

**Planning application 20/2491/OUT: Land to the West of Church Road, East Wittering, West Sussex.**

East Wittering and Bracklesham Parish Council **OBJECT** to this application.

In the absence of an up-to-date Local Plan, the Parish Council believe that the application does not accord with the development criteria set out in the **Chichester District Council Interim Position Statement for Housing (November 2020)** for the following reasons:

**1) The application breaches criteria 4** of the interim position statement as the development has artificially sub-divided site HWW0002a in an attempt to avoid significantly more onerous infrastructure and S106 obligations, leaving the site exposed to the risk of piecemeal development. There is no assurance in the planning application that the developer will not attempt to bring further applications on this site forward in the future. Indeed, at an initial meeting between the developer and the Parish Council held on 05/03/2020 they indicated that they would be looking to build a total of approximately 210-230 units across the 6ha of developable land on the entire site.

**We believe that the application also breaches criteria 4** as it does not accord with the findings of the latest Housing and Economic Development Needs Assessment (HEDNA, September 2020) and proposes too many larger three and four bedroomed properties for open market sale with insufficient smaller one and two bedroom properties resulting in an arbitrarily low housing density.

*4. Development proposals make best and most efficient use of the land<sup>1</sup>, whilst respecting the character and appearance of the settlement. The Council will encourage planned higher densities in sustainable locations where appropriate (for example, in Chichester City and the Settlement Hubs). Arbitrarily low density or piecemeal development such as the artificial sub-division of land parcels will not be encouraged.*

*Relevant policies include:*

- *CLPKP Policy 2 Development Strategy and Settlement Hierarchy*
- *CLPKP Policy 7 Masterplanning Strategic Development*
- *CLPKP Policy 33 New Residential Development*
- *CLPKP Policy 47 Heritage and Design*
- *LPR Policy S2 Settlement Hierarchy*
- *LPR Policy S32 Design Strategies for Strategic and Major Development Sites*
- *LPR Policy DM3 Housing Density*

**2) The application breaches criteria 6** of the interim position statement. The site has been identified in the Ecological Mapping of Chichester District (LPR ref. 032 appendix 1) as of strategic importance for the following key species:

- Lapwing
- Woodland Bat
- Barn Owl
- Water Vole

The developer proposes removing significant lengths of hedgerow, which currently provide cover for Woodland Bats and Barn Owls, and the development will result in significant loss of open farmland,

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which is vital for Lapwing and also provides hunting grounds for Barn Owls. Site construction and the use of the proposed public open spaces, especially for dog walking purposes will result in considerable harm, specifically from construction and ongoing recreational disturbance to the riparian ditch network, adversely impacting the area-wide water vole population and severing vital wildlife corridor routes.

*6. Development proposals in or adjacent to areas identified as potential Strategic Wildlife Corridors as identified in the Strategic Wildlife Corridors Background Paper should demonstrate that they will not adversely affect the potential or value of the wildlife corridor.*

*Relevant policies include:*

- *CLPKP Policy 49 Biodiversity*
- *LPR Policy DM29 Biodiversity*
- *LPR Policy S30 Strategic Wildlife Corridors*
- *LPR Policy DM31 Trees, Hedgerows and Woodlands*

*Relevant evidence:*

- *Strategic Wildlife Corridors Background Paper*
- *Local Biodiversity Action Plan*

**3) The application breaches criteria 7** of the interim position statement as it fails to demonstrate how the necessary increases to capacity to the Waste Water Treatment works at Sidlesham will be secured and delivered to accommodate the increase in foul water and sewage.

*7. Development proposals should set out how necessary infrastructure will be secured, including, for example: wastewater conveyance and treatment, flood mitigation and defence, affordable housing, open space, and highways improvements.*

*Relevant policies include:*

- *CLPKP Policy 9 Development and Infrastructure Provision*
- *CLPKP Policy 12 Water Management in the Apuldram Wastewater Treatment Catchment*
- *CLPKP Policy 34 Affordable Housing*
- *CLPKP Policy 54 Open Space, Sport and Recreation*
- *LPR Policy S6 Affordable Housing*
- *LPR Policy S12 Infrastructure Provision*
- *LPR Policy S31 Wastewater Management and Water Quality*

*Relevant evidence includes:*

- *Infrastructure Delivery Plan*
- *Open Space, Sport Facilities, Recreation Study and Playing Pitch Strategy*
- *Approach to securing development contributions to mitigate additional traffic impacts on the A27 Chichester Bypass SPD*
- *Surface Water and Foul Drainage SPD*
- *Joint Environment Agency and Southern Water Position Statement on Managing New Housing Development in the Apuldram (Chichester) Wastewater Treatment Works Catchment*

**The application breaches criteria 10** of the interim position statement as it fails to provide sufficient improvements to vehicular, pedestrian and cycle access to the site. Church Road is an already busy road and is heavily used by pedestrians as it is a main entrance for the local primary school. This leads to ongoing issues with traffic management and pedestrian safety at key times throughout the day.

Should the development be permitted, significant improvements would be required to the local transport network. These include a signal controlled pedestrian crossing in Church Road, improved street lighting to the footpath on the Eastern side of Church Road, provision of a dedicated off-road pedestrian/cycle way along Church Road, via Sandpiper Walk to the village centre to protect cyclists and pedestrians, particularly primary aged school children, along what is a busy and dangerous route along with provision of an off-road pedestrian/cycle link to Downview recreation ground and on to Bracklesham Lane.

If planning permission is granted to the development, specific conditions should be attached to the site to ensure that construction traffic must enter site from the Northern approach, via Piggery Hall Lane, with no construction traffic permitted to enter the site from the village to the South. Heavy goods movements should also be restricted in the interests of pedestrian safety, with none permitted Mon-Fri between the hours of 8.15-9-30am and 2.30-3.30pm to avoid conflict with school pick-up and drop-off times.

*10. Development should be sustainably located in accessibility terms, and include vehicular, pedestrian and cycle links to the adjoining settlement and networks and, where appropriate, provide opportunities for new and upgraded linkages.*

*Relevant policies include:*

- *CLPKP Policy 8 Transport and Accessibility*
- *CLPKP Policy 39 Transport, Accessibility and Parking*
- *LPR Policy S23 Transport and Accessibility*
- *LPR Policy DM8 Transport, Accessibility and Parking*

*Relevant evidence includes:*

- *Local Plan Policies Map*
- *Settlement Hierarchy Background Paper*
- *WSCC Walking and Cycling Strategy 2016-2036*
- *Chichester Local Cycling and Walking Infrastructure Plan*
- *Other relevant government guidance such as LTN 1/20 Cycle Infrastructure Design*

**The application breaches criteria 7 and 11** of the interim position statement as it is **not** located in an area at low risk of predicted future flooding and **does not** detail how the necessary supporting infrastructure (e.g. raising of coastal sea defences) will be secured to meet the predicted flood risk of climate change induced sea level rise. The site has been removed from the latest Housing and Employment Land Availability Assessment (HELAA, October 2020) because it is not sustainable due to the latest forecast impacts of climate change and projected sea level rise.

A recent judgement from the planning inspectorate, **Appeal Ref: APP/L3815/W/20/3250327** **Mayfield, Prinsted Lane, Prinsted, Southbourne PO10 8HS** refused an appeal in an area identified at similar risk of future climate change induced flooding on the grounds that: *“the appeal proposal*

would cause significant harm to the Council's development strategy and settlement hierarchy, and to the Council's and the Government's flood risk strategy for housing development. I attach substantial weight to this harm." The same harms would be attached to this development, only on a much larger scale and as such it should be resisted as there is now an established precedent for refusal.

**The application further breaches criteria 11** as it fails to detail how ongoing maintenance of the SUDS systems will be managed in perpetuity. If permission were to be granted for this outline planning application it should be a condition that this detail must be provided and independently verified as fit for purpose before an application for reserved matters can be approved.

*11. Development is to be located in areas at lowest risk of flooding first, and must be located, designed and laid out to ensure that it is safe, that the risk from flooding is minimised whilst not increasing the risk of flooding elsewhere, and that residual risks are safely managed. This includes, where relevant, provision of the necessary information for the Council to undertake a sequential test, and where necessary the exception test, incorporation of flood mitigation measures into the design (including evidence of independent verification of SUDs designs and ongoing maintenance) and evidence that development would not constrain the effective function of the flood plain, either by impeding surface water/ flood flows or reducing storage capacity. All flood risk assessments and sequential and exception test processes should be informed by the most recent climate change allowances published by the Environment Agency.*

*Built development can lead to increased surface water run-off; therefore new development is encouraged to incorporate mitigation techniques in its design, such as permeable surfaces and surface water drainage schemes must be based on sustainable drainage principles.*

*Relevant policies include:*

- *CLPKP Policy 42 Flood Risk and Water Management*
- *LPR Policy S27 Flood Risk Management*
- *LPR Policy DM18 Flood Risk and Water Management*

*Relevant evidence includes:*

- *Strategic Flood Risk Assessment Level 1*
- *HELAA*
- *Chichester Surface Water and Foul Drainage SPD*
- *WSCC Lead Local Flood Authority Policy for the Management of Surface Water*

**The application breaches criteria 12** of the interim position statement as does not detail how it will prevent further foul water discharge events into the Solent water catchment area given the chronic lack of capacity in the local waste-water treatment network. As such it will fail to meet the requirements for nitrate neutrality in all new housing developments:

*12. Where appropriate<sup>2</sup>, development proposals shall demonstrate how they achieve nitrate neutrality in accordance with Natural England's latest guidance on achieving nutrient neutrality for new housing development.*

*Relevant evidence includes:*

- *Advice on achieving nutrient neutrality for new development in the Solent Region, Natural England June 2020*

The Parish Council would like to add that the development will adversely impact the whole village, further extending the settlement boundary and diminishing the open and rural nature of the area. The development would also exacerbate existing issues around access to schools, medical treatment and services and contribute to over-capacity issues upon the local road network, which has been subject to numerous cumulative development impacts over the past 3-5 years.

Finally, we would like it noted that although the development is geographically located in West Wittering, it would in fact extend the Northwest edge of the settlement boundary of East Wittering. Due to the perverse nature of the CIL levy regime, all CIL monies attached to the development would therefore be payable to West Wittering Parish Council.

Should the application be granted planning permission, we would urge the District Council to look closely at what remedies could be applied to ensure that CIL monies were allocated within the settlement boundary rather than the parish boundary as this is where the impacts of the development will be most keenly felt.

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