

Southbourne Neighbourhood Plan Review

Response to Examiner’s Request in Examination Hearing Agenda December 2021

January 10th 2022

Context

1. Nova Planning Limited act on behalf of Metis Homes Limited, who control land which is included within the proposed allocation under Policy SB2 of the emerging Southbourne Neighbourhood Plan Review (NPR). For clarity, the Metis land is shown edged red and blue on the plan at Figure 1 below. The land shown edged red in known as ‘Harris Scrapyard & Oaks Farm’. The land shown edged blue is known as ‘Hoey’.

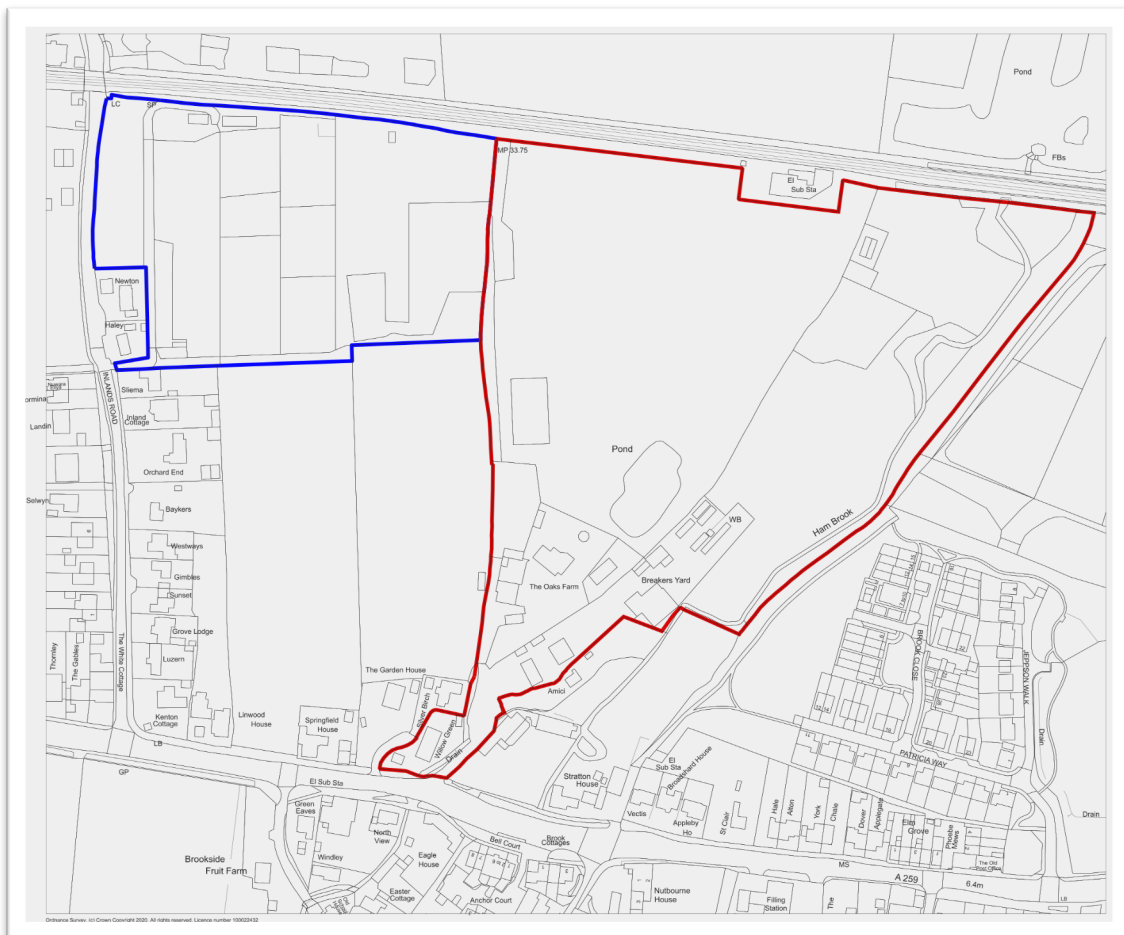


Figure 1 – Metis Homes land

2. The Examiner of the NPR has issued an agenda (December 2021) for the upcoming Hearing on January 14th 2022. Included in the agenda at paragraph r is the following:

I am confused over the topic of how much of the (at least) 1,250 dwellings can be satisfactorily developed without a new vehicular railway bridge. The promoter's traffic statement suggests traffic statement suggests 400 dwellings to the north and 400 to the south. David King and colleagues (Rep 076 page 13) understand from the Stantec report that the threshold is 902 dwellings [with 750 to the South] CDC's response document suggests that there is no need for a crossing.

3. The Examiner seeks clarity as follows:

s. Topic 5: What is the position in this respect? Could a very short note be provided either setting out agreement between the PC/CDC/the SB2 promoters, or the summary position of each?

Background

4. Representations by Metis Homes at Regulation 14 and Regulation 16 stages of the Southbourne Neighbourhood Plan Review (NPR), which have been submitted individually and on behalf of the Consortium, confirm that Metis can facilitate the provision of a bridge on the Hoey land when it is confirmed that a bridge is needed. This is initially reflected in the Consortium's representations and illustrative masterplan submitted at Regulation 14 stage. However, the need for a bridge has become increasingly questionable in respect of the allocation as the plan has emerged and the publication of the Southbourne Level Crossing Baseline Safety Review in March 2021 (hereafter referred to as the Stantec report) provided independent evidence that there is no clear justification to require a bridge for the level of development (1,250 dwellings) allocated by Policy SB2. This is reflected in the Consortium representations at Regulation 16 stage, which seek to have Policy SB2 amended to reflect a "safeguarding" approach rather than provision in response to the Stantec report. The individual representations by Metis Homes at Regulation 16 stage reiterate the stance at paragraph 5.7 (my underlining for emphasis).

5.7 The 'Hoey Land' land parcel is located on the alignment of the proposed railway bridge and principal access route. Development of this land parcel can provide early housing alongside facilitating the delivery of the railway bridge when this is required as part of the allocation.

5. The endorsement of the Stantec report in representations by Chichester District Council as Local Planning Authority (LPA) and West Sussex County Council (WSSCC) as Highway Authority at Regulation 16 stage provide clarity that a bridge cannot be justified, and the requirements should be removed from Policy SB2.

6. Metis Homes have also sought advice from Matthew Reed QC on the Examiner’s question above, seeking clarity on whether a bridge should be required in Policy SB2 based on the evidence before the Examination and as an extension of this question, whether there is any basis to seek financial contributions from Metis Homes towards the provision of a bridge in the event that it remains as a requirement in Policy SB2. This note is included as **Enclosure 1**.

Metis Homes Response

7. For these reasons Metis Homes rely on the Stantec report as the best evidence available to inform their position on the need for a bridge and when a bridge is likely to be needed as part of the allocation under Policy SB2 of the NPR. The Stantec report was commissioned by Chichester District CDC and reviewed by WSCC as the Highway Authority prior to its publication. It forms part of the evidence base for the emerging CDC Local Plan Review (LPR) under Reference Number 042 and the findings of the Stantec report were endorsed in representations by CDC and WSCC at Regulation 16 of the NPR.
8. The Stantec report was published in May 2021. It was commissioned by CDC in the context of Policy AL13 of the LPR to establish the impact of planned development (1,250 dwellings) in Southbourne on the existing level crossing at Stein Road. It assesses the need for a bridge in the context of development to the east (Site A - the land allocated under NPR Policy SB2) or west (Site B – the alternative option not taken forward through the NPR) of Southbourne settlement by modelling the impact of different scenarios as listed in table below.

Scenario	Commentary
250 dwellings 500 dwellings	The report does not provide specific conclusions on these two scenarios as queue lengths do not increase to a point considered worthy of further analysis and commentary.
750 dwellings 1,000 dwellings 1,250 dwellings	<p>Paragraphs 5.5.3 and 6.1.5 report that queue lengths increase noticeably in the <u>southbound direction</u> by the 500 dwellings scenario, further increasing through the 750 dwellings to the 1,250 dwelling scenarios.</p> <p>Paragraphs 5.5.4 and 6.1.6 suggest 902 dwellings as an indicative trigger point for delivery of a bridge.</p> <p>Paragraph 6.1.8 concludes that a bridge “<u>may be of some benefit if the traffic conditions cannot be otherwise mitigated by altering forecasted demand figures</u>” (my underlining for emphasis).</p>

9. The Stantec report provides clear justification that there can be no requirement for a bridge in Policy SB2. It suggests that the bridge “may be of benefit” in dealing with increased southbound queueing beyond 500 dwellings but also suggests that other mitigation measures may address the pressures that

emerge in the scenarios between 900 and 1,250 dwellings. Citing the findings of the Stantec report, the CDC and WSCC representations at Regulation 16 stage seek the removal of the requirement for a bridge in Policy SB2 (my underlining for emphasis).

Whilst the County Council does not object in principle to the delivery of a bridge, it is not required solely to prevent a severe residual impact or an unacceptable safety risk to the highway network as a result of the planned development, in accordance with the NPPF. This policy criterion should therefore be presented as an aspiration rather than a policy requirement.

From West Sussex County Council Reg 16 Representation

Part g) – the inclusion of the requirement for a new road bridge over the railway line is not justified by the current evidence. (see evidence study by Stantec https://www.chichester.gov.uk/media/35196/Stantec-Report-on-Southbourne-Level-Crossing-May-2021/pdf/Stantec_Report_on_Southbourne_Level_Crossing_May_2021.pdf)

Therefore at the current time there is not sufficient highways evidence to justify the requirement for a new road bridge over the railway line – though the transport and placemaking benefits are recognised.

From Chichester District Council Reg 16 Representation

10. The Metis Homes position is that the requirement for the bridge should be removed on the basis of the evidence presented in the Stantec report and the representations of the LPA and Highways Authority. This view is supported by the advice note of Matthew Reed QC at **Enclosure 1**.
11. In the event that the Examiner is minded to retain the requirement for a bridge in Policy SB2, contrary to the representations of the LPA and Highway Authority, then it is imperative that the trigger point for the delivery of a bridge reflects the evidence on capacity relied upon for its inclusion. There are two documents which provide assessments of the need for a bridge and suggested trigger points based on existing capacity and the impacts of the planned development.

Overall Capacity

12. Whilst the Stantec report does not conclude that a bridge is required, it does provide an indicative trigger with paragraphs 5.5.4 and 6.1.6 referencing an indicative threshold of 902 dwellings before a bridge is needed.

In conclusion, the study suggests that for Site A NE Southbourne option, 902 dwellings can be provided before the indicative threshold for a bridge is reached (750 dwellings north of the railway line plus the 152 dwellings estimated south of the railway line). Indications are that beyond this, a new bridge would be likely to provide some benefit,

if the peak car demand could not be reduced by other measures to encourage sustainable travel choices,

13. Alternative evidence is provided in the iTransport Traffic Impact Study (Oct 2020), which forms part of the evidence base for the NPR. Paragraph 4.2.5 outlines existing capacity of 400 dwellings to the north of the railway line and 400 dwellings to the south of the railway line before a bridge needs to be provided:

“The traffic assignment set out above will differ if development comes forward without the railway bridge. This is dealt with in further detail in Section 6.4 of this note, which identifies that circa 400 homes north of the railway, and 400 homes south of the railway, can be delivered ahead of the provision of a new rail bridge.”

14. On the basis of this evidence there is a total existing capacity of either 902 dwellings (Stantec report) or 800 dwellings (Traffic Impact Study) before a bridge is needed.

Distribution of capacity North and South of the Railway Line

15. A figure of 152 dwellings south of the railway line is used for the purpose of assessing the various development scenarios in the Stantec report. This figure reflected the anticipated phasing at the time of the assessment but it is not intended as a limit on capacity to the south of the railway line. This is clarified at paragraph 6.1.6 of the Stantec report (my underlining for emphasis). In all scenarios the evidence is clear that development south of the railway line does not generate any detrimental impacts on the level crossing given this land has a direct relationship with the A259.

“In the context of this study, the indicative trigger for a bridge applies to both the Site A NE and Site B NW Southbourne options. The main difference is that in the Site A NE Southbourne option, the phasing indicates that about 152 dwellings are planned south of the railway line. It is considered that these dwellings do not rely on a level crossing, given their location. Therefore, with the Site A NE Southbourne option it may be possible to provide the 152 dwellings plus the limiting 750 dwellings assumed to be north of the railway line (or 902 dwellings for this option).”

16. This view is also endorsed by WSCC in recent pre-application enquiries for the Metis land south of the railway line where access to the A259 and Inlands Road has been agreed in principle for a total of 180 dwellings without any concerns raised regarding the level crossing. This is detailed at paragraphs 2.2 to 2.12 of the Paul Basham Associates (PBA) Highways Pre-application Scoping Note (hereafter referred to as Scoping Note) at **Enclosure 2**.
17. The iTransport Traffic Impact Study identifies capacity of 400 dwellings south of the railway line.
18. On the basis of the evidence available, the capacity north of the railway line is between 400 dwellings (Traffic Impact Study) and 750 dwellings (Stantec report), and the capacity south of the railway line is between 180 dwellings (confirmed through WSCC pre-application response) and 400 dwellings (Traffic Impact Study).

Other Considerations

19. We note that the requirement for a bridge in Policy SB2 is also justified on the basis of reducing severance between the land north and south of the railway line, and improving connectivity to the railway station. In reality, even with a bridge in place, development south of the railway line will be read as a continuation of the existing linear pattern of development on the A259 corridor and as a logical infill between the two allocations in the adopted Neighbourhood Plan which are already built out (known as Priors Orchard and Meadow View).
20. In terms of access to facilities and amenities, development south of the railway line would be sustainable in the same way as the neighbouring allocations are considered sustainable. Occupiers would use existing facilities and amenities which are already conveniently located on the A259 corridor. This is detailed at paragraph 3.6 of the PBA Scoping Note.
21. With regard to accessibility to the railway station, the notional route using the railway bridge to Cooks Lane and onwards to Stein Road is no shorter than the existing route using the A259 and going north on Stein Road. The land south of the railway line is already well connected to the railway station via high quality pedestrian and cycle (National Cycle Network Route 2) infrastructure) on the A259 which will incentivise this route regardless of the provision of a bridge. Furthermore, the availability of a high frequency bus route on the A259 (service every 20mins on weekdays) provides additional access to high quality public transport. In this respect, the provision of a bridge does not improve access to public transport as is the intention of criteria g).
22. In summary, there are no clear placemaking benefits to the provision of a bridge in terms integration of new development, accessibility to services and facilities and improving sustainability. Any minor benefits (perception of connectivity in a helicopter planning context) would be significantly outweighed by the significant costs associated with the bridge and the lack of compelling evidence to require the bridge in highways terms.
23. With these considerations in mind and in the event that a bridge is deemed necessary, Metis suggest additional modifications to criteria g) (in red) to sit alongside other modifications sought in previous representations. This would at least in some way link the need for the bridge to the evidence.

If the Stantec report is relied upon then the suggested modification is as follows:

~~g) Provision of for, and contribute to delivering as soon as possible during the construction period, a new road, pedestrian and cycle bridge over the railway line prior to the occupation of the 750th dwelling to the north of the railway line. In the first phase of development a new station car park and cycle racks to be delivered along with a foot and cycle bridge to connect to the land safeguarded by SPNP1 at Priors Orchard. Together these will improve connectivity with the rail station and reduce severance between land north and south of the railway line.~~

If the iTransport Traffic Impact Study is relied upon then the suggested modification is as follows:



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~~g) Provision of for, and contribute to delivering as soon as possible during the construction period, a new road, pedestrian and cycle bridge over the railway line prior to the occupation of the 800th dwelling (prior to the occupation of the 400th dwelling to the south of the railway line and prior to the occupation of the 400th dwelling to the north of the railway line). In the first phase of development a new station car park and cycle racks to be delivered along with a foot and cycle bridge to connect to the land safeguarded by SPNP1 at Priors Orchard. Together these will improve connectivity with the rail station and reduce severance between land north and south of the railway line.~~

24. In either of the above scenarios, the accompanying advice note from Matthew Reed QC at **Enclosure 1** confirms that Metis Homes should not contribute to the costs of providing a bridge as the bridge is not necessary to make the Metis land acceptable in planning terms. Seeking a contribution for a bridge from Metis Homes would fail each of the tests in regulation 122(2) of the Community Infrastructure Levy Regulations 2010.
25. I trust that this note is helpful in clarifying the position of Metis Homes in relation to the railway bridge. However, I would be happy to provide further written clarification as necessary prior to the upcoming Hearing or alternatively matters of clarification can be addressed orally at the Hearing.

Patrick Barry
Director

A handwritten signature in black ink, appearing to read "P Barry".