

Chichester District Council

Cabinet

18 July 2023

Update on the Proposed Submission version of the Chichester Local Plan 2021 - 2039

1. Contacts

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2. Recommendation

- 2.1 That Council notes the progress in relation to the processing of representations to the Regulation 19 consultation on the Proposed Submission Chichester Local Plan, and the timetable for submission of the Plan for Examination and provides any comments.

3. Background

- 3.1. Local plans play a crucial role in fostering sustainable development within communities. By outlining a vision for the future, identifying essential needs and priorities, and empowering communities to shape their surroundings, these plans serve as the foundation for effective planning.
- 3.2. The responsibility for the preparation of local plans lies with the local planning authority and it is a legal obligation to prepare one. Within Chichester District, the Council takes charge of preparing the local plan for areas outside the South Downs National Park. Conversely, within the South Downs National Park, the responsibility for the local plan falls under the South Downs National Park Authority, which adopted the South Downs Local Plan in 2019.
- 3.3. The Council must be satisfied that its Local Plan and its preferred development strategy does all it reasonably can to meet the development needs of the plan area in a sustainable manner that conforms with current national policy set out principally in the National Planning Policy Framework (NPPF). A key objective of the NPPF is to significantly boost the supply of homes in England and ensure that growth is genuinely plan-led (Paragraph 60). It requires that, as a minimum, local plans should provide for an area's housing and other development needs, as well as any that cannot be met within neighbouring areas.

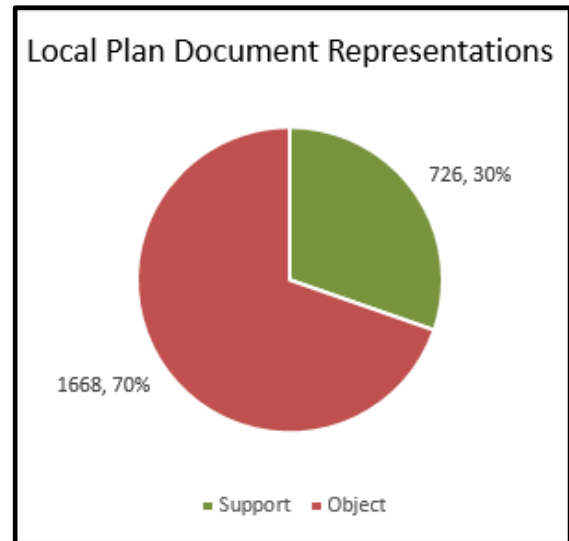
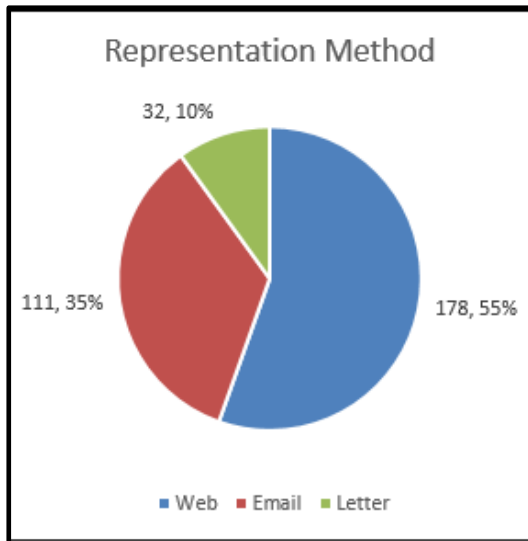
- 3.4. On 24 January 2023 Council approved the Local Plan Review (now the Proposed Submission Local Plan, reflecting its change in status) for publication (Regulation 19) consultation and subsequently for submission to the Secretary of State for Examination. This followed extensive work over several years involving the preparation of a considerable evidence base on a broad range of significant planning issues that the council must address in bringing forward a plan. The previous report to Council provides greater detail on the background to the Local Plan Review (see link to report in Section 12 below).
- 3.5. The Regulation 19 consultation ended on 21 March and the Council has received 2,414 matters of representation to the Local Plan. Since the closure of the consultation period, officers have been ensuring these are correctly recorded, and against the relevant policy. The full representations will be published during the week commencing 10 July 2023. Officers are continuing to work through the issues raised, including meeting with relevant bodies/respondents. This is an important part of the process as the Council will need to be satisfied, having reviewed and analysed all of the consultation representations, that the plan remains sound before it is formally submitted for examination. The Council's approved Local Development Scheme (LDS) anticipates submission of the plan in the summer of this year. However, given the volume of representations and the issues raised, this is likely to be the autumn.

4. Update on (Regulation 19) Consultation Responses

- 4.1 The following summary sets out the proportion of representations received through different means, the level of objection/support, and which parts of the plan appear to be the focus for the majority of representations.

Means by which representations were made

- 4.2 321 individuals/organisations responded to the consultation, on varying issues. Whilst respondents were encouraged to utilise the provided web-based interface to submit representations, submission via email and in hard copy were also accepted.
- 4.3 In terms of processing of the representations (following the close of the consultation period), the web-based submission option (which was used by 178 respondents) is the most efficient. Comments on each issue were generated directly in the Council's back-end system and the user was asked to link these comments directly to the policy or part of the plan to which they related. The user was also asked to provide a summary, where these comments were lengthy, and key questions had to be answered by the user, such as what they believed needed to change to overcome their concerns. In comparison, emailed comments (which 111 respondents chose) and by letter (of which 32 respondents used this method) have much greater implications for processing as officers must distil the relevant matters from any number of different formats and ensure they are linked and referenced against the relevant policy. The chart below provides an illustration of the proportion received under each method of submission.



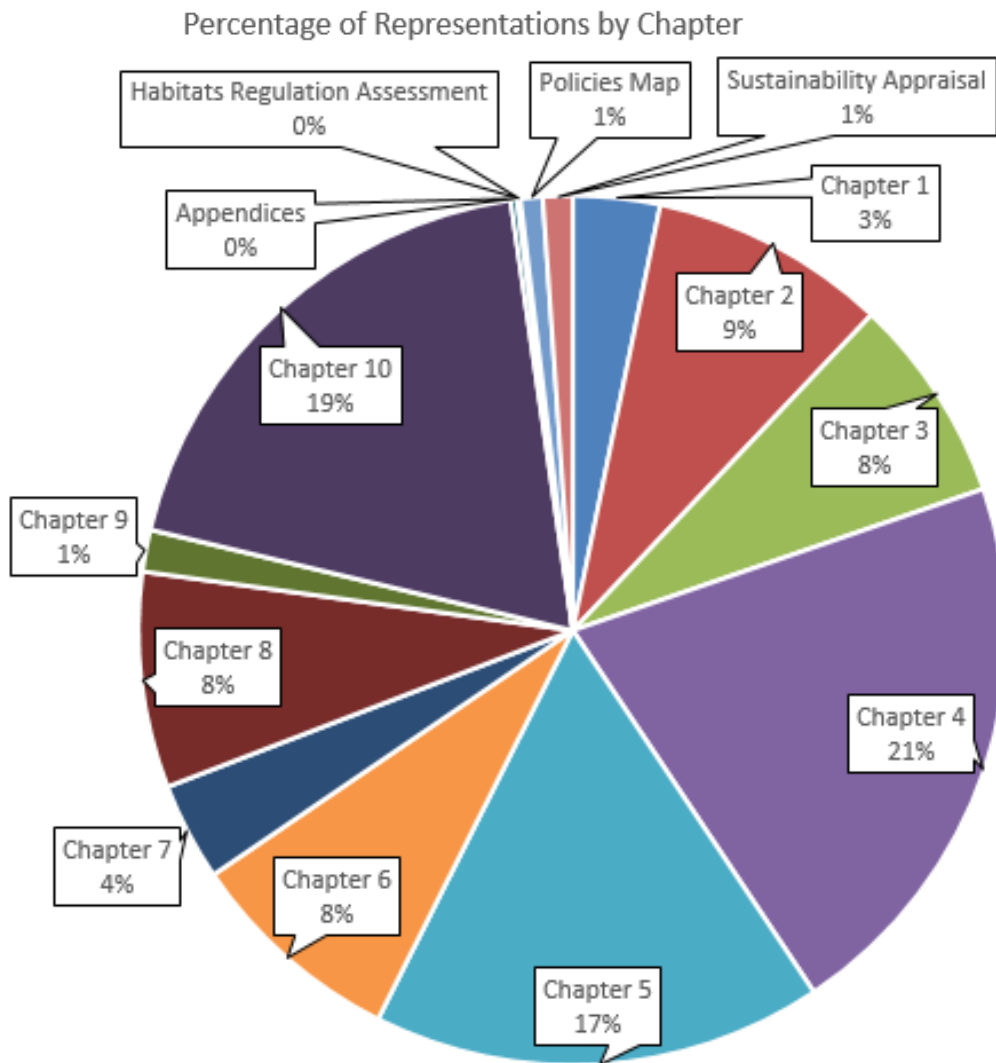
- 4.4 The process of distilling and linking representations has now been completed, which enables further analysis of the issues raised against each element of the Plan.

Proportion of support and object

- 4.5 The majority of representations received have been to the Local Plan document, with only a small number on the Schedule of Changes to Policies Maps (Maps), Habitats Regulation Assessment (HRA) and Sustainability Appraisal (SA). 726 representations were made in support of the plan itself, and 1,668 raising some form of objection.
- 4.6 It should be noted that any representation that raises a concern is classed as an objection, even if the respondent has not framed it that way. This is important to ensure that the Council has properly recorded any issues that need to be addressed prior to submission or evidence given as to why the Council has not made amendments accordingly. It is therefore difficult to accurately surmise the level of broad contentment/discontentment with the form and content of the plan, on the basis of this statistical analysis alone.

Breakdown of representations by area of the Plan

- 4.7 The Local Plan Document is divided into 10 chapters based upon topic area. These are;
- Chapter 1: Introduction
 - Chapter 2: Vision and Strategic Objectives
 - Chapter 3: Spatial Strategy
 - Chapter 4: Climate Change and the Natural Environment
 - Chapter 5: Housing
 - Chapter 6: Place-making, Health and Well-being
 - Chapter 7: Employment and Economy
 - Chapter 8: Transport and Accessibility
 - Chapter 9: Infrastructure
 - Chapter 10: Strategic and Area Based Policies



4.8 The chart above provides an illustration of the levels of response received against each chapter, in addition to the SA, HRA and Maps. Housing featured prominently, 36% of responses being directed either at the housing allocations in the Strategic and Area Based Policies (Chapter 10) or the Housing Chapter (Chapter 5) itself. Policies relating to climate change & the natural environment were also a key focus of representations, accounting for 21% of the total received. Transport and Accessibility (Chapter 8), Place-making, Health and Well-being (Chapter 6), Vision and Strategic Objectives (Chapter 2) and Spatial Strategy (Chapter 3) all received equal share of representations, 8-9% each. The graphs in Appendix 1 provide a graphical illustration of the breakdown of the number of representations against each policy.

4.9 The greatest level of support from the Regulation 19 Consultation may be found in Chapter 2 - Vision and Strategic Objectives; Chapter 4 – Climate Change and the Natural Environment; Chapter 6 – Place Making, Health and Well-being; and Chapter 7 – Employment and Economy. Housing and Transport (Chapters 5, 8 & 10) received some of the greatest proportion of objections vs representations in support.

- 4.10 Looking at Chapter 10 in greater detail, Policy A15 – Loxwood has received by far the greatest number of objections (over 65) followed by a number of other allocations/parish no's that have attracted more than 20 objections - A11 – Highgrove Farm; A12 – Chidham and Hambrook; A13 – Southbourne Broad Location for Development; A14 – Land West of Tangmere.
- 4.11 Although the statistical information set out above and in Appendix 1 provides an indication of the level of support and objection for particular policies and/or proposals, it is not necessarily a good indicator of where any issues lie that may need to be addressed prior to submission, or at examination. Officers are currently undertaking the qualitative exercise of assessing the nature of the issues raised, and addressing those by providing reasoned responses, including the consideration of any necessary modifications to the Plan that are required to ensure its soundness. In some instances, this has, and will continue to, require further meetings with key stakeholders to seek common ground and agree appropriate modifications to the plan, where possible.
- 4.12 It is also worth noting that consultation and engagement on the council's preferred strategy for the Plan was previously undertaken at Regulation 18 stage. The Regulation 19 consultation was very much focused on whether the Plan has 'been prepared with legal and procedural requirements, and whether it is sound'. Paragraph 35 of the NPPF sets out plans are 'sound' if they are:
- a) **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
 - b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
 - c) **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
 - d) **Consistent with national policy** – enabling the delivery of sustainable development in accordance with policies in this Framework and other statements of national planning policy, where relevant".
- 4.13 Matters that are raised that do not relate to the soundness of the Plan would not normally result in any changes at this stage, although all representations made will be sent to the Planning Inspectorate together with the draft Local Plan and supporting documentation upon submission.

5. Next steps

- 5.1 Officers are working their way through the issues raised in the Regulation 19 consultation and assessing, summarising and preparing responses to the representations received. This will include the need for further background work

or meetings with respondents, where appropriate. This includes some of the key issues that the Council has had to address in preparing the Proposed Submission Plan, although these are by no means exhaustive.

- 5.2 Officers are continuing to work closely with National Highways, West Sussex County Council and other relevant stakeholders to further refine the proposed measures to mitigate the impact of proposed development on the highway network and increase the sustainable transport offering of the Local Plan. This is an important part of the process as it underpins so much of the development proposed in the Plan.
- 5.3 Work also continues on the detail of solutions required to deliver water neutral development in the north east of the plan area, alongside other affected authorities, including Horsham and Crawley, the latter of which is anticipating submission of its local plan for examination shortly.
- 5.4 Protection of wildlife habitats, including those of protected species, is an important element of Chichester's Proposed Submission Local Plan. Whilst Natural England was unable to provide comments on the Plan and associated Habitats Regulation Assessment (HRA) informally prior to the Regulation 19 consultation, it has now done so through the formal process and Officers are meeting with them to address any outstanding matters.
- 5.5 The Council has a 'Duty to Cooperate' with neighbouring authorities and key stakeholders, which it has done consistently throughout the Local Plan formation process. It is important that this continues, including throughout examination of the plan, as key issues evolve. Statements of common grounds are being drawn up with relevant bodies and organisations to submit alongside the Plan. These will detail matters of agreement between the Council and those parties, and any relevant areas in which we find ourselves in disagreement. This is alongside a 'Statement of Compliance', which will set out how the Council has sought to proactively engage with relevant stakeholders.
- 5.6 A key element of the plan is delivery of housing to meet the identified need. The Council will need to demonstrate that on adoption of the plan it is able to identify a 5 year supply of housing, and that all reasonable opportunities have been taken to ensure that delivery in the first 5 years is maximised. As new data becomes available, officers are continuing to work to ensure that the Council's position in this regard is kept up-to-date.
- 5.7 Upon submission the plan must also be accompanied by the HRA and Sustainability Appraisal. Both these documents were included as part of the Regulation 19 consultation but will be required to be updated in the event that there are any relevant modifications to the plan identified as necessary, prior to submission.
- 5.8 Due to the numerous complexities in delivering the new Local Plan, the Council has been without an up-to-date plan for three years, which has meant that development proposals are infrequently plan led. It is therefore important for the Council to advance the plan to submission and examination as quickly as possible. Once adopted, it will ensure stability and greater certainty in decision making on planning applications, deliver development in the right locations,

provide for greater necessary infrastructure, facilitate investment in the area and deliver economic benefits.

- 5.9 However, it is also important that issues raised through the Regulation 19 consultation are properly addressed, so that the Council can present a credible plan upon submission. Much of the upcoming timetable for submission of the plan relies and depends upon the outcome of further work in the above areas, and any others of relevance identified through the assessment of representations. From current available analysis of these issues, it is hoped that submission of the plan can proceed in the autumn, although the precise timetable will need to be subject to the outcome of the issues identified. Members will continue to be updated on this as necessary. The Council will need to update its Local Development Scheme, which set out the anticipated timescales up to adoption once there is greater clarity on this.

6. Alternatives Considered

- 6.1 The Council is required to submit a sound plan. This means that all representations must be considered as to whether or not subsequent plan modifications are required. There are therefore no alternatives to be considered at this stage.

7. Resource and Legal Implications

- 7.1 It is essential that the Council can present a sound and legally compliant plan. The process of considering representations set out above is an important element of this. In order to ensure this process can be completed as efficiently as possible, further resource has been secured through consultants working with officers on a number of the issues raised through the Regulation 19 consultation.

8. Consultation

- 8.1 The Local Plan 2021- 2039: Proposed Submission was prepared taking account of the matters raised in the Issues and Options consultation undertaken in 2017 and the Preferred Approach consultation in 2018/19, the input of officers in other relevant services within the Council and the regular meetings of the Council's Development Plan and Infrastructure Panel.
- 8.2 The Local Plan 2021- 2039: Proposed Submission sets out the Council's proposed strategies and policies that it considers demonstrates an evidence led approach to provide an appropriate level of housing given the constraints of the area and particularly the capacity of the A27. The Plan will also provide an effective basis for considering future development proposals. It has been prepared in accordance with the NPPF, previous consultation responses and the current evidence base.

9. Community Impact and Corporate Risks

- 9.1 The Local Plan is likely to have a range of significant implications for many communities in the plan area as the plan seeks to address a range of issues including climate change, natural environment, housing, employment and economy, health and wellbeing, design and heritage and strategic infrastructure. Additional sites and locations to accommodate new development have been identified as preferred sites, with new or improved infrastructure and facilities also expected.
- 9.2 The council is committed to working with parish councils to support neighbourhood planning, either reviewing or preparing new neighbourhood plans that may include bringing forward new development. The proposed submission Local Plan provides a strategic framework for development to enable this.
- 9.3 The reliance in the Local Plan on development allocations being brought forward by way of neighbourhood plans does, however, present some risks to the council in terms of being able to demonstrate that the plan's housing policies are deliverable. Work on neighbourhood plans can proceed in parallel with the Local Plan now that the proposed housing numbers in the proposed submission version of the Local Plan are known, so that those plans can themselves move forward quickly to examination upon receipt of the Local Plan Inspector's report.
- 9.4 Should insufficient progress be made in identifying land through the neighbourhood planning process then the council will need to consider allocating the land through the subsequent Site Allocation Development Plan Document (DPD) to ensure that the development strategy proposed by the Plan is deliverable.

10. Other Implications

	Yes	No
Crime and Disorder The Local Plan includes design principles (Policy P1) which require new development to make a positive contribution to creating a safe and secure environment by integrating measures for security and designing out the fear of crime and opportunities for crime. The IDP also includes infrastructure to support policing.	✓	
Climate Change and Biodiversity Climate change and biodiversity is addressed specifically in Chapter 4 of the Plan but will also be addressed through the delivery of development.	✓	
Human Rights and Equality Impact The impact of the Proposed Submission Local Plan on human rights and equality is considered in the Equalities Impact Assessment (Appendix G)	✓	
Safeguarding and Early Help		✓
General Data Protection Regulations (GDPR)		✓
Health and Wellbeing The impact of the Proposed Submission Local Plan on health and wellbeing is considered in the Health Impact Assessment (Appendix H)	✓	

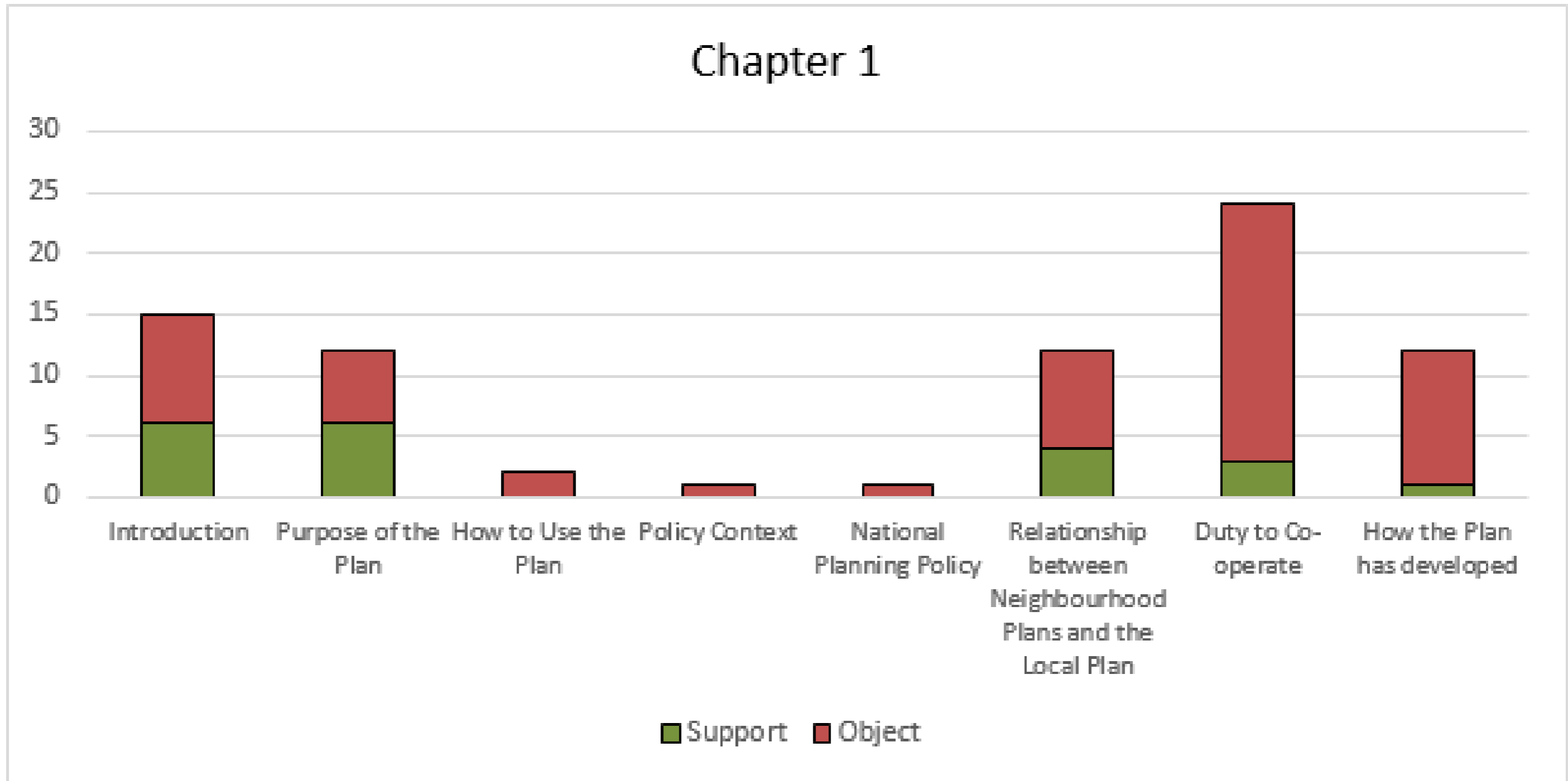
11. Appendices

Appendix A: Summary of representations received by chapter

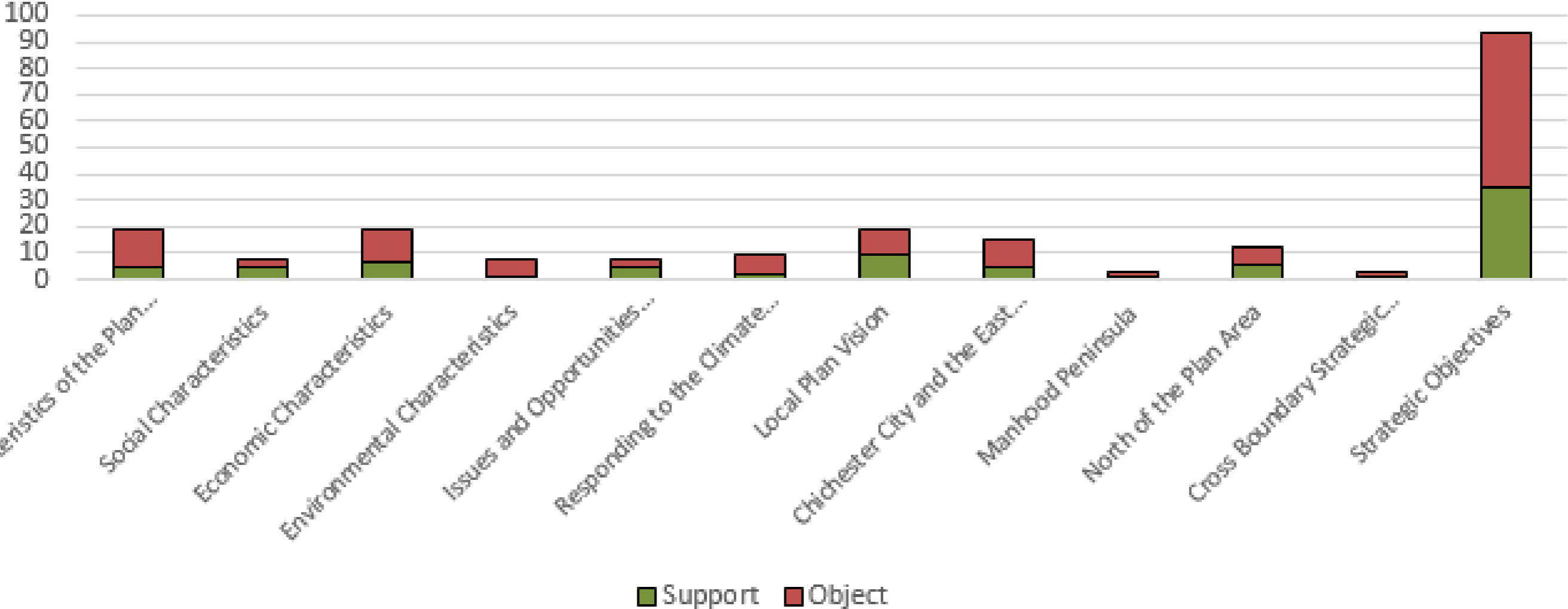
12. Background Papers

[Proposed Submission version of the Chichester Local Plan 2021 – 2039: Report to Cabinet 23 January 2023 and Council 24 January 2023](#)

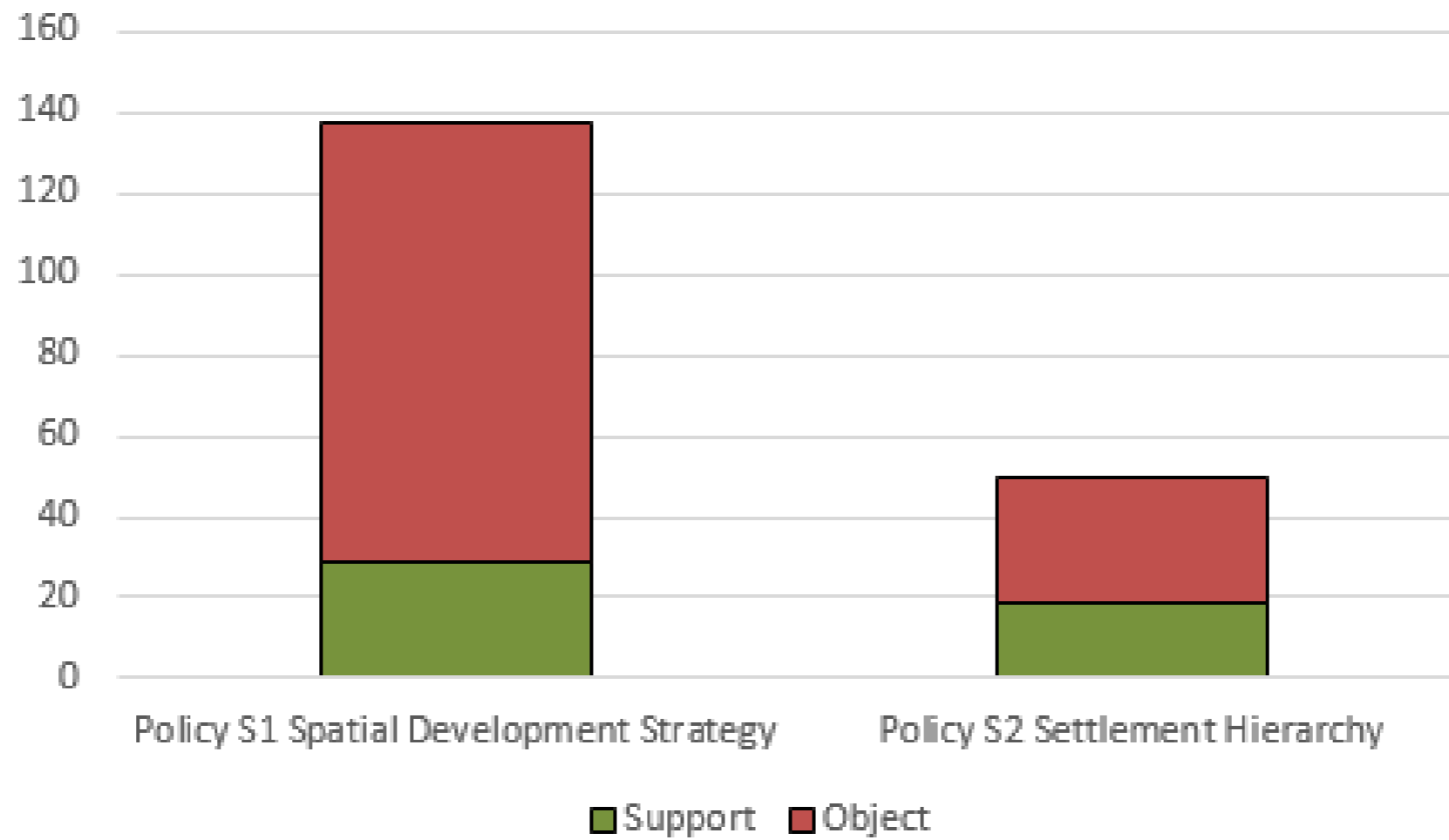
[Proposed Submission version of the Chichester Local Plan 2021 – 2039: Regulation 19 Consultation 3 February – 17 March 2023](#)



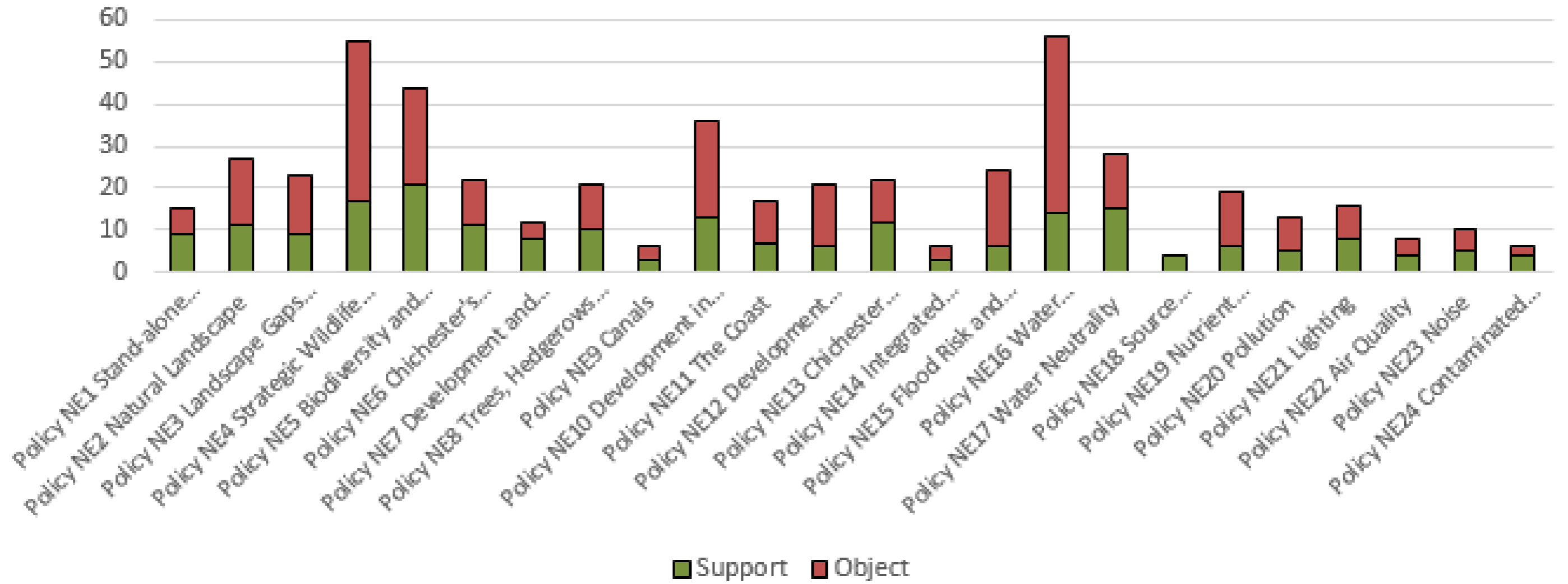
Chapter 2



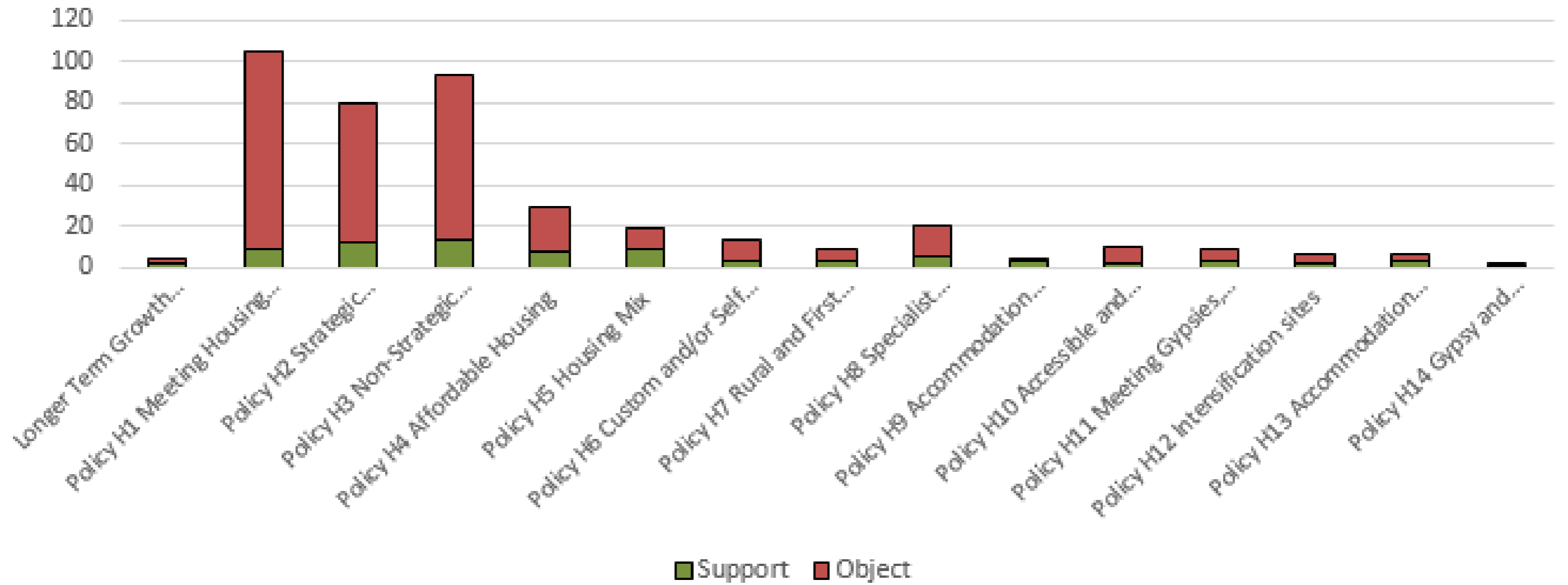
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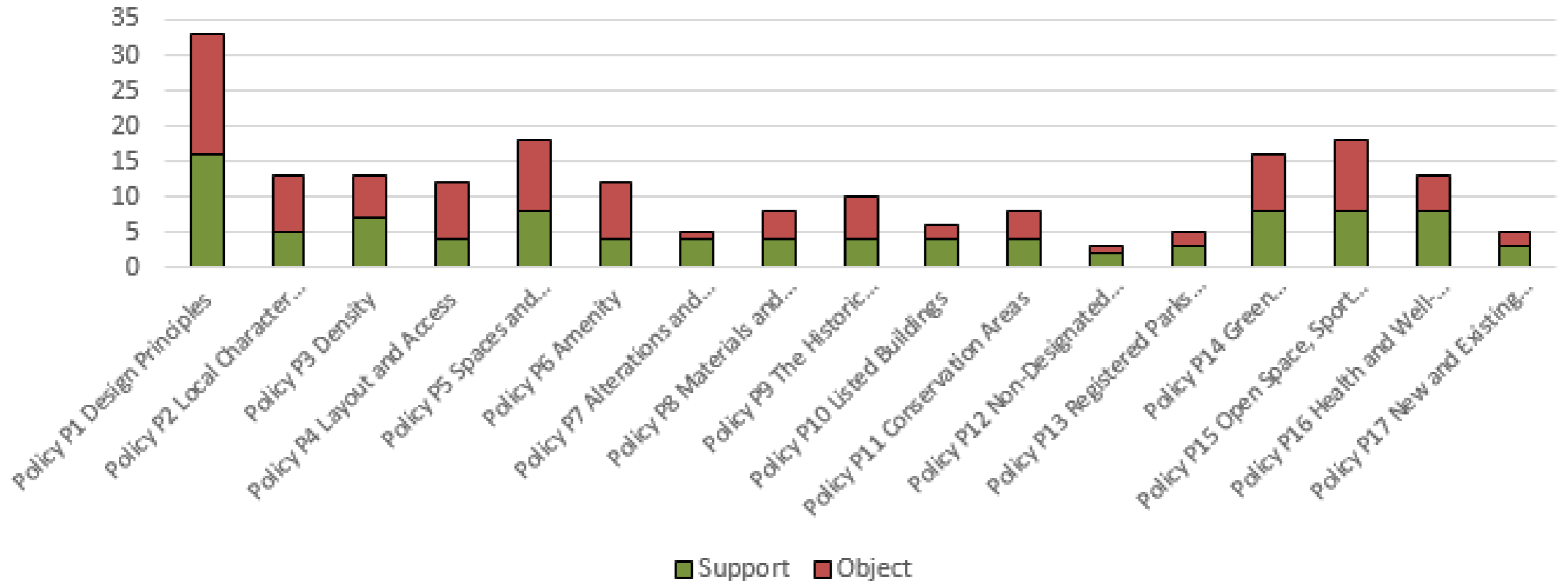
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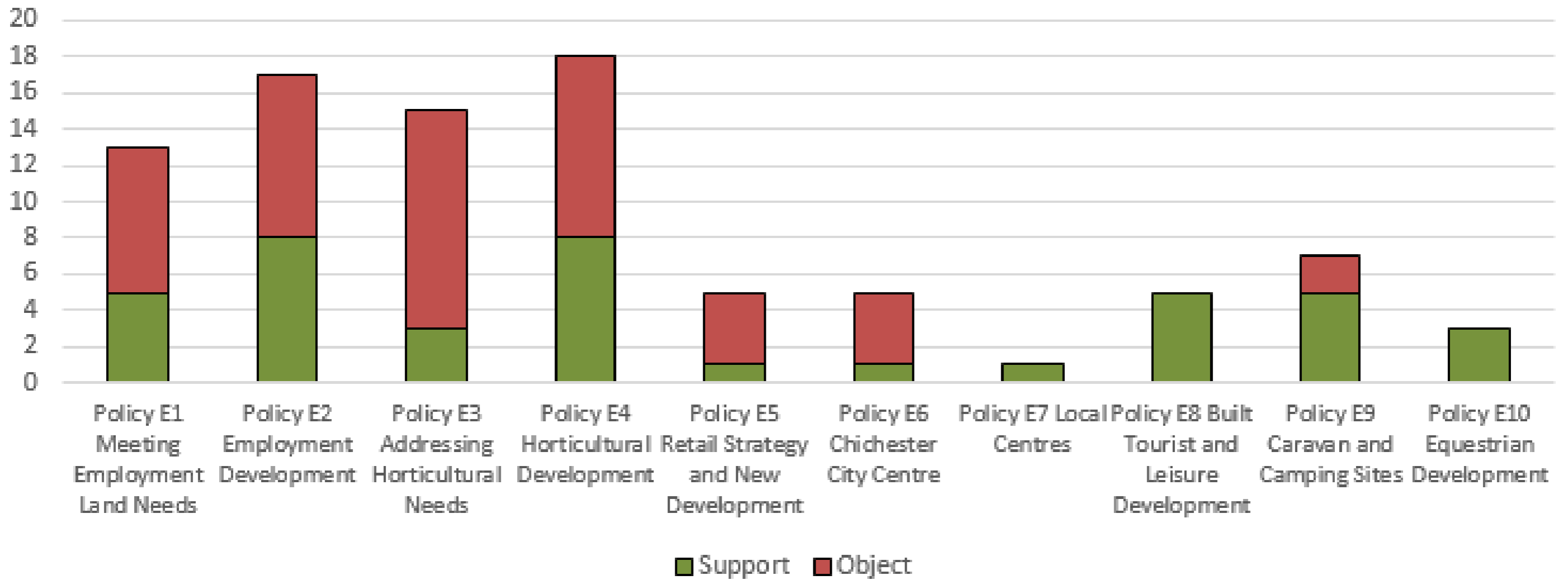
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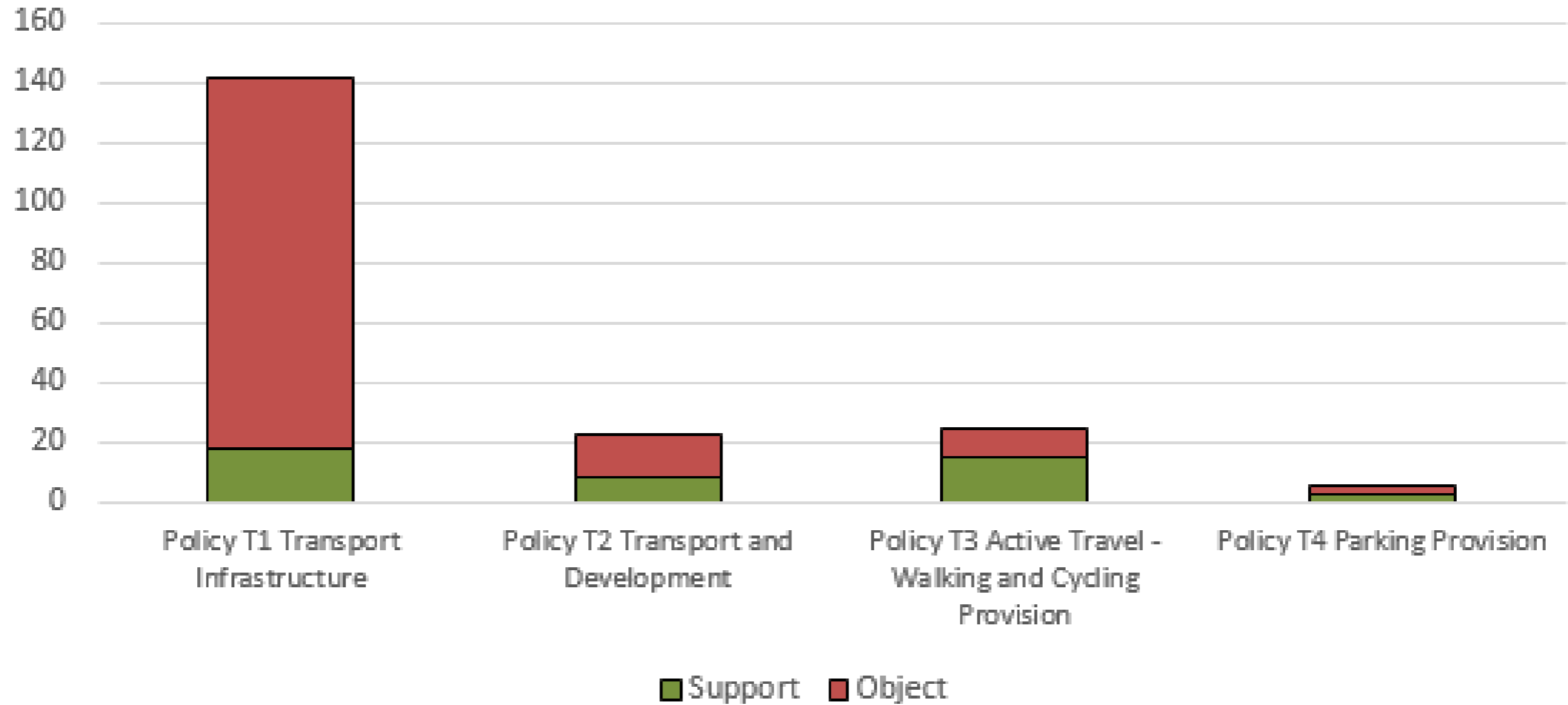
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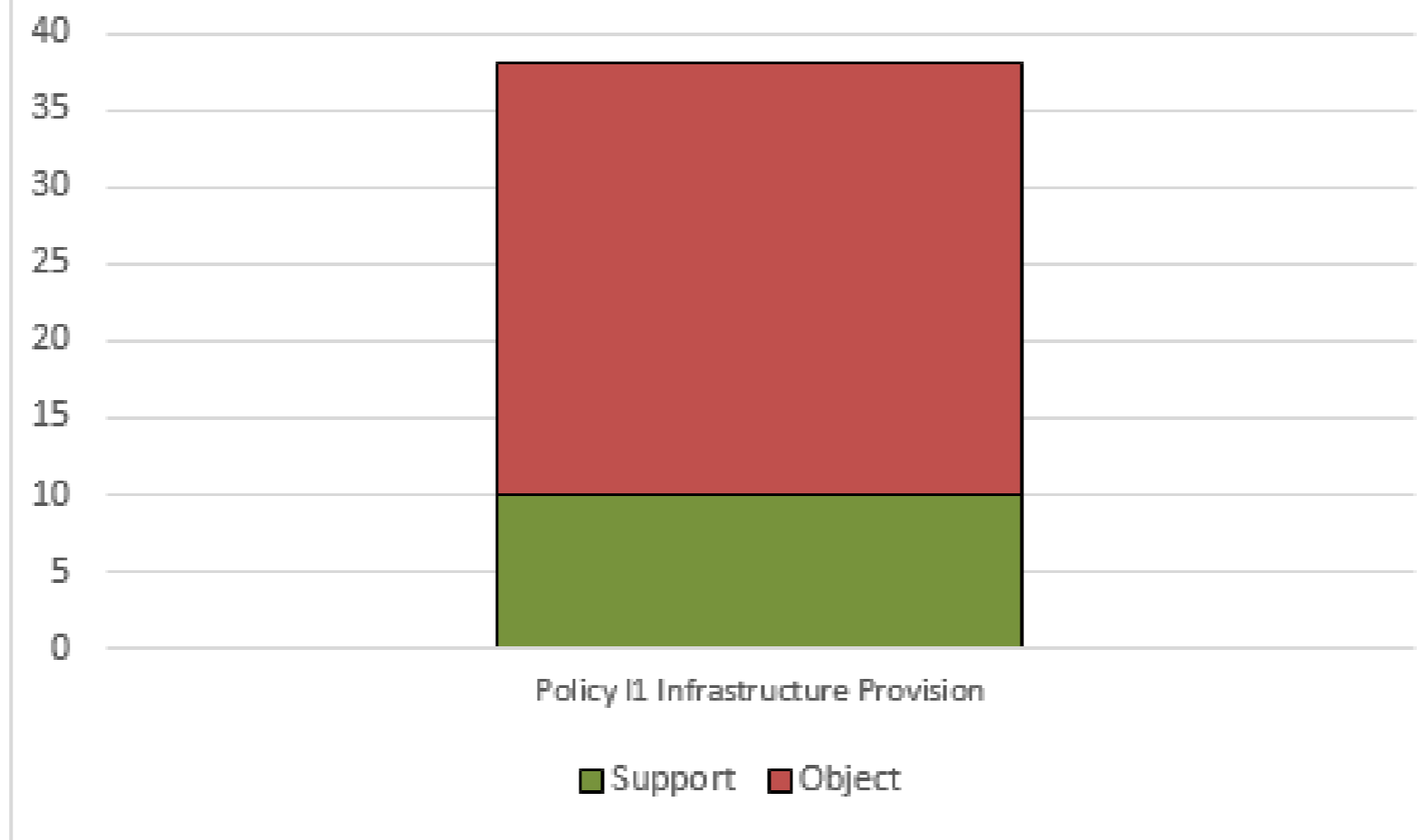
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Chapter 8



Chapter 9



Chapter 10

