viable. This would help the District Council demonstrate that there is a reasonable prospect of development within the broad location coming forward. It would require testing through the SA process and through the HRA as part of the work already programmed

Benefits of identifying a BLD

3.25 The BLD approach would avoid losing the growth that is already being planned at Southbourne. The 1,250 figure has already been tested through the Preferred Approach Plan and, in settlement hierarchy terms, Southbourne is one of the more sustainable locations in the plan area.

Risks of this approach

3.26 It will be important to fully test the level of development anticipated within the plan period. However, as the area shown on the key diagram will encompass a large area (based on the HELAA sites around Southbourne) there is a risk that the Council will be asked to justify why the growth within the Plan period is limited to 1,250 and why a higher capacity beyond the plan period has not been tested. As set out above, this will need to be defended based on the spatial strategy and overall constraints to growth. The supporting text will need to be clear that the broad location for development is akin to an area of search and that site allocation will be for a subsequent DPD.

3.27 The site promoters for both sites are likely to push the council to allocate a site to provide them with increased certainty, however, the BLD approach would mean that no site options are ruled out at this stage which would protect the interests of all site promoters. Their support at the Examination would help reduce the risks associated with this approach.

3.28 Another risk is that it may be more difficult to maintain a five-year housing land supply if the delivery of a significant number of homes is relying on a BLD in combination with neighbourhood plans allocating strategic sites.

Suggested Way Forward

3.29 This matter requires a significant change in approach at a late stage in the Local Plan Review process and needs to be carefully considered. Whilst both options have pros and cons, as set out above, the recommended approach is to progress with identifying a BLD at Southbourne. Whilst there are disadvantages to this approach in terms of the level of certainty it offers and the later delivery, this approach would be the quicker option in the short term and least likely to significantly delay the Plan.

3.30 As timing is an issue, the recommendation favours the BLD as opposed to the site allocation option in order to progress the Plan to Submission without further delay.

Ultimately, the work to allocate a site will need to be done with either option, but the BLD approach postpones detailed work to a later document (either a Site Allocations DPD or the NP). If the BLD option is progressed, there would need to be a commitment to progress with a Site Allocations DPD to provide certainty to the Inspector at the Examination that the work will be carried out.

Appendix A: CDC evidence

As CDC was previously relying on the Parish Council to allocate the land, the evidence that has been provided to the council on potential sites in Southbourne is limited to information promoted through the Housing and Economic Land Availability Assessment (HELAA) 2021. This includes:

- ‘Land to the east of Southbourne’ which is being promoted on behalf of a consortium of landowners of smaller sites and could accommodate up to 2,000 homes.
- ‘Land to the west of Southbourne’ which is being promoted by the landowner for up to 1,250 homes.
- 11 sites below the strategic site size threshold which range between 10 – 170 dwellings and total of 790 dwellings.

An Illustrative Masterplan and High-Level Delivery Framework document was submitted to the District Council in support of the eastern site, and a Vision Document was submitted in support of the western site. A concept masterplan was also submitted for Land at Hamcroft (a site for 90 dwellings south east of Southbourne). A map of the deliverable HELAA sites can be viewed here: [SB_HELAA_2021.pdf \(chichester.gov.uk\)](#)

Appendix B: Parish Council evidence and site selection process

In early 2019, the NP2 site selection process considered 3 options as 'reasonable alternatives' to deliver the 1,250 homes (Figure 1 below):

- A – growth on smaller sites south of the railway line;
- B – growth to the west;
- C - growth to the east.

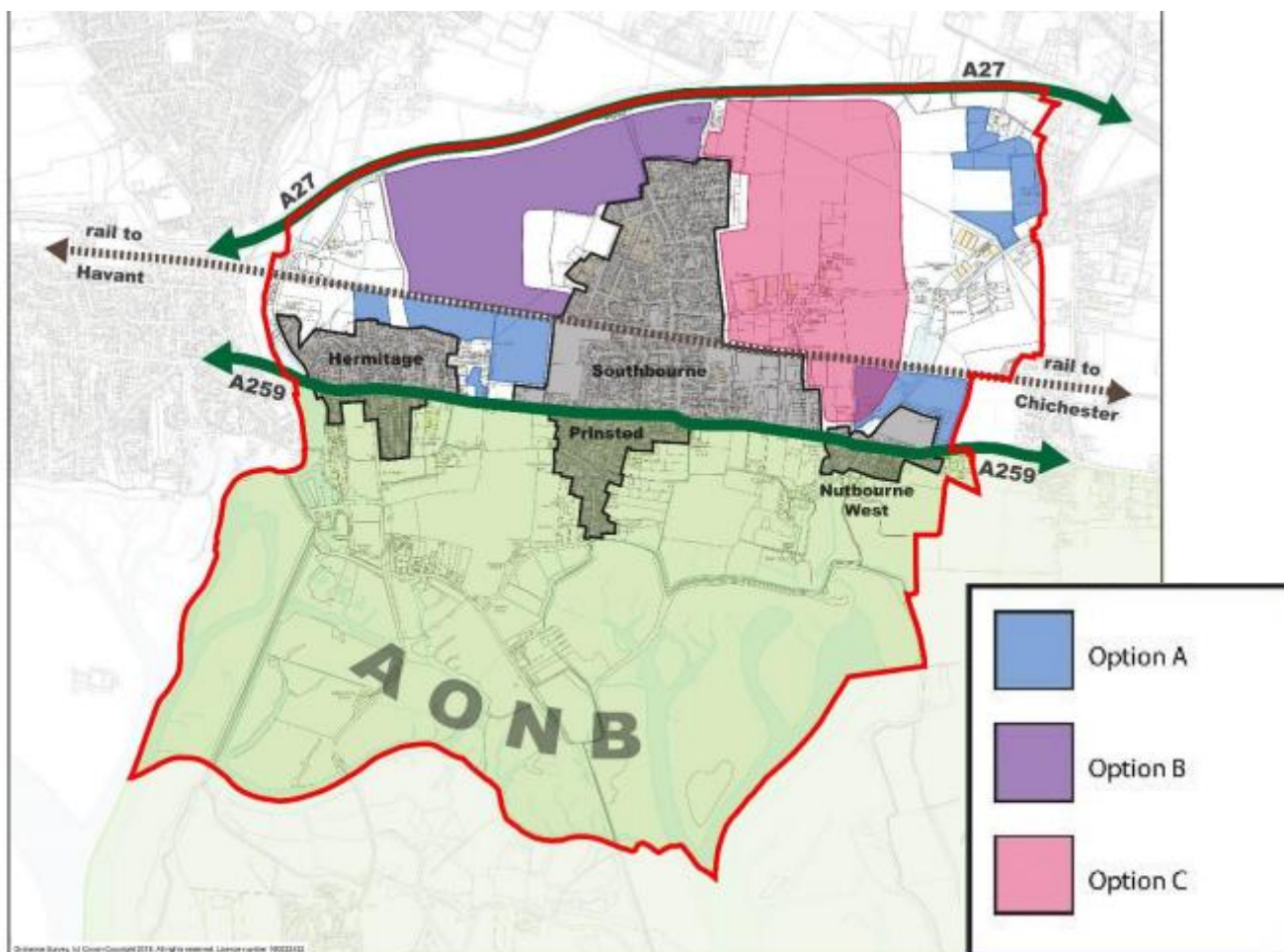


Figure 1: Location of land to be taken forward through Option A, B and C (source: SA for Southbourne NP Submission Version, Feb 2021, AECOM)

The options (A, B and C) were appraised in the Sustainability Appraisal (SA) accompanying the pre-submission version of the Neighbourhood Plan for Regulation 14 consultation. Option A was discounted as it would not deliver the necessary infrastructure including the school, community facilities and bridge over the railway line. The Final SA Report formed part of the submission documents after the Parish Council consultation in August 2020 and was updated for February 2021. The Final SA included an appraisal of Options B and C which produced similar results for both sites.

An informal community consultation in December 2019 resulted in 51% preferring option C and 34% option B. The NP2 proposed to allocate the Option C 'Land to the East' for 1,250 homes. Further technical evidence was submitted by the site promoter on transport, air quality, drainage and utilities, heritage, landscape and visual appraisal, noise, nutrient neutrality, ecological baseline and viability. This technical evidence was used to support the proposed allocation of the site in the NP2.