



The Planning Inspectorate

Report to Arun District Council

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an Inspector appointed by the Secretary of State for Communities and Local Government

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Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

Report on the Examination of the Arun Local Plan

The Plan was submitted for examination on 30 January 2015

Examination hearings were held between 2 and 4 June 2015, on 14 January 2016 and between 19 and 28 September 2017

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Abbreviations used in this report

ADC	Arun District Council
AQMA	Air Quality Management Area
ATS	Arun Transport Study
BEW	Barnham/Eastergate/Westergate
CIL	Community Infrastructure Levy
Dpa	dwellings per annum
DPD	Development Plan Document
DtC	Duty to Co-operate
EA	Environment Agency
EBR	Enterprise Bognor Regis
EGA	Economic Growth Area
FEMA	Functional Economic Market Area
GI	Green Infrastructure
GTAA	Gypsy and Traveller Accommodation Assessment
HELAA	Housing and Economic Land Availability Assessment
HIS	Housing Implementation Strategy
HMA	Housing Market Area
HMO	Housing in Multiple Occupation
HRA	Habitats Regulations Assessment
IDP	Infrastructure Delivery Plan
JMLP	West Sussex Joint Minerals Local Plan
LCS	Landscape Capacity Study
LEGA	Littlehampton Economic Growth Area
LP	Local Plan
LPA	Local Planning Authority
LSS	Local Strategic Statement
MM	Main Modification
MSA	Minerals Safeguarding Areas
NDSS	Nationally Described Space Standards
NP	Neighbourhood Plan
NPPF	National Planning Policy Framework
OAN	Objectively Assessed Need
PPG	Planning Practice Guidance
PPTS	Planning Policy for Traveller Sites
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
SDNP	South Downs National Park
SFRA	Strategic Flood Risk Assessment
SHMA	Strategic Housing Market Assessment
SoS	Secretary of State
SPA	Special Protection Area
SPB	West Sussex and Greater Brighton Strategic Planning Board
SPD	Supplementary Planning Document
SUDS	Sustainable Drainage System
SSWMS	Strategic Surface Water Management Study
WSCC	West Sussex County Council
WWTW	Waste Water Treatment Works

Non-Technical Summary

This report concludes that the Arun Local Plan (LP or the Plan) provides an appropriate basis for the planning of the District, provided that a number of Main Modifications (MMs) are made to it. Arun District Council has specifically requested me to recommend any MMs necessary to enable the Plan to be adopted.

The MMs arise in response to representations on the LP and issues raised by the Inspectors. Many of the MMs concern matters that were discussed at the examination hearings. Following the hearings, the Council prepared a schedule of the proposed modifications and carried out sustainability appraisal of them. The MMs were subject to public consultation over a six-week period. In some cases I have amended their detailed wording. I have recommended their inclusion in the Plan after considering all the representations made in response to consultation on them.

The Main Modifications can be summarised as follows:

- Ensuring that the Plan's strategic objectives and policies are consistent;
- Making policies for built-up boundaries and the countryside consistent with national policy;
- Modifying employment policies so that they are more flexible;
- Reducing the extent of the employment allocation at Angmering;
- Ensuring that town centre policies are consistent with national policy;
- Making sure that the LP reflects up to date evidence on housing supply and is clear about calculating the 5 year supply;
- Amending housing policies so that they are positively prepared;
- Clarifying the requirements for developments close to Pagham Harbour Special Protection Area;
- Amending criteria within the Strategic Housing Allocation policies so that they reflect up-to-date evidence and are effective; and,
- Ensuring that generic policies are consistent with national policy.

Introduction

1. This report contains my assessment of the Arun Local Plan (LP or the Plan) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first consultation arrangements and whether the Plan's preparation has complied with the duty to co-operate (DtC). It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework (NPPF) (paragraph 182) makes it clear that in order to be sound a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound plan. The LP was submitted for examination in January 2015. However, the examination was formally suspended by the previous Inspector in February 2016 pending completion of a programme of work and consultation on Main Modifications (MMs) to the submitted plan arising from the additional work. I took over the resumed examination in July 2017. Therefore, the plan which the Council consider sound and that is subject to my examination is the 2011-2031 Publication Version showing Modifications which was subject to consultation in April and May 2017 rather than the version of the plan submitted in January 2015.

Main Modifications

3. In accordance with section 20(7C) of the 2004 Act the Council requested that I should recommend any MMs necessary to rectify matters that make the Plan unsound and thus incapable of being adopted. My report explains why the recommended MMs, many of which relate to matters that were discussed at the examination hearings, are necessary. The MMs are referenced in bold in the report in the form **MM1, MM2, MM3** etc, and are set out in full in the Appendix.
4. Following the examination hearings, the Council prepared a schedule of proposed MMs considered necessary for soundness and screened these through an updated sustainability appraisal (SA) and an addendum to the Habitats Regulations Assessment (HRA). The MM schedule was subject to public consultation for six weeks during January and February 2018. I have taken into account the consultation responses in coming to my conclusions in this report. In the light of the consultation responses some further amendments to the detailed wording of the MMs have been made. None of the amendments significantly alters the content of the modifications as published for consultation or undermines the participatory processes and SA and HRA that have been undertaken.
5. The Council has also proposed some Additional Modifications which have been publicised. But as these are not required to make the Plan sound I do not need to address them in this report.

Policies Map

6. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to

provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map comprises the set of plans identified as Maps 1 to 4 as set out in Document PELP39.

7. The policies map is not defined in statute as a development plan document and so I do not have the power to recommend main modifications to it. However, one of the published MMs to the Plan's policies requires a corresponding change to be made to the policies map (MM12). In addition the Policies Map will also need to be amended to reflect the inclusion of strategic allocations within Built-Up Area Boundaries (MM5).
8. The further change to the policies map was published for consultation alongside the MMs.
9. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted policies map to include all the changes proposed in Maps 1 to 4, the further change published alongside the MMs and the changes required to the Built-Up Area Boundaries.

Consultation

10. The Council produced a Statement of Community Involvement (SCI) (PELP21) in 2012 and a Statement of Consultation (PELP10) under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (LP Regulations) in 2015. The latter indicates how the Council gave the public and organisations such as Parish Councils the opportunity to be involved, and to make representations, at various stages of the LP preparation process up to the submission of the Plan for examination following the principles set out in the SCI.
11. The Statement of Consultation Addendum (PELP29) sets out how information was made available and how stakeholders were engaged during the period of suspension. Engagement was primarily with Town and Parish Councils, Site Promoters, statutory consultees, neighbouring authorities and elected members. Consultation with residents and residents' groups since the suspension has been effectively limited to the formal process of publication of the MMs for the seven week period in April and May 2017 and the six week period in January and February 2018.
12. Many consider that the Council could have done more in terms of informal engagement with residents and communities during the period of suspension. However, the Council has met the requirements in the LP Regulations relating to publication of the modified Plan, seeking and considering representations and submitting documents to the Secretary of State (SoS).
13. The format of the form for making representations was dictated by legal and procedural requirements and the tests of soundness. For those not familiar with electronic working, the consultation portal may have been difficult to navigate. That said, although use of this on-line facility was the preferred option, representations by letter and e-mail were accepted.

14. Consultation on the LP and the MMs has complied with the SCI and the LP regulations.

Assessment of Duty to Co-operate

15. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on it by section 33A in respect of the Plan's preparation. The previous Inspector in his preliminary observations after the hearings of 2 to 4 June 2015 had regard to the DtC Statement of January 2015 (PELP13) and indicated that the Council had engaged constructively up to that point. I have principally had regard to the DtC Addendum (PELP27) and related documents which detail further engagement undertaken since the suspension of the examination.
16. There are strong linkages between Arun and the Districts to the east and west which together form the Coastal Sussex Housing Market Area (HMA). The Districts within the HMA and West Sussex County Council (WSCC) collaborate through the West Sussex and Greater Brighton Strategic Planning Board (SPB) which is made up of elected members from the constituent local planning authorities (LPAs). The SPB produced the Local Strategic Statement in 2016 (LSS2) and is currently working towards an update (LSS3), undertaking further work on housing and economic needs. The LSS aims to set out the strategic priorities for the Sub-Region and the Spatial Priorities for delivering these. There is consistency between the Spatial Priorities and the LP.
17. Significant constraints to development exist within the HMA. Much of the coastal plain is already built-up and elsewhere areas are subject to flood risk. The South Downs National Park (SDNP) rises to the north of the coastal plain. Therefore, the availability of suitable sites is restricted. This is the case in Adur and Worthing Districts in particular. Less so in Arun.
18. Neighbouring Councils are at different stages of plan preparation. Adur and Chichester have recently adopted their LPs but have unmet housing needs of some 150 dwellings per annum (dpa) and 70 dpa respectively. Both Councils have committed to early reviews. The evidence base for the emerging Worthing LP estimates a shortfall in supply of around 6,500 dwellings, albeit that the figures have not yet been tested. LSS2 recognised that housing needs within the HMA are not being met.
19. Work during the suspension of the LP was informed by the likelihood that other LPAs within the HMA would not be able to meet their housing needs. The LP now provides at least 1,600 dwellings towards unmet needs in Chichester and Worthing with which Arun has the strongest functional links. At this point in time the Council's acceptance that it should meet some of the unmet needs from elsewhere within the sub-region demonstrates effective cooperation. LSS3 will provide the opportunity to reconsider cross boundary issues, including meeting housing needs within the HMA, and will inform early reviews of those plans that have been adopted.
20. Adjoining authorities, including Adur and Worthing, and Brighton further afield have also identified that they will not have sufficient land to meet their employment requirements. Arun has performed strongly in delivering new employment space, including provision of a strategic complementary nature

such as the Rolls Royce development at Bognor Regis. It has been agreed through the SPB that employment sites allocated in Arun such as Enterprise Bognor Regis (EBR) and to a lesser extent Angmering will have the potential to meet both local and strategic needs within the Functional Economic Market Area (FEMA) going forward.

21. The effect of planned development on the transport network goes beyond the District's boundaries and includes some of the junctions on the A27 which are in Chichester and Worthing Districts. The scope of the 2016 and 2017 Transport Assessments agreed between Arun District Council (ADC), WSCC and Highways England includes these junctions. Mitigation required to tackle severe impacts on the junctions will be based on an apportionment of costs across developments which affect the junctions both within and beyond the District. Cross boundary contributions will be secured through agreements under Section 278 of the Highways Act. Mechanisms are in place or are being developed for infrastructure needs to be met regardless of District boundaries.
22. Pagham Harbour Special Protection Area (SPA) straddles the boundary between Arun and Chichester Districts. Both Districts have undertaken HRA on their LPs and established buffers around the SPA. Within these buffers a common approach has been agreed with Natural England and the Royal Society for the Protection of Birds such that new development will contribute to mitigation in the form of wardens, information, interpretation and monitoring.
23. The DtC Addendum, Memoranda of Understanding and Position Statements between Arun and nearby Districts, WSCC, the SDNP Authority, Southern Water and the Environment Agency (EA) demonstrate further cooperation on a range of matters including gypsy and traveller accommodation, Green Infrastructure (GI), education, waste water and flood risk.
24. The LP is being examined at a point in time and the DtC evidence can only reflect that. Engagement will be ongoing. Overall I am satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the duty to co-operate has therefore been met.

Assessment of Soundness

Background

25. The LP has a plan period of 2011-2031 and deals with land use policies, other than those relating to minerals and waste¹, and strategic housing and employment allocations for that part of Arun which lies outside the SDNP,. Other than the LP the Council envisage that the development plan will include neighbourhood plans (NPs) and a Traveller Site Allocations Development Plan Document (DPD). Indeed there are already a number of made NPs in the District and the Council envisage that more will come forward during the Plan period. The development plan is also likely to include a Non-Strategic

¹ Dealt with by the West Sussex Minerals Local Plan 2003 and the West Sussex Waste Local Plan 2014

Housing Sites DPD and may include an Employment Allocations DPD depending on the monitoring of delivery, and the coverage, of NPs. **MM1** clarifies what is likely to constitute the development plan in the interests of a positively prepared and effective LP.

26. Some the representations on the Plan refer to the merits of sites which have not been allocated – omission or alternative sites. However, the purpose of the examination is to consider whether the submitted Plan is sound. So the focus of this report in relation to sites will be on whether the process followed by the Council in selecting the allocations is sound and whether those allocations will meet the development requirements, not on the merits of other sites as alternatives.

Main Issues

27. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings I have identified ten main issues upon which the soundness of the Plan depends. Under these headings my report deals with the main matters of soundness rather than responding to every point raised by representors.

Issue 1 – Whether the strategic approach to sustainable development is justified

28. The LP has seven strategic objectives based on the vision for the District. One of these relates to protecting and enhancing Arun's landscape. Taking into account that the SNDP lies immediately to the north of the District, the objective should refer to the protection and enhancement of the setting of the National Park so that it reflects national policy. This change would be achieved by **MM2**.
29. Policy SD SP1a sets out the spatial strategy for the District including the promotion of development in the main coastal towns of Bognor Regis and Littlehampton. Bognor Regis's role goes beyond that of a holiday centre and University Campus. Littlehampton has an expanding leisure and recreation role. Policy SD SP1a should be modified to reflect these functions (**MM4**) so that the LP is positively prepared.
30. In developing the Plan's vision and objectives through a spatial strategy Policy SD SP1a emphasises a number of key components relating to both development and environmental protection. However, to ensure that the policy reflects the main development needs and constraints, the policy should specify the amount of employment land needed as well as housing requirements. It should also incorporate considerations relating to flood risk and biodiversity to reflect the coastal location of, and to recognise the importance of nature conservation in, the District. These modifications are necessary to ensure that the LP is positively prepared and consistent with national policy and would be achieved by **MM4**.
31. The spatial distribution of development and the allocations of the LP which derive from Policy SD SP1a have been criticised in representations. Most of the allocations are west of the River Arun but this reflects the availability of land and constraints such as flood risk and the setting of Arundel and the SDNP. On the assumption that 20,000 homes and around 75 ha of

employment land are required the guiding principles set by the policy are justified.

32. The allocations are underpinned by the revised SA undertaken during the suspension of the examination. The SA was informed by updated evidence including a HRA, Landscape Capacity Study (LCS), Strategic Flood Risk Assessment (SFRA) and Strategic Surface Water Management Study (SSWMS). Some 17 strategic sites (2 employment and 15 housing) were assessed as reasonable alternatives in 2016 but 5 were discounted due to constraints.
33. Ford was put forward as a potential Eco-Town after the Government invited submissions in 2008. The Council considered this growth option along with others in 2009 but discounted a new settlement at Ford as not providing the most sustainable choice. A significant allocation of 1,500 dwellings is still made at Ford reflecting the work undertaken between the landowners, potential developers and the Ford Neighbourhood Planning Group and constraints such as the River Arun Flood Plain. But a new settlement of the type referred to in paragraph 52 of the NPPF is not currently proposed and does not form part of the Plan's strategy. The fact that the Eco-Town has not been taken forward does not make the strategy unsound.
34. The Planning Practice Guidance (PPG) indicates that there is no need for the LPA to reiterate policies that are already set out in the NPPF. In reciting the presumption in favour of sustainable development (NPPF paragraph 14) all of the content of Policy SD SP1 is not necessary. That part repeating paragraph 14 is deleted by **MM3** so that the policy is consistent with but does not repeat national policy and does not give the presumption development plan status.

Conclusions on Issue 1

35. Taking into account the above, including the MMs recommended, the strategic approach to sustainable development is justified.

Issue 2 - Whether strategic policies relating to settlements, the countryside, green infrastructure and landscape are positively prepared, effective and consistent with national policy

Settlements and the Countryside

36. The Plan identifies built-up boundaries around the towns and larger villages within the District. The definition of such boundaries ensures that there is a clear distinction between urban areas and the countryside and provides certainty as to those areas where development is positively encouraged. In this respect I support the principle of settlement boundaries.
37. As worded Policy SD SP2 (Built-up Area Boundary) and its explanation excludes strategic and other allocations from the settlement boundaries which would not be consistent with the principles of what the boundaries should encompass set out elsewhere in the Plan. Therefore, the policy and its explanation should be modified to make it clear that allocations are included (**MM5**) and that the LP is positively prepared. The Policies Maps will need to be amended accordingly.

38. All the settlements with strategic allocations have built-up boundaries other than Ford and Climping. At the moment Ford does not have a village heart as much of its 'built-up' area comprises the prison complex and industrial estates. Climping contains disparate elements including a rural hamlet south of the A259 and 20th century housing south of Horsemere Green Lane. However, the allocations at Ford and Climping provide a quantum of housing and community hubs so that the character of the settlements will change and have the scale of development to justify built-up boundaries.
39. In terms of Ford a potential built-up boundary is shown on the Proposals Map contained within the NP which is currently being examined. Logically the boundary should be extended to include the adjoining industrial areas and the prison to reflect paragraph 7.2.7 of the LP. Climping has a made NP (2015) but it did not include any housing allocations. In the absence of any proposals for a built-up boundary for Climping in the LP the definition of the boundary would be best dealt with as part of a reviewed NP or Non-Strategic Site Allocations DPD.
40. Policy C SP1 (Countryside) does not make it clear what constitutes countryside, implies that allocations lie outside built-up boundaries, includes some repetitious clauses and seeks to safeguard the countryside for its own sake. To address these deficiencies and to ensure that the policy is clear to the decision maker and consistent with the NPPF **MM6** is necessary.
41. An additional layer of protection is afforded by the 'Gaps between Settlements' Policy SD SP3. Although much of the coastal plain around Bognor Regis and Littlehampton is built-up there is a need to maintain the character of the remaining undeveloped coast, for example between Littlehampton and Middleton and East Preston and Ferring. The gap between Angmering and Worthing has been compromised to an extent by commercial development around Hangleton. However, the area overall is open in character which distinguishes it from Angmering and West Durrington.
42. Other areas of countryside further inland are important in maintaining the separate identity of settlements, for example that between Barnham and Walberton and Angmering and Rustington/East Preston. Whilst the Felpham and Bognor Regis gap is narrow, relates to a single large urban area and would be compromised by development at EBR, it continues to provide visual separation between built-up areas and allows distant views of the South Downs.
43. Some of the gaps referred to in Policy SD SP3 involve considerable tracts of land, for example Bognor Regis to Chichester and Arundel to Littlehampton. As such the settlements are not inter-visible and are not threatened by coalescence. The latter gap is protected by Policy LAN DM2. Pagham and Selsey are separated by Pagham Harbour.
44. That said the Council accept that future development needs could be met within the gaps providing their overall integrity is maintained. **MM8** would ensure that the policy allowed for circumstances where relatively modest areas of land could be allocated through NPs and DPDs. With that proviso Policy SD SP3 would be positively prepared and the principle of the policy and the gaps included within the policy are sound.

Green Infrastructure and Landscape

45. Policies GI SP1 and SD SP3 suggest that Gaps between Settlements comprise Green Infrastructure (GI). However, although some urban fringe locations may function both as GI and part of a gap, the universal application of Policy GI SP1 to all gaps would not be justified having regard to the definition of GI within the NPPF. The references to GI would be removed by **MM7** and **MM8** to ensure consistency with national policy.
46. Much of the rural GI Network is characterised by its tranquillity. In order to recognise the impact that light pollution can have on such tranquillity and ensure consistency with the section of the LP dealing with light pollution, the policy should include reference to protection from light pollution (**MM7**). Policy GI SP1 as modified would be consistent with paragraph 114 of the NPPF.
47. Policy LAN DM1 (Landscape Character) was redrafted following comments from the previous Inspector. The policy now provides sufficient distinction between protection of the setting of the landscape with the highest status of protection, the SDNP, and the need to respect other landscape characteristics of the District.
48. The setting of the historic town of Arundel with its dominating castle and cathedral is protected by Policy LAN DM2. Changes are necessary to make the policy clear to the decision maker and effective and these would be achieved by **MM9**.

Conclusions on Issue 2

49. Taking into account the above, including the MMs recommended, the strategic policies relating to settlements, the countryside, green infrastructure and landscape are positively prepared, effective and consistent with national policy.

Issue 3 – Whether the Plan meets the development needs of business through its policies and allocations

Strategic Approach to Employment Needs

50. Policy EMP SP1 sets out the strategic approach to economic development, emphasising the role of regeneration in the Bognor Regis and Littlehampton Economic Growth Areas (EGAs). A number of tools are identified as important for encouraging enterprise. One of the most significant is allocating employment land but the policy does not make clear the scale of provision and the reasons for it. Moreover, the policy does not recognise that economic objectives can sometimes be best achieved by adopting a flexible approach to the mix of uses and in some cases encouraging enabling development. These means of facilitating economic growth need to be included in Policy EMP SP1. This would be achieved by **MM10** which would ensure that the Plan is positively prepared and effective.
51. It is acknowledged that the District is significantly overproviding employment land in comparison with requirements associated with proposed housing delivery and past take-up rates. However, the allocation of between 70 and

80 ha of employment land is supported by a number of factors. As explained earlier the District performs a strategic role in meeting the unmet needs of the FEMA. The Council places a priority on economic growth to provide high quality jobs, increase job density, reduce net out-commuting and match jobs with housing growth. The allocations would provide the capacity for significantly more employment than the anticipated jobs growth of up to 2,355 over the Plan period. However, taking into account the need to respond to pockets of deprivation, below average skill and wage levels and combat climate change and congestion, the Council's aspirational approach is justified.

Economic Growth Areas (EGAs)

52. The extent of the two EGAs in Bognor Regis and Littlehampton are shown on the Policies Maps. Both the EGAs include the town centres and in the case of the Littlehampton EGA (LEGA) the harbour area and land on the west bank of the River Arun which is allocated for a major residential led mixed use development. But Policy EMP SP2 does not make clear the extent of the LEGA and fails to highlight the need to encourage development in the town centre as well as on the west bank. This would be rectified by **MM11** which is needed to ensure that the LP is positively prepared.

Strategic Employment Land Allocations

53. Policy EMP SP3 proposes strategic employment allocations at EBR, Greater Littlehampton and Angmering totalling around 80 ha of land. The bulk of the provision is at EBR (68 ha), focusing on the proposed Enterprise Zone and being supported by significant highway and drainage infrastructure. Overall the sites are well-related to the main towns and the road network and therefore in the right place to meet the needs of the District and beyond.

Enterprise Bognor Regis (EBR)

54. Parts of the EBR lie within Flood Zone 3a. The EBR allocation meets the sequential and exception tests within the NPPF taking into account the need for the allocation, the nature of the development (less vulnerable), the areas to be used, flood mitigation works and access/egress provisions. The SSWMS proposes measures which have been successfully incorporated into development at Sites 1 and 3.
55. The proposals include provision of a link road between the A259 and the Bognor Regis Relief Road to facilitate the development of the former LEC airfield and adjoining land (29 ha). Delivery of the link road and the employment development will be challenging. However, the market is improving, external funding through the Local Enterprise Partnership may be available and there is scope to use enabling development to assist in bringing forward employment floorspace. To make Policy EMP DM2 (EBR) more explicit and effective in respect of enabling development **MM14** is necessary. The modification which includes reference to the sequential and impact tests would achieve an appropriate balance between encouraging enabling development and protecting town centres in accordance with national policy.
56. Part of Site 2 at EBR (Rowan Park) is occupied by a high quality touring caravan site. In view of the importance of tourism for the local economy

provision should be made for the relocation of the caravan site. **MM14** would ensure that this factor is taken into account and that the policy is effective.

57. Bognor Regis Golf Club to the east of EBR is exploring the possibility of relocating and developing its site for housing. Such a development could facilitate access to the LEC site and potentially help fund the link road. However, proposals are in their infancy and have not been considered in detail through the LP evidence base as the site was screened out by the SA due to various constraints. Modifying the EBR allocation has not been justified. Pursuit of such an option through a subsequent DPD or LP review would be more appropriate.

Greater Littlehampton

58. Employment allocations at Courtwick and North Littlehampton (Site Nos 5 & 6) benefit from planning permission. Site 5 has been partly developed for offices with space retained for the same user. Delivery of Site 6 is linked to phasing of a larger site which itself is linked to a new bypass for Lyminster referred to as a committed scheme in Policy T SP3.

Angmering

59. Policy EMP SP3 allocates 8.3 ha of land for employment development north of Water Lane, Angmering (Site 7). However, the Council's own reports and additional work carried out by the landowner question the viability of the strategic allocations generally and the location of Angmering in particular where there is no existing large scale employment uses. Moreover, as reported earlier the quantum of employment allocations is above that required even when applying an aspirational trajectory.
60. In addition Policy H SP2c allocates at least 800 homes at Angmering. Evidence from submitted applications and pre-application enquiries indicates that the 3 parcels of land earmarked for housing would not provide 800 dwellings unless the employment allocation was reduced. In particular in order for the land to the north of Water Lane to make its anticipated contribution of 525 dwellings, a maximum of only 3 ha of employment land could be accommodated. Lower housing delivery at this location would prejudice the Council's ability to make provision for the required level of housing over the LP period. The 8 ha allocation is not justified and effective.
61. However, a smaller allocation of some 3 ha, although still aspirational, could contribute to the unmet need in the FEMA and be delivered alongside the 800 dwellings required at this location, particularly if design was tackled comprehensively and a coordinated approach was taken to the delivery of supporting infrastructure. **MM12** would achieve this and ensure that Policy EMP SP3 was justified and effective. Consequential changes to Policies EMP SP1 and the quantum of employment land allocated (75 ha) are also needed (**MM10**).
62. The Angmering Employment Allocation lies adjacent to the SDNP. There are also access and flood risk constraints. These matters are highlighted at paragraphs 8.6.17 to 8.6.19 of the LP but to ensure that development is consistent with national policy they should be given policy status which would be secured by **MM12**.

Other Employment Development

63. Policy EMP DM1 is a wide ranging policy dealing with the protection of employment sites, the location of office development and the approach to economic development in the countryside. Modifications are necessary to ensure consistency with Policy EMP DM2 in relation to office development at EBR and that the criteria relating to employment development in the countryside are not overly restrictive and are consistent with other policies of the LP including Policy SD SP3 (Gaps between Settlements). **MM13** is therefore required to ensure an effective policy which is consistent with national policy.

Tourism

64. Tourism is an important part of Arun's economy. Policies TOU SP1 and TOU DM1 seek to provide a supportive framework for considering tourism development. However, Policy TOU SP1 lacks a strong land use component, the wording being derived principally from the Plan's Vision and Objectives. Modifications are necessary to rectify this issue and ensure that the policy is positively prepared, consistent with national policy and clear to the decision maker (**MM17, MM18**).
65. Policy TOU DM1 is convoluted in its wording, includes explanation rather than policy and does not provide clear criteria against which to assess a range of tourism uses. In order to make the policy clear to the decision maker and effective **MM19** is needed.

Conclusions on Issue 3

66. Taking into account the above, including the MMs recommended, the Plan meets the development needs of business through its policies and allocations.

Issue 4 – Whether the policies of the Plan support the viability and vitality of town centres

Retail Capacity

67. Studies underpinning the LP² identified only a modest requirement for additional convenience and comparison retail floorspace and this would be towards the end of the Plan period. No specific sites have been put forward by landowners or operators as part of the LP process. There is insufficient evidence of need or deliverability to justify allocations.
68. Bognor Regis and Littlehampton are the highest order town centres but are showing signs of decline through the number of vacancies and the limited retail offer. Some town centre development which is more likely to be mixed use rather than retail led would improve their competitiveness against higher order centres and meet the modest floorspace needs. The town centre boundaries have been defined so that they are large enough to accommodate town centre uses on sequentially preferable sites. In parallel Council

² In particular PEPP8

initiatives to improve the public realm and bring forward Council owned sites under the EGAs would make the centres more attractive.

Retail Hierarchy

69. Policy RET SP1 defines the hierarchy of town centres, including town centres, local service centres and village and suburban centres. Modifications are necessary to the policy and explanation to make it clear that the retail hierarchy is aligned with the definition of town centres in the NPPF to ensure consistency with national policy (**MM15**).
70. Although the NPPF indicates that the extent of town centres should be defined the LP does not show the boundaries of those in the lowest tier, equivalent to local centres. These local centres are numerous, display a range of physical characteristics and in some cases are loose knit so defining boundaries would not be effective in encouraging proportionate expansion.

Town Centre Policies

71. Policy RET DM1 is intended to guide proposals for town centre uses in a variety of scenarios both within and outside town centres. The policy is too narrow in referring to 'retail development' rather than town centre uses. There is no policy distinction between primary and secondary frontages in Policy RET DM1 on the basis that the Council wish to maintain flexibility. That said whether the frontage is primary or secondary may be a consideration depending on the proposal. Finally the policy is too permissive in relation to town centre uses outside town centres. **MM16** would ensure that Policy RET DM1 is consistent with national policy in these respects.
72. The LP proposes impact assessment thresholds of 1000 sq m for larger centres and 200 sq m for local centres which are significantly below the default threshold in paragraph 26 of the NPPF. These thresholds are justified due to the modest size and vulnerability of existing town centres and the importance of sustaining accessible local centres to reduce the need to travel. The thresholds form part of the explanation to Policy RET DM1 but should have development plan weight in order to ensure that they are effective. This would be achieved by **MM16**.
73. Town centre uses could also take place in new local centres/hubs within strategic allocations. Policy RET DM1 would be the means to control the size of such centres supported by the master planning exercises required by the strategic allocation policies. Moreover, convenience shops would be likely to not exceed the Sunday opening limitations (280 sq m net sales area).

Conclusions on Issue 4

74. Taking into account the above, including the MMs recommended, the policies of the Plan support the viability and vitality of town centres.

Issue 5 - Whether the Plan meets the full objectively assessed needs for market and affordable housing in the area

75. The LP examination was suspended to allow the Council to consider, amongst other things, the implications of the previous Inspectors' conclusions that

there should be a significant increase in objectively assessed need (OAN). I do not intend to revisit the detailed analysis that led to those conclusions but will summarise their findings and also consider the implications of any factors that have come into play since February 2016.

Household Projections

76. The PPG indicates that household projections should provide the starting point for the estimate of overall housing need. The GL Hearn study published in March 2015 took 820 dpa as a starting point based on the most recent household projections and mid-year population estimates at that time. This was agreed as reasonable by the previous Inspectors. The PPG also advises that employment trends, market signals and affordable housing needs should also be considered in establishing an OAN.

Employment Trends

77. The Council's aspirations for employment need to be set against reduced forecasts for employment growth. The previous Inspectors concluded that the objective of increasing the resident workforce did not point to a need to uplift the demographically based elements of the OAN.

Market Signals

78. Analysis of house prices, rental levels, overcrowded households and affordability ratios showed some modest affordability pressures in Arun. Adjustments were made for the recessionary effects on household formation rates for the 25-34 age group. The previous Inspectors did not consider that market signals pointed to the need for significant further numerical adjustments other than some 25 dpa to take into account the 25-34 age group.

Affordable Housing

79. The GL Hearn report of March 2015 estimated that the net need for affordable housing was about 220 dpa. This is close to the quantum that would be achieved through LP policies and other Council initiatives based on the proposed OAN.

Conclusions on OAN

80. The previous Inspectors considered that the 820 dpa starting point should be adjusted upwards by 25 dpa resulting in a conclusion in February 2016 that an OAN of 845 dwellings per annum (dpa) was justified. It was felt that further adjustments were not necessary as employment related issues were balanced out by market signals and affordable housing pressures. The rationale for this OAN is set out in IDED18.
81. Moving matters forward analysis of the implications of the 2014 population and household projections published in May and July 2016 was undertaken. These showed stronger population growth, principally driven by higher than expected net in-migration. The relevant 2016 report identified uplift in the OAN to 919 dpa.

82. The application of the new standardised method of assessing housing need would not be appropriate as transitional arrangements indicate that it should not be used for Local Plans submitted before the revised NPPF is published.

Other Needs in the Housing Market Area

83. The previous Inspectors identified that the needs of the HMA were not being met through the then emerging plans of the constituent authorities. They suggested that the updated SA should test higher levels of growth against the sustainability principles set out in the NPPF. The SA has tested provision of an additional 1,600 dwellings and concluded that negative effects can be mitigated by policies of the LP. As explained in relation to the DtC the LP therefore provides for the additional dwellings to meet other needs in the HMA (Chichester and Worthing).

Housing Requirement

84. Taking the OAN together with the housing needs from elsewhere in the HMA results in a housing requirement of some 1,000 dpa or 20,000 homes over the LP period. This represents a significant level of growth. However, the SA and HRA together with other parts of the evidence base such as the SFRA and the SSWMS indicate that the level of growth can be accommodated without significant negative effects. This is supported by my analysis of the strategic housing allocations set out below. As a result meeting the full OAN and some needs from elsewhere would be consistent with policies in the NPPF.
85. Policy H SP1 reflects the requirement for 20,000 homes. However, in the light of the objective to boost significantly the supply of housing, the figure should be seen as a minimum figure rather than a target. This change to ensure that the LP is positively prepared and consistent with national policy would be achieved by **MM25**.

Conclusions on Issue 5

86. Taking into account the above, including the MM recommended, the Plan meets the full objectively assessed needs for market and affordable housing in the area.

Issue 6 - Whether provision is likely to meet the identified need for housing over the Plan period

The Stepped Approach to Delivery

87. Policy H SP1 includes a stepped approach to housing delivery increasing from 610 dpa between 2011/12 to 2015/16 to a peak of 1,310 dpa between 2020/21 to 2025/26. The LP proposes strategic allocations to bridge the considerable gap between existing supply and the large increase in the OAN. This will require a step change in delivery. It will not be straightforward to deliver the strategic sites which will require master-planning, related infrastructure and in some cases significant lead in times.
88. Delivering a greater range of sites within the LP, including smaller sites which would take less time to get off the ground, would have been one way of potentially avoiding a stepped delivery. However, the LP relies on NPs and a

Non-Strategic Sites DPD to deliver smaller allocations. To widen the scope of the Plan at this stage would further delay adoption of an up-to-date LP and delivery of housing. Housing targets need to be realistic and deliverable. The stepped approach within Policy H SP1 is justified by the particular circumstances. However, in order to ensure that the policy is effective the 5 year periods need to be clear within the policy and this would be achieved by **MM25**.

Flexibility in Supply

89. The projected supply of housing shown in Table 12.1 of the LP indicates 20,074 dwellings against the requirement of 20,000 (0.5% flexibility). However, the figures in the table are a conservative estimate of delivery from some of the sources. For example non-strategic sites which would comprise allocations of up to 300 dwellings are only shown as delivering 1,250 dwellings. In reality NPs and a Non-Strategic Site Allocations DPD providing coverage for the whole district would be likely to deliver considerably more than 1,250 homes. Moreover, up to date estimates show supply of 20,768 dwellings at 31 March 2017 which is a slight improvement in terms of flexibility. To reflect these circumstances and ensure an effective LP, the table should emphasise the correct position at 31 March 2017 and that the aforementioned supply source would achieve at least 1,250 dwellings (**MM23**).

Components of Supply

90. The components that will make up housing supply/delivery to meet the housing requirement shown in Table 12.1 are explained in the Housing Implementation Strategy (HIS). Housing and Economic Land Availability Assessment (HELAA) sites are those that lie within built-up area boundaries, are policy compliant but do not have planning permission. A 10% non-implementation rate has been applied to this source of supply.
91. Non-strategic sites are those to be allocated in NPs and a Non-Strategic Sites DPD. The Council has a strong track record in working with communities to deliver NPs which have allocated sites for 920 dwellings so far. There is a commitment to continue the process of delegating responsibility for the allocation of smaller sites to NP groups but with the DPD as an additional tool for those areas without an up-to-date NP. Although some of the supply from Non-Strategic Sites will come forward towards the end of the Plan period the HELAA indicates that sites are available.
92. Evidence of completions from sites of 5 units or less shows that such windfalls provide some 75 dpa. This figure has been projected forward to make up a windfall allowance but with an adjustment to take into account small site commitments so that there is no double counting. The windfall allowance is justified.
93. Strategic site allocations would provide land for some 11,350 dwellings. The Council anticipate that the vast majority of dwellings (10,750) will be delivered in the LP period. Whilst optimistic taking into account the size of the sites, mitigation and infrastructure requirements, and lead in times, the figures are informed by discussions with promoters/developers and supported by Statements of Common Ground for most sites.

94. The overall supply position for the Plan period is reasonable balancing conservative and optimistic estimates from the various sources.

Housing Trajectory and 5 year supply

95. The housing supply position and the 5 year supply should be based on the stepped delivery within Policy H SP1. It is accepted that persistent under-delivery has occurred so a 20% buffer should be moved forward from later in the Plan period. Because a 610 dpa requirement would be applied during the 2011-16 period there is limited undersupply from the early years of the LP but the shortfall should be dealt with by the Sedgefield method. In order to make the approach to calculating the 5 year supply clear to the decision maker, thus making the LP effective, an explanation should be included which would be achieved by **MM22**. Based on up to date figures and applying the stepped delivery, a 20% buffer and the Sedgefield method to making up the shortfall, supply was 5.3 years at 31 March 2017.
96. The HIS and the housing trajectory contained within the LP as Picture 12.1 (updated by **MM23** to ensure an effective Plan) suggests that supply over the LP period will match the requirement but there will be peaks and troughs in delivery and potentially periods when a 5 year supply may not be achieved. However, actions are set out in the HIS to seek address any periods of shortfall. In the short-term the Council has agreed to invite planning applications on policy compliant HELAA sites and the first phases of some of the strategic allocations.
97. In the medium to longer term there will be a need for non-strategic sites to contribute to making up any anticipated shortfall against the trajectory. However, the LP only anticipates work commencing on a DPD some 3 years after the adoption of the LP. Adoption would be some 2 years after that at the earliest. In order to ensure no shortfalls in delivery through the Plan period and an effective LP the preparation of the DPD should be commenced immediately after adoption of this Plan. This is particularly important given the optimistic trajectories from some of the strategic housing sites which will have been affected by the later than anticipated adoption of this LP, particularly in terms of delivery in 2018/19. This change would be secured by **MM24** and **MM25** to ensure an effective Plan.
98. The LP does not include any mechanisms that would trigger a review or partial review should there be a lack of a 5 year supply. Section 10 of the HIS deals with monitoring but is not specific as to mechanisms and triggers. So that the LP is effective the circumstances where persistent under delivery of housing would necessitate a partial review should be included in the Plan which would be achieved by **MM26**.

Conclusions on Issue 6

99. Taking into account the above, including the MMs recommended, provision is likely to meet the identified need for housing over the Plan period.

Issue 7 - Whether the policies of the Plan address the needs for all types of housing, including affordable housing and those of different groups in the community such as gypsies and travellers

Affordable Housing

100. In view of the identified need for affordable housing and taking into account viability evidence Policy AH SP2 proposes a policy target of a minimum of 30% affordable housing. However, the Council recognises that in some circumstances, for example on brownfield sites in the coastal towns, viability at 30% may be challenging. In this respect the policy has a clause which may accept provision below 30%. However, in view of the substantial need for affordable housing and viability evidence supporting 30% on greenfield sites, provision below that level or an off-site solution should be rare. This would be emphasised by **MM39** to ensure that the policy is positively prepared.
101. The policy also indicates a tenure split of 75% rent and 25% intermediate for affordable housing and a specific range of house sizes. The Council accepts that the mix will need to be applied flexibly but this is not made clear by the policy. **MM39** would recognise that evidence may point to a different affordable dwelling split and house type mix.
102. Policies H DM1 and AH SP2 are sufficiently flexible in their wording to support starter home provision should a need be demonstrated.
103. Rural exception sites to meet identified affordable housing needs would be facilitated by Policy H SP3. However, taking into account the scale of the strategic allocations most affordable housing needs should be capable of being met within the built-up area boundaries. The policy should be modified to make it clear that the policy would only come into play when needs cannot be met in such a way. Requiring that people eligible for such housing should be in full-time employment does not recognise that many of those in need are in part-time jobs. The modifications that would be secured by **MM40** are necessary so that the policy is positively prepared and justified.

Housing Mix

104. Policy H DM1 is sufficiently flexible in referencing the most up to date Strategic Housing Market Assessment (SHMA) as a basis for considering the mix of dwelling sizes and tenures for a particular development rather than a specific document. In view of the requirement within national policy to plan for the needs of different groups in the community and taking into account the evidence in the SHMA, Policy H DM1 should make specific reference to the housing needs of older people. This would be achieved by **MM38**.

Self-build housing.

105. The Council's housing needs reports and the Custom-Build and Self-Build Registers provide evidence of a demand from those wishing to build their own homes. In response Policy H DM1 encourages this form of housing and Policy H SP2 requires inclusion of areas for Self-Build and Custom-Build housing within Strategic Site Allocations. As currently worded the latter policy is too prescriptive. In order for the policy to be effective, areas for Self-Build and

Custom-Build should be a consideration rather than a requirement, a change that would be secured by **MM27**.

Housing Standards

106. Policy D DM2 indicates that the Nationally Described Space Standard (NDSS) will be used as guidance in requiring internal spaces to be of appropriate size. The Council does not have the evidence in terms of need, viability and timing to justify making the NDSS mandatory. Moreover, in some developments such as that relating to historic buildings, it may not be appropriate to apply the guidance. Such flexibility should be incorporated into the policy rather than as part of the explanation. The clause within the policy which makes reference to making the efficient use of land is not relevant to the application of the policy, dilutes its effectiveness and should be deleted. These changes would be secured by **MM47** so that the policy is positively prepared.
107. The LP indicates that further work is to be undertaken to establish private open space standards for the District. Therefore, Policy D DM3 and its prescriptive requirements relating to external space standards is not justified and should be deleted. However, it would be appropriate for the LP to flag up that the Council will prepare guidance. These changes would be secured by **MM48**.

Travellers

108. A Gypsy and Traveller Accommodation Assessment (GTAA) published in May 2015 indicated a need in the District for 5 private pitches and 9 public pitches for gypsies and travellers and 7 plots for travelling showpeople for the Plan period. There is no evidence that the needs have changed in the intervening period taking into account factors such as temporary planning permissions, unauthorised sites, illegal encampments and recent planning applications. Moreover, some provision has been made since 2015, including 7 plots for travelling showpeople.
109. Policy H SP5 in dealing with traveller accommodation does not make clear what provision is needed for gypsies and travellers over the Plan period. In order for the policy to be positively prepared, effective and consistent with Planning Policy for Traveller Sites (PPTS) changes are required. **MM42** would ensure that Policy H SP5 is explicit in setting LP pitch and plot targets.
110. The Plan's housing and employment allocations are strategic in nature, whereas traveller needs are relatively small. As a result the LP does not make any site allocations for travellers. It is intended that the small number of private pitches needed would be met by planning applications considered against the criteria set out in Policy H SP5 or thorough rural exception sites also catered for by the policy. This is consistent with the approach to small housing sites for the settled population which would be met by windfalls considered against generic policies of the LP. However, the approach to private pitches should be made clear by the policy so that it is positively prepared and effective. **MM42** would achieve this change.
111. The remaining need for 9 public pitches is to be met by allocations through a separate Travellers Site Allocations DPD which is to be progressed once the

GTAA is updated to take into account changes in the definition of travellers within the August 2015 PPTS. The GTAA is likely to be finalised during 2018. Again given the relatively low pitch requirement this is consistent with the approach to the allocation of non-strategic housing sites. Moreover, Policy H SP2 includes a requirement that consideration be given to the delivery of a traveller site within strategic housing allocations so there is a possibility that provision will be made within an existing allocation.

Students and Houses in Multiple Occupation

112. The expansion of the University of Chichester Campus in Bognor Regis has regeneration and economic benefits for the town and District. Purpose built student accommodation has recently been completed within the EGA. Houses in Multiple Occupation (HMOs) also provide a source of housing for students. The relevant policy (H SP4) is generally positively worded but the criterion relating to over concentration is not quantified and ambiguous. Deletion of the criterion by **MM41** would ensure that the policy is justified.
113. That said dominance of an area by HMOs can have adverse impacts on character, living conditions and family housing. Criteria within Policy H SP4 recognise some of these factors but the need to maintain sustainable, inclusive and mixed communities should be emphasised and this would be achieved by the addition of wording to the policy through **MM41** to ensure that the Plan is justified. Policy H SP4 as modified would strike the right balance between providing a source of housing for groups such as students and those on low incomes and creating balanced communities.

Rural Dwellings

114. Policy H DM3 refers to agricultural, forestry and horticultural workers dwellings only whereas paragraph 55 of the NPPF is wider in its scope in referring to rural workers. Moreover, some of the criteria within the policy are too restrictive in particular Section 1 (g) and Section 3 (d). The ability to meet the need for a rural worker's dwelling through conversion of an existing building should also be recognised. Modifications are required to ensure that Policy H DM3 is positively prepared and consistent with national policy (**MM43**).
115. Policy H DM3 also includes a section dealing with the conversion of rural buildings to residential use. However, as this is a different subject matter to that intended to be addressed by Policy H DM3, Section 4 should form a separate policy so that it is clear to the decision maker and therefore effective (**MM44**).

Conclusions on Issue 7

116. Taking into account the above, including the MMs recommended, the policies of the Plan address the needs for all types of housing, including affordable housing and those of different groups in the community such as gypsies and travellers.

Issue 8 - Whether the strategic allocations will deliver the housing needed over the Plan period in a manner which is consistent with other policies of the Plan and the NPPF and that necessary infrastructure will be provided alongside the homes

Generally

117. As a consequence of the need to meet a housing requirement of 20,000 homes the LP now allocates significant areas of land on the edge of settlements within the District. This scale of development will have a range of adverse impacts, including urbanising of the countryside, loss of the best and most versatile agricultural land and placing strains on existing infrastructure, including the highway network. Areas of the District are at risk from flooding and affected by European Nature Conservation Sites. The SA records that significant negative effects will occur as a result of the allocation policies. However, LPs should meet OAN unless the adverse impacts would significantly and demonstrably outweigh the benefits or specific policies in the NPPF indicate that development should be restricted. It is within this context that I will assess the strategic allocations.
118. The HELAA forms part of the evidence base for assessing sites and bringing forward allocations. Sites have been screened out due to nature conservation designations or other overriding constraints such as functional flood plain. A more detailed assessment of sites has been undertaken applying the criteria set out in Footnotes 11 and 12 of the NPPF and advice in the PPG. The overall process has been robust and alongside the SA has properly considered reasonable alternatives in seeking to arrive at the allocations necessary to meet the OAN
119. Policy H SP2 sets out criteria which will apply to all of the strategic housing allocations. Some of the criteria are not consistent with national policy or justified. The requirement that allocations only enhance the natural environment is too onerous and should be modified to include 'protect, conserve or enhance'. There is reference to new development following the principles of the Garden City movement, an approach which is not supported by evidence. These requirements would be deleted by **MM27**.
120. The Council point out that the number of units expected to be delivered from each allocation derives from the land available and applying suitable densities, including the need for accessible green space. The approach seems generally reasonable and is not disputed other than where indicated. Moreover, the numbers are expressed as 'at least' so there would be no restriction within Policies H SP2a-c to a greater number of dwellings being delivered.
121. There are criterion within Policy H SP2a and H SP2c relating to employment provision for the allocations at West of Bersted, Barnham/Eastergate/Westergate (BEW) and Ford. Any employment land within these allocations is not required to meet OAN. But some provision would be desirable to promote mixed use developments and provide flexibility in the supply of employment land. As a result the policies are not prescriptive in terms of the amount and timing of provision. Delivery would be dictated by market conditions and brought forward by master planning.

122. Before addressing the site specific effects of the allocations and the policy and infrastructure requirements there are a number of impacts which are common to most of the allocations.
123. All the allocations will involve loss of countryside and have resultant effects on the character and appearance of the landscape. However, none of the allocations directly involve valued landscapes protected through paragraph 109 of the NPPF. Moreover, similar effects would arise from most allocations of greenfield land on the edge of existing settlements within the District. In terms of assessing the effects, the LCS identifies the capacity of the sites to take development. The capacity ranges from high to low depending on sensitivity to change. However, once landscaping mitigation is built in which can be secured through policies of the LP, the landscape is more capable of absorbing the development.
124. Most of the allocations involve loss of the best and most versatile agricultural land (Grades 1, 2 and 3a) but this applies to most of the greenfield land within the District. I am satisfied that there are no significant areas of poorer quality or brownfield land which could be developed. Significant areas of higher grade land will remain. Loss of some such land is inevitable if OAN is to be met.
125. The Arun Transport Study (ATS) identifies improvements to road junctions that are necessary to remove severe impacts, including some on the A27 beyond the District. Each development will have impacts on some of the junctions and contributions will be apportioned based on the ATS through the allocation policies and/or Policies T SP1 and INF SP1. In addition more significant road schemes promoted by Policy T SP3, some of which are committed, will enhance links and relieve congestion. Contributions will be sought to these projects where necessary. A small reduction in traffic generation is applied (up to 2%) to take into account improvements to sustainable travel modes.
126. Congestion will continue to occur on the road network and at some junctions it may increase. But the Council has applied robust and consistent parameters relating to base flows, trip generation and assessing severe impacts. I am satisfied that the approach is sound and that the cumulative impacts will not be severe.
127. Although significant areas of the District are affected by flood risk most of the land allocated falls within Flood Zone 1. On some sites a small proportion of the area falls with Flood Zones 2 or 3 but avoiding such areas altogether would not provide the housing needed. Moreover, on most of those sites built development can be located in Flood Zone 1. The exception test would be met for these sites. Littlehampton West Bank is the only allocation involving significant areas of land within Flood Zones 2 and 3. I address this below. The SSWMS recognises existing surface water issues but suggests potential Sustainable Drainage System (SUDS) solutions for the sites most affected which would be further developed at application stage.
128. In terms of delivery the Local Plan Viability Assessment concluded that most greenfield allocations would be viable. There are issues with West Bank,

Littlehampton but further work has been undertaken which I return to later.

129. I will now move on to consider the adverse impacts, policy and infrastructure requirements and delivery of each of the strategic housing allocations.

Greater Bognor Regis

130. The 3 strategic housing allocations proposed for the Greater Bognor Regis Urban Area at Pagham South, Pagham North and West of Bersted would provide an estimated 400, 800 and 2,500 dwellings respectively. Policy H SP2a includes specific design and infrastructure requirements for each of the allocations. The proportion of dwellings allocated to Greater Bognor Regis, considering all known sources of supply, is around 35% of the Plan's overall housing supply which reflects the town's role as a main service centre and the largest settlement in the District.

Pagham North and South

131. Pagham South (SD1) lies just outside the 400m buffer for the Pagham Harbour SPA. Pagham North (SD2) lies within the SPA 5km buffer. Because of the proximity of the allocations to the SPA and the attractiveness of the walking routes in and around the SPA, including via a footpath from the Pagham South allocation, there is potential for increased disturbance within the SPA. Indeed the HRA identified potential for likely significant effects on the SPA from Pagham South.

132. However, the allocations would be required to provide accessible green space so residents would have an alternative place to walk and exercise their dogs. In addition a package of management measures put in place by ADC and Chichester District Council following discussions with Natural England and the Royal Society for the Protection of Birds seeks to mitigate any likely significant effects on the SPA (paragraph 22 refers). This mitigation would be secured by Policy ENV DM2.

133. That said, criterion a. within Policy H SP2a is ineffectual in only indicating that development will 'take into account' the proximity of the SPA. To be justified the policy and the explanation needs to emphasise that there should be no detrimental impacts on the SPA (**MM28** and **MM29**).

134. There is evidence of wintering birds, including Brent Geese, using the agricultural land of the allocated sites. They are attracted by certain cropping regimes. The Council suggests that there are no impacts on the conclusions contained within the HRA from the most recent evidence submitted³. Natural England concurs with these findings⁴. However, this is on the basis of development proposals within the 400m – 5km buffer zone, including those on the Pagham allocations, being accompanied by a thorough assessment. In this respect **MM56** is required to emphasise the type of factors that would need to be assessed. Taking into account the proposed MMs there are unlikely to be any significant effects on the SPA from Pagham South alone or in combination with other plans or projects.

³ Technical Note PELP33a

⁴ PELP33b

135. The existence of other protected species on and close to the sites, such as water voles, has been assessed. The allocations would not harm fauna provided suitable mitigation is incorporated.
136. The allocations would extend the urban area of Pagham into land forming part of the gaps between settlements protected under Policy SD SP3 (Pagham/Selsey and Greater Bognor Regis/Chichester). However, the extent of encroachment into the gaps would not be significant so that their overall integrity would be maintained. The Pagham North sites are reasonably well-contained by roads and development. Pagham South is a more exposed landscape with open views across it from Pagham Road and a footpath bisecting the site towards Pagham Harbour and the church. The character of the site will fundamentally change. But it is not a valued landscape and such change is inevitable if OAN is to be met.
137. The allocations are entirely within Flood Zone 1 apart from a small part of Pagham South. However, there is a high water table. Culverts and ditches would require clearing and maintaining to assist drainage which would be secured by Policy W DM2. There is limited capacity and there are permit limitations at Pagham Waste Water Treatment Works (WWTW) so most foul drainage would need to go to Lidsey or Ford WWTW.
138. The most direct link between Pagham and the A27 at Chichester are via smaller classified roads. The ATS does not suggest wholesale improvements to this link but identifies mitigation at the junction of the B2166 and B2145 and at junctions on the A27 and A29 which would remove severe impacts. Some minor improvements are proposed to junctions closer to and within Pagham as a result of transport assessments in connection with current applications. More significant works are not envisaged because rerouting would occur due to improvements elsewhere. As a result these junctions would not experience severe impacts as defined by the ATS.
139. Policy H SP2a includes provision for a range of facilities, some located within a community hub which would help support the creation of a sustainable community. However, in some cases it might be more appropriate to contribute to new facilities elsewhere e.g. new health care provision at West of Bersted, or contribute to the improvement of existing facilities. This element of flexibility should be built into the policy so that it is effective (**MM29**).
140. In order to support regeneration in the town and the Bognor Regis EGA paragraph 8.5.24 of the LP recognises the importance of links between the allocations and the town centre. However, this is not reflected in policy. **MM29** would seek sustainable links between the allocations and Bognor Regis Town Centre so that Policy H SP2a is effective.
141. There is a need for the Pagham sites to be planned comprehensively in view of their cumulative impacts and the need to coordinate the provision of facilities. However, the LP at paragraph 12.1.14 suggests that the sites need to be developed together. In view of the different landowners/developers involved this would not be practical. Neither is it necessary provided the sites are planned together. **MM28** would ensure the LP is effective in this regard.

142. The sites have been subject to viability assessment and recent planning applications. Delivery within the Plan period is likely.

West of Bersted

143. The allocation (SD3) would extend the urban area into land forming part of a gap between settlements under Policy SD SP3 (Greater Bognor Regis and Chichester). However, the extent of encroachment into the gap would not be significant so that its overall integrity would be maintained. The wide open views across the large agricultural fields, including those from footpaths within the site, would be replaced by built-development within a structured landscape setting. However, the landscape is not valued and such significant changes to landscape character on the edge of the settlement are inevitable if OAN is to be met. Moreover, master planning indicates that significant green buffers would be incorporated, particularly along the western side which would form a suitable new edge to the settlement.
144. West of Bersted lies within the SPA 5km buffer. Mitigation in the form of accessible green space and contributions to management measures would apply. Indications are that significant green space will be incorporated within the site. That said, criterion a. within Policy H SP2a is ineffectual in only indicating that development will 'take into account' the proximity of the SPA. To be justified the policy and the explanation needs to emphasise that there should be no detrimental impacts on the SPA (**MM30**).
145. The allocation is entirely within Flood Zone 1. There is some flooding in the area principally caused by blocked drains and culverts exacerbated by a high water table but mitigation, including SUDs, would be secured by Policy W DM2. However, given existing problems and the scale of the development Policy H SP2a (SD3) should recognise the need to pay particular attention to a strategy for surface water management. This change to ensure that the policy is positively prepared would be achieved by **MM30**. There is limited capacity at Lidsey WWTW but connections could be made to Ford WWTW where there is more headroom and scope for upgrading.
146. The ATS identifies mitigation at junctions on the A27, A29, A259 and B2166 which would remove severe impacts. Development would make contributions to the junction improvements, which would be secured by Policies H SP2a and INF SP1. The spine road within the site would provide access to the A259 and routes north to the A27, thus avoiding Chalcraft Lane.
147. Policy H SP2a includes provision for a range of facilities, some located within a community hub which would help support the creation of a sustainable community.
148. In order to support regeneration in the town and the Bognor Regis EGA paragraph 8.5.24 of the LP recognises the importance of links between the allocations and the town centre. However, this is not reflected in policy. **MM30** would seek sustainable links between the allocation and Bognor Regis Town Centre so that Policy H SP2a is effective.
149. The site has been subject to viability assessment and recent planning applications. Delivery within the Plan period is likely.

Greater Littlehampton

150. In Littlehampton the allocation (SD4) of land on the west bank of the River Arun for a major residential led mixed use development would provide an estimated 1,000 dwellings. Policy H SP2b includes specific design and infrastructure requirements for the allocation. The proportion of dwellings allocated to Littlehampton, considering all known sources of supply, is around 23% of the Plan's overall housing supply which reflects the town's role as the second largest settlement in the District.

West Bank

151. Flood risk and drainage issues affect the West Bank site. Large parts of the site are within Flood Zone 3a. Fluvial flooding from the River Arun is the main source of risk. The Council's LEGA Development Delivery Study assessed sites in and around the town centre to consider whether any were capable of accommodating a significant mixed use development, including about 1,000 homes, which was seen as critical to underpinning regeneration focused on the LEGA. No other sites were of sufficient size to achieve these objectives. Other parts of the District lie within Flood Zone 1 but allocations elsewhere would not achieve the substantial sustainability benefits associated with the West Bank development.
152. Moreover, fluvial flooding is capable of being mitigated by the provision of a flood embankment along the west bank of the river and other measures which would not only protect new development but also existing homes on the West Bank vulnerable to flooding. The development can be made safe for its lifetime. That said the protection of established properties forms part of the justification for the allocation but this has insufficient emphasis within Policy H SP2b. **MM31** would highlight this benefit so that the policy is positively prepared. The allocation would meet the sequential and exception tests.
153. Surface water drainage issues are capable of being mitigated. Southern Water has not identified any foul drainage issues that would prevent the allocation coming forward, albeit that upgrades to Ford WWTW would be required later in the LP period.
154. The allocation would extend the built-up areas into existing open countryside and reduce the gap between Littlehampton and Climping/Middleton. However, the Development Delivery Study indicates that development could be concentrated within the eastern parts of the site closer to the river with open space at the western end where the landscape is more sensitive and the site tapers. Such an approach would preserve a meaningful gap between built development on the West Bank and Climping. However, this requirement is not included within Policy H SP2b. **MM31** would ensure that the policy is effective in this regard.
155. The ATS identifies mitigation at junctions on the A259 and A27 which would remove severe impacts. Development would make contributions to the improvements, the specific requirement for the A259 being referred to in Policy H SP2b.

156. Policy H SP2b includes provision for a community hub, including health facilities, and a primary school. The policy emphasises that riverside activities such as the marina and boat building which form part of the character of the area should be retained and improved.
157. There are significant infrastructure requirements, particularly flood defences. The allocation includes multiple ownerships and part is subject to a National Trust covenant. There may be a need to relocate some businesses and households, albeit that most would stay. The Development Delivery Study questions whether the development would come forward at the present time but considers that it would be a viable proposition by about 2021. The viability testing is on the basis of a high proportion of flats. Although the demand for such properties in Littlehampton may be limited, the riverfront location would be attractive. There is a reasonable prospect of the allocation being delivered over the Plan period.

Inland Arun

158. There are strategic allocations proposed for Inland Arun at BEW, Fontwell, Yapton, Ford, Climping, Angmering North and Angmering South and East. Policy H SP2c includes specific design and infrastructure requirements for each of the allocations. The proportion of dwellings allocated to Inland Arun, considering all known sources of supply, is around 43% of the Plan's overall housing supply, which reflects the sustainability credentials of the well-connected large inland villages.

Barnham/Eastergate/Westergate (BEW)

159. The BEW allocation proposes up to 3,000 dwellings around the 3 villages (SD5). The significant number of dwellings is justified by the level of services and facilities available in the 3 villages as a whole and the scope for new facilities to be provided on the back of the allocations, including a new community hub which would improve the overall level of services in the villages. A new secondary school would come forward in the area. Employment development is also incorporated within the allocation. Barnham Railway Station is close to the allocation, providing regular rail services to Chichester, the coastal towns and beyond. Development would facilitate the realignment of the A29 to improve links between Bognor Regis and the A27 and relieve congestion in locations such as the Woodgate Level Crossing.
160. The allocation would extend the built-up areas of the villages into existing open countryside. However, overall the site is visually contained by existing development to the north, west and east and by vegetation to the south. Development would not have wider landscape impacts. That said some parts of the allocation are particularly sensitive to change principally because of their role in providing separation between Eastergate and Barnham.
161. Criterion a. of Policy H SP2c (SD5) seeks to conserve the separation of the villages. However, given the potential for development to further erode the gap, this element of the policy requires greater clarity so that it is positively prepared (**MM32**). The landscape impact would be within acceptable bounds with the MM proposed.

162. Highway improvements would be necessary to ensure that the allocations would have safe and suitable accesses and the highway network would be able to operate safely and efficiently. The residual cumulative impacts of the developments on the transport network would be less than severe taking into account improvements set out within criterion g. of Policy H SP2c and Policy T SP3, including the provision of a new route for the A29. The new A29 route is capable of being designed so that it can serve the dual functions as both a through-route and local distributor. The wider highway network impacts are capable of mitigation, including the A27 junctions, as set out in the ATS.
163. 90% of the allocation is in Flood Zone 1 but there is a system of drains and ditches affecting the site linking to the Lidsey Rife and a high water table. Ground and surface water infiltration of the sewerage system within the Lidsey WWTW catchment has led to foul water flooding and pollution. However, the evidence indicates that flood risk and drainage issues are capable of being mitigated taking into account the scope to avoid development in Flood Zones 2 and 3 and the use of SUDs. Section 3 of Policy W DM1 provides safeguards in this respect. However, given the network of watercourses, existing problems and the scale of the development Policy H SP2c (SD5) should recognise the need to pay particular attention to a strategy for surface water management. This change to ensure that the policy is positively prepared would be achieved by **MM32**.
164. Lidsey WWTW has limited capacity so would only be able to serve early phases of the development. Later stages would be served by a new connection to Ford WWTW which has spare capacity to serve development and potential to be upgraded during the lifetime of the LP. This is explained by **MM58** and **MM65** (paragraph 210 refers).
165. The challenges in delivering the site are recognised but the Council and promoters of the site agree that the allocation can deliver 2,300 dwellings in the Plan period taking into account policy and infrastructure requirements and viability issues. A hybrid planning application has been submitted for an initial phase of the development totalling some 350 dwellings. The indications are that delivery of the majority of the allocation would take place in the LP period.

Fontwell

166. Outline planning permission has been granted by the SoS for 400 dwellings on the site allocated at Fontwell (SD6), reflecting its suitability for development. In arriving at the decision the requirement for contributions to healthcare facilities was found not to meet the legal and policy tests for planning obligations. As a result the criterion within Policy H SP2c relating to such contributions is not justified and should be deleted (**MM33**).
167. The development will contribute to improvements to the A27 junctions and realignment of the A29. Reserved matters approvals and commencement are anticipated in 2018 so delivery assumptions within the housing trajectory are realistic.

Yapton

168. Yapton is a large village with a reasonable range of facilities. The allocation (SD7) of at least 400 dwellings would help to sustain and enhance services in the village.
169. There is an indication through master planning exercises and outline planning applications that Yapton could accommodate significantly more than 400 dwellings, particularly as the need for a second village primary school on the site has not been justified. Although Policy H SP2c does not prevent a larger number of homes being provided and the exact capacity of the site is best resolved through the planning applications, there is a clear justification for increasing the minimum number within the policy to 500 so that it is justified and effective (**MM34**).
170. The allocation would extend development into open fields to the south and west of the village. The western part of the site is open and not well-related to the existing village form but the landscape is not valued or protected and has no particular features which make it out of the ordinary. Master planning can ensure that structural landscaping provides a soft edge to the settlement.
171. 98% of the allocation is in Flood Zone 1. Flood risk and drainage issues are capable of being mitigated taking into account the scope to avoid development near to Bilsham Ditch (Flood Zone 2) and the use of SUDs. It is likely that foul drainage would flow to Ford WWTW.
172. The ATS identifies mitigation at Comet Corner on the A259 which would remove severe impacts. Development would make contributions to the junction improvements.
173. The existing primary school in Yapton appears to have some spare capacity and land is available for expansion. Nonetheless Policy H SP2c (SD7) includes provision for a new primary school on the site. This is projected to result in high infrastructure costs compared to sites of a similar size. This may affect delivery. To recognise that increased pupil numbers would be best met by improving existing provision rather than creating two primary schools in the village the policy should be amended. Similar considerations apply to library and health care provision in that a contribution to existing provision rather than a new facility may be more likely to be delivered. These changes to ensure effectiveness would be achieved by **MM34**.
174. Planning applications for the site have been submitted. There are no significant constraints to delivery of the site during the Plan period with the MMs proposed.

Ford

175. There are few dwellings in Ford and limited services. However, there are significant areas of brownfield land. Moreover, the settlement is well-related to other settlements and has good transport links with a railway station and bus routes. There is scope for the significant allocation of 1,500 dwellings (SD8) to build on these attributes and provide a village heart which would be beneficial for both existing and future residents. The intention is that the expanded village would include a new primary school, local shops, sports

facilities and potentially new healthcare provision. These proposals are well-aligned with the emerging NP for Ford.

176. The site is well-contained by existing vegetation. Existing industrial development and the remains of the airfield are visual detractors. The landscape impact would be acceptable. That said the allocation extends up to the eastern extremity of Yapton and close to the allocation at Climping. In order to prevent the coalescence of the three settlements Policy H SP2c should recognise that visual separation between Ford/Yapton and Ford/Climping should be maintained. This change to ensure that the policy is positively prepared would be secured by **MM35**. This modification would also recognise the historic landscape feature of the line of the former Portsmouth to Arundel Canal as required by Policy HER DM5.
177. The allocation is solely within Flood Zone 1. Surface water issues, including dealing with the drain on the eastern boundary and pipes within the site, would be capable of being mitigated.
178. The Ford WWTW which would serve this allocation and others is within the area covered by SD8. **MM35** and **MM58** are required to recognise that the layout will need to have regard to the location of the WWTW so that the living environment for future residents is acceptable and to ensure that the Plan is positively prepared in this regard.
179. The ATS identifies mitigation at junctions on the A259 and A27 which would remove severe impacts. Development would make contributions to the junctions.
180. The preference is for new health care facilities to be provided at Ford to serve Ford, Yapton and Climping. However, plans are not sufficiently developed to make this a definite requirement. Hence there is a need to introduce some flexibility into Policy H SP2c so that it is effective (**MM35**).
181. There are no overriding technical constraints and the site is considered to be deliverable within the Plan period.

Climping

182. Policy H SP2c allocates a site for 300 dwellings at Climping (SD10). The site is well-contained by tree lines on its western and southern boundaries and roads to all sides. Existing housing development immediately to the north is close to industrial development on the opposite side of Horsemere Green Lane which itself would be adjacent to the Ford allocation. **MM35** would preserve visual separation between Ford and Climping to ensure that the Plan is positively prepared (paragraph 176 refers).
183. The allocation is solely within Flood Zone 1. Drains to the east and west that have been blocked in the past and led to surface water flooding would be improved as part of the development of the allocation under Policy W DM3.
184. The ATS identifies mitigation at junctions on the A259 and A27 which would remove severe impacts. Development would make contributions to the junction improvements.

185. There is an existing primary school at Climping which has spare capacity. It has been recognised that contributions to provide additional school places would be more deliverable than provision of a new school as part of the allocation. **MM37** would ensure that Policy H SP2c is positively prepared in this regard. However, the primary school is on the opposite side of the A259 from the allocation. Even if expansion of the primary school is not feasible some children from the allocation would attend the existing school. In order to ensure safe access to the school, encourage walking and cycling Policy H SP2c needs to include a criterion requiring a controlled crossing on the A259 which would be secured by **MM37** and result in a positively prepared policy.
186. Although a planning application was refused in August 2017 it was partly on grounds of prematurity pending examination of the LP. There are no overriding constraints to delivery of the site in the Plan period.

Angmering North

187. In terms of the allocation at Angmering North (SD9) there are three distinct parcels forming the allocation but Policy H SP2c has requirements which are common to all. The site is well-related to serve the Plan's contributions to the unmet needs of Worthing. The changes proposed under **MM12** would ensure that it would be capable of delivering at least 800 dwellings. At the same time **MM36** would provide the mechanism for bringing forward the remaining 3 ha of employment land alongside the residential development. These modifications would result in a justified and effective Plan.
188. Parts of the allocation are adjacent to the SDNP, are clearly visible from higher ground to the east around Highdown Hill and have the potential to adversely affect the National Park's landscape setting. These parcels are assessed within the LCS as having substantial sensitivity to change. Although some visual containment is provided by the A280 and Groom's Copse, it is critical that careful thought is given to the approach to layout and landscaping within any development coming forward. Policy LAN DM1 provides safeguards but there is a need for more prescriptive requirements in relation to assessment of landscape impact and mitigation to ensure that Policy H SP2c is positively prepared and consistent with national policy. The SDNP Authority does not object to the allocations subject to the inclusion of such a criterion. These modifications would be achieved by **MM36**.
189. Policy HER DM3 would address the potential for more localised impacts on the setting of the Angmering Conservation Area which lies to the south-west of the allocations.
190. The majority of the allocation lies within Flood Zone 1 but a portion of the area to the south of Water Lane is in Flood Zones 2 and 3 where the Black Ditch runs across the site. Development is capable of being mitigated by keeping development clear of Zones 2 and 3 and by using SUDs to regulate flows into existing watercourses.
191. The ATS identifies mitigation at junctions on the A27 and A259 which would remove severe impacts. Development would make contributions to these improvements.

192. As with other allocations there are criteria within Policy H SP2c relating to the provision of facilities which are somewhat inflexible given that plans for education, health care and library provision are not fully developed. **MM36** would allow alternative ways of making appropriate provision so the policy is effective.
193. A planning application has been submitted for land to the south of Water Lane. There are no overriding constraints to delivery of the sites in the Plan period.

Angmering South and East

194. The allocation at Angmering South and East (SD11) forms part of a larger area much of which has been developed or is under construction. Although the number of dwellings is below the threshold for strategic allocations the site is significant because it is occupied by Worthing Rugby Club who are seeking to relocate. Allocating the land for housing will provide more certainty in this respect and assist delivery.

Conclusions on Issue 8

195. In conclusion and subject to the MMs set out above, the allocations will deliver the housing needed over the Plan period in a manner which is consistent with other policies of the Plan and the NPPF and that necessary infrastructure will be provided alongside the homes. The adverse impacts of the allocations would not significantly and demonstrably outweigh the benefits.

Issue 9 - Whether necessary District wide infrastructure, including that related to transport, is likely to be delivered alongside development

Infrastructure Provision - General

196. The improvement of existing, and provision of new, infrastructure is critical to ensuring that the growth planned in the LP is sustainable. Policy INF SP1 is the main tool for ensuring that new development is supported by necessary infrastructure. The policy includes reference to viability and the statutory and policy tests for obligations but also contains the mechanisms to ensure that infrastructure is delivered in a timely fashion.
197. The Council has prepared an Infrastructure Delivery Plan (IDP) which indicates the infrastructure requirements that will need to be delivered over the Plan period to support growth. The IDP is intended to be a living document as the LP is implemented. However, there is currently no reference to the IDP within Policy INF SP1. **MM64** would secure that link so that the policy is positively prepared and effective.
198. The Council intend to introduce a Community Infrastructure Levy (CIL) Charging Schedule after the adoption of the LP, assuming that CIL is retained. Until CIL is introduced the Council will rely on planning obligations to secure infrastructure. However, contributions to infrastructure by means of payments are potentially caught by the CIL pooling limitations as the Regulations currently stand. Large infrastructure projects such as the new secondary school and leisure centre would be particularly vulnerable to these

restrictions. As a result development could stall or necessary infrastructure might not be delivered. An undue burden might fall on those sites that come forward first. In recognition of these issues Policy INF SP1 should make it clear that a CIL Charging Schedule will be introduced as soon as possible after the adoption of the LP. This change to ensure that the Plan is positively prepared and effective would be achieved by **MM64**.

Transport

199. The ATS considers the cumulative impact of some 16,000 new homes between 2017 and 2031. Realistic trip rates have been applied. All junctions which are likely to be subject to significant additional movement have been assessed, including some on the A27 outside the District. The ATS has been updated taking into account recent evidence. The ATS identifies a package of mitigation measures, including junction improvements to increase capacity. Estimated costs for the measures are included. Costs would be apportioned based on the size of the development and assessed impacts and secured through agreements under the Highways Act. The ATS forms a sound basis for assessing highway network impacts and mitigation required.
200. Policy T SP3 includes committed and potential highway schemes to enhance the road network and support new development, including links to the A27. Some of the highway schemes already have funding. Work is being undertaken at a strategic level through LSS2 and LSS3 to secure other funding. Not all the schemes are necessary to mitigate severe impacts e.g. bridging the railway line at Ford and the Arundel By-Pass. But those that are needed are included in the IDP. Contributions would be sought from new development under Policy INF SP1.
201. Taken together these improvement schemes will ensure that the residual cumulative impacts of new developments proposed by the LP on the highway network, including congestion, are less than severe.
202. With regard to a more comprehensive improvement of the A259, WSCC indicate that the need for this is to be reviewed in 2018. However, it is accepted that improvements to the A259 between the Oyster Catcher Junction and Littlehampton should be a safeguarded scheme. **MM50** would include this within Policy T SP3 so that the policy is positively prepared. If a comprehensive scheme was developed within the lifetime of the Plan the policies are framed in such a way as to allow developments to contribute depending on when they came forward and the necessity of improvements taking place at that time to mitigate highway impacts.
203. Proposals for a new Chichester by-pass have been put on hold. But assessments of the impacts of the LP on the highway network have not relied on the by-pass being implemented.
204. There are a number of railway level crossings close to strategic allocations, including at Ford, Yapton and Woodgate. The ATP identified that no mitigation was required to address safety concerns. Network Rail has a programme for updating level crossings which would be supported by Policy T SP1.

205. Policy T DM1 encourages sustainable modes of travel. New development would be expected to contribute to public transport, cycling and pedestrian facilities as necessary. Policy T SP2 relates to a new strategic Littlehampton to Arundel Green Link. The project is a joint ADC and WSCC scheme. Work has started on the 1st phase. Funding will be sought from developer contributions or CIL.

Education

206. The increase in secondary school pupil numbers arising from the level of growth proposed in the District could not be accommodated by remodelling of existing schools. Therefore, Policy INF SP2 deals with the requirement for a new secondary school. It is likely that the new school would be located in the central part of the District close to the focus of growth at BEW, Ford, Climping and Yapton. However, a specific site has not been identified. Moreover, no area of search is shown on the Policies Maps. To ensure that Policy INF SP2 reflects the up-to-date position and is effective **MM66** is necessary.

207. Additional primary school places either through expansion of existing or provision of new schools would be sought through contributions secured through Policy INF SP1 or by specific requirements within the strategic site allocation policies (H SP2a-c).

Open Space and Recreation

208. Policy OSR DM1 seeks to protect existing open space and indoor facilities and seek contributions from new developments to open space and facilities. The policy currently repeats national policy and is not clear about the contributions that are required from developments and the approach to Local Green Space. **MM49** would rectify these failings and would ensure that Policy OSR DM1 is consistent with national policy. A Supplementary Planning Document (SPD) will provide the mechanisms to secure open space contributions from developments.

209. Allotments are supported by Policy OSR SP1 and could also be secured by criterion (o) within Policy H SP2 (Strategic Site Allocations).

Foul Drainage

210. The HIS and IDP both indicate that waste water is currently a significant constraint to the delivery of housing, particularly because of the limited capacity of the Lidsey WWTW. However, there is capacity at Ford which could be used as an alternative to Lidsey. Moreover, capacity issues are capable of being addressed during the LP period so that proposed development can be accommodated. Upgrades to both Lidsey and Ford WWTW are shown within the IDP. Joint funding by Southern Water and developers would be likely. To be effective the LP should highlight the critical nature of such infrastructure which would be achieved by **MM58** and **MM65**.

Conclusions on Issue 9

211. In conclusion and subject to the MMs set out above, necessary infrastructure, including that related to transport, is likely to be delivered alongside

development.

Issue 10 - Whether the generic policies of the Plan are positively prepared, effective and consistent with national policy

Design

212. The requirement within Policy D SP1 (Design) for large scale developments to be supported by a context appraisal would not place an additional burden on developers as such work should be a prerequisite of good design and would be expected for large scale developments. Design and Access Statements on their own are intended to be concise reports accompanying applications and might not robustly assess the site's context. The need for such context appraisal is justified. That said there is a need for clarity in terms of the application of the requirement so that the policy is clear to the decision maker and effective. **MM45** defines large scale developments.
213. Policy D SP1 contains repetition. In addition the reference to efficient use of land is not sufficiently qualified by the need to take into account local characteristics. To ensure that the policy is clear to the decision maker and positively prepared **MM45** is necessary.
214. Policies D SP1 and D DM1 in referring to the characteristics of the local area place sufficient emphasis on local distinctiveness. It is not the role of this LP to highlight characteristics of, and design requirements for, particular settlements such as Bognor Regis. That would be achieved by NPs and the Design Guide SPD which the Council intend to complete following the adoption of the LP. Innovative design should not be stifled but needs to be appropriate for its context. **MM46** would secure this qualification so that Policy D DM1 is consistent with national policy.

The Historic Environment

215. Policy HER SP1 sets out the overall approach to the historic environment. Parts of the policy seek to repeat national policy but others are more onerous than the provisions of the NPPF. In particular the balancing of heritage assets and public benefits included within the NPPF is missing. Therefore, modifications are required so that the policy is consistent with but does not repeat national policy (**MM51**).
216. Policies HER DM2 and HER DM4 deal with non-designated heritage assets referred to by the Council as Locally Listed Buildings or Structures of Character and Areas of Special Character. The latter are defined on the Policies Maps. Although it is important that the local historic environment is recognised differentials are needed between policies protecting designated heritage assets and non-designated heritage assets. Moreover, in referring to 'Special Character' there is an implication that such areas are as important as conservation areas which are designated for their 'special or historical interest'. In this respect Policies HER SP1, HER DM2, and HER DM4 need to be modified to distinguish between the hierarchy of heritage assets so that they are consistent with national policy (**MM51**, **MM53** and **MM54**)
217. Policy HER DM1 includes reference to enabling development in respect of listed buildings but the considerations that are taken into account are

contained in the supporting text rather than the policy. Modifications are necessary so that the criteria are given policy weight and a criterion is incorporated relating to mechanisms to secure the preservation/enhancement of the heritage asset so that the policy is effective (**MM52**).

The Natural Environment

218. Policy ENV DM1 does not provide sufficient distinction between the hierarchy of designated wildlife sites in accordance with paragraph 113 of the NPPF. As a result modifications are needed to the policy to make reference to development on sites with the highest value only being allowed exceptionally so that the policy is consistent with the NPPF (**MM55**).
219. Policy ENV DM2 deals with mitigation measures for Pagham Harbour Special Protection Area (SPA). In view of the restrictions on infrastructure provision through planning obligations, a modification is proposed to the policy to delete the reference to developer contributions to the provision of green spaces beyond the development site so that the policy is effective (**MM57**). As a consequence sites within the buffer zones without accessible green space, including developments involving single and small numbers of dwellings, would be unlikely to be capable of acceptable mitigation. That said this constraint would not have significant implications for overall housing supply during the Plan period.
220. Agricultural land close to Pagham Harbour is an important supporting habitat for wildfowl as emphasised by paragraph 17.1.19 of the LP. However, further clarification is required on the type of evidence that will be needed to ensure that development does not have significant effects on the SPA. **MM56** would ensure that the LP is clear on the steps that should be taken in this regard.
221. The Arun Valley Special Area of Conservation/SPA falls outside the Plan area but parts of the River Arun Flood Plain between Arundel and Littlehampton are used for foraging by Bewick's Swans. Policies H SP2b and H SP2c recognise the need to avoid adverse impacts from the nearest housing allocations at LEGA and Ford. Thus, the content of the LP should ensure that counteracting measures are implemented so that the integrity of the Arun Valley SPA and the species that it supports would be conserved.

Water and Flood Risk

222. Policy W DM1 refers to new dwellings being more water efficient and including measures that meet current standards. The intention of the Council is to require new dwellings to meet the tighter Building Regulations optional requirement of 110 litres/person/day. This is confirmed by **MM59** so that Policy W DM1 is effective. The Council point to the EA document published in July 2013 on water resources, EA comments and the Local Plan Viability Assessment to establish a clear local need by reference to evidence, consultation and impact on viability as required by the PPG.
223. Policy W DM2 deals with flood risk. To be consistent with national policy, particularly in relation to the application of the exception test, reference is needed to the sustainability benefits to the wider community being identified. This would be achieved by **MM60**.

224. The use of SUDS will be critical in mitigating flood risks from surface water run-off from the strategic allocations in the LP and other development coming forward in the Plan period. SUDS are promoted by Policy W DM3 which contains a number of criteria reflecting advice within the PPG. However, a clause needs to be added to the policy to ensure that it reflects the emphasis within the guidance placed on maintenance and is positively prepared. **MM61** would secure this amendment.

Minerals

225. Policy NR DM1 addresses development within Minerals Safeguarding Areas (MSA). However, the West Sussex Joint Minerals Local Plan (JMLP) has recently been found sound and also contains a minerals safeguarding policy (Policy M9). Having policies at both tiers would result in duplication and inconsistencies. In order to ensure that the Plan is effective and clear to the decision maker Policy NR DM1 should be deleted (**MM62**). Strategic housing allocations at BEW and Ford fall within the Sharp Sand and Gravel MSA but the need for these non-mineral developments would be a significant factor in the application of Policy M9 of the JMLP.

Waste Management

226. In requiring that new residential development makes provision for kerbside collection and recycling/refuse bin storage, there is reference to major residential development needing to contribute to the provision of bins. The requirement is not very specific. The use of conditions to seek such a contribution would not meet the tests within the PPG. **MM63** deletes this clause to ensure that the policy is effective.

Air Quality

227. There is currently no Air Quality Management Area (AQMA) in Arun District although there are some areas such as the A27 Causeway in Arundel where poor air quality is experienced. Monitoring is undertaken across the District. If any AQMA are declared during the Plan period Policy QE DM3 would require that development proposed nearby would need an air quality assessment and the delivery of actions set out within any Air Quality Action Plan.

Other Policies

228. Horticulture is an important employment sector in the District and glasshouses are a significant feature of the landscape. The structures have a limited lifespan. Policy HOR DM1 permits new and replacement glasshouses subject to certain criteria. The policy also recognises that redevelopment of horticultural sites for other purposes may occur but the countryside location of most such businesses needs to be recognised to ensure consistency with Policy C SP1 and other policies of the Plan. This change to ensure an effective policy would be secured by **MM20**.

229. Equine development is covered by Policy EQU DM1 but two of the criteria within the policy impose unduly onerous requirements on development which in many cases will be private and small scale. Those criteria would be deleted by **MM21** so that Policy EQU DM1 is justified.

Conclusions on Issue 10

230. In conclusion and subject to the MMs set out above, the generic policies of the Plan are positively prepared, effective and consistent with national policy.

Public Sector Equality

231. In arriving at my conclusions on the above issues I have had regard to the Public Sector Equality Duty contained in the Equality Act 2010. In particular in relation to the protected characteristics of older people, gypsies and travellers and those with disabilities, the housing policies considered under Issue 7 and the MMs associated with them will have a positive equality impact.

Assessment of Legal Compliance

232. My examination of the legal compliance of the Plan is summarised below.

233. Although there has been some slippage during the examination the LP has been prepared broadly in accordance with the Council's updated Local Development Scheme of 2017.

234. Consultation on the Local Plan and the MMs was carried out in compliance with the Council's SCI and the regulations.

235. Sustainability Appraisal has been carried out on the LP and MMs and has been adequate.

236. The HRA of April 2016, including Appropriate Assessment, sets out that the plan may have some negative impact which requires mitigation and that this mitigation has been secured through the plan.

237. The Local Plan includes policies, including Policy ECC SP1, designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change.

238. The Local Plan complies with all relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.

Overall Conclusion and Recommendation

239. The Plan has a number of deficiencies in respect of soundness for the reasons set out above, which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues set out above.

240. The Council has requested that I recommend MMs to make the Plan sound and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix the Arun Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

Mark Dakeyne

INSPECTOR

This report is accompanied by an Appendix containing the Main Modifications.