



Maintain, protect, and improve the environment of Bosham

5 June 2023 Newsletter

Special Emergency Issue

Proposed development of land north of Highgrove Farm, Bosham – Update

Barratt David Wilson Homes are again challenging Chichester District Council to commit to building 300 homes on Highgrove Farm by lodging a planning appeal for non-determination which has led to a Public Inquiry. It is vital that as many of us as possible write again and submit our objections, even if we have written many times before. The number making an objection does count. This is why we thought it important to provide you with this Special Emergency Issue of The Bosham Association Newsletter.

We have prepared the enclosed paper for Bosham residents which:

- provides some background on this recent turn of events.
- asks you to get involved once more with objecting to the development, and
- lists 13 issues and arguments about the development which you may wish to use in your representation.

We hope you will find this helpful.

We need to stand together and fight this development.

Joint Chairs Jenny Morris and Peter Sims, Bosham

Enclosure:

1. Proposed development of land north of Highgrove Farm, Bosham – Paper prepared by The Bosham Association for Bosham residents

PROPOSED DEVELOPMENT OF LAND NORTH OF HIGHGROVE FARM, BOSHAM

PAPER PREPARED BY THE BOSHAM ASSOCIATION FOR BOSHAM RESIDENTS

5 June 2023

Background

Barratt David Wilson Homes lodged, on Friday 12 May 2023, a planning appeal to The Planning Inspectorate for non-determination and sought an Inquiry.

On 2 June 2023 Chichester District Council Director of Planning and the Environment wrote to interested parties to notify them that the appeal would be dealt with by way of a Public Inquiry. The actual date for the Public Inquiry will be confirmed in due course.

Interested parties may attend the Public Inquiry and may present evidence or give their views on the possible grant of planning permission. They may also present or give their views in writing.

What are we asking you to do?

Our experience is that appeals are a numbers game and even if you objected to the initial application, it is **CRUCIAL** that you write to object again at this appeals stage. This paper contains some arguments you may wish to use, or you may wish to outline your own reasons to object in your representation.

It is crucial that your representation is received at the address below by 4 July 2023. Any representations submitted after the deadline will not usually be considered and will be returned. Note that the Planning Inspectorate does not acknowledge representations.

All representations must quote the appeal reference BO/21/00571/FUL

Communications should be sent to The Planning Inspectorate
FAO - Tim Salter Room 3J, Temple Quay House, 2 The Square, Bristol, BS1 6PNTelephone:
0303 444 5520

Or by email to: Tim.salter@planninginspectorate.gov.uk

Or Via The Planning Inspectorate's website at: <https://acp.planninginspectorate.gov.uk/>

PROPOSED DEVELOPMENT OF LAND NORTH OF HIGHGROVE FARM, BOSHAM

Issues and Arguments

1) Barrett David Wilson has wasted the Council's time and resources by not building the housing it was given permission for.

The appellant, Barrett David Wilson (BDW), was given permission for the 50 houses allocated in the local plan but did not build them. This permission was granted on 15th January 2019. The permission has now lapsed. This wasted time and resources of Chichester District Council (CDC).

BDW then tried to argue that CDC had not met its obligation to provide enough land in the area to fulfil the, then, required government housebuilding targets. BDW tried to force through the extra 250 houses using a 'tilted balance' argument at the planning meeting held in November 2022 which basically states that planning permission should not be refused if the council have not provided enough land for targets to be fulfilled.

Changes to the National Planning Policy Framework (NPPF) which are due to be adopted by the government will remove the need for CDC to show a 5-year housing land supply and will strengthen local voices by giving greater weight to what is in the neighbourhood plan. Currently, 50 houses are allocated in the neighbourhood plan and permission for these 50 houses has been granted by CDC.

2) There is strong local objection to the proposal at Highgrove and 300 houses on the site are not in the current local plan.

Permission for 300 houses has been strongly opposed by locals and objections have been raised to its inclusion as a site in the most recent version of the local plan. The new proposed local plan has still to be determined by the planning inspectorate. There is no guarantee that the site will be adopted into the new local plan. To determine this now, before the new local plan is finalised, would be procedurally premature.

3) The site at Highgrove is outside of the settlement boundary.

The site is prime grade 1 and 2 agricultural farmland and is outside of the settlement boundary. There are four derelict and abandoned sites in Bosham (The

French Gardens, Southfield (former turkey sheds) on Delling Lane, Bullock Barns adjacent to Swan Field, and Knapp Farm). These sites have been excluded from CDC's brownfield register on the basis that they are 'outside of the settlement boundary'. If this argument is being used to stop development on these sites, then the same argument must be valid against building on Highgrove. The NPPF states:

"Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land."

If there is an argument for having to build outside the settlement boundary, these derelict and abandoned sites should be considered before we lose 14.6 hectares of viable and productive farmland.

4) The district is over-developed and house-building targets are no longer mandatory.

Arguably, CDC has already given permission for more houses than the district can sustain. The government target, set in 2021, was for the district to accommodate 10,350 houses. This target is now set to become no longer mandatory.

Only 23% of the Chichester District is land capable of development when you take out land which forms the South Downs National Park (SDNP) and land which is protected around the harbour as an Area of Outstanding Natural Beauty (AONB).

If you apply the logic that only 23% of the district is capable of being developed, it would seem reasonable for CDC to strive for 23% of the government target which is 2,380 houses. CDC has already allocated permission for over 6,000 houses in the district from the original target. For this reason, any further permissions should now be withheld.

5) Distinctive views and valuable wildlife corridors between the South Downs National Park and Harbour will be lost if this site is developed.

The site at Highgrove is unique because it forms a link between the two protected areas.

The South Downs National Park Authority (SDNPA) have highlighted this in their letter dated 6th January 2023 where they have stated:

“The SDNPA was originally consulted on the application when it was first submitted and sent a response in April 2021. In that response concerns were raised, including that the application was premature and that further evidence was required with regard to the protection of views between Chichester Harbour and the National Park, the importance of which has been consistently highlighted in existing and proposed policies relating to the site, and in the CDC interim housing statement. The amendments since those original comments were submitted have not satisfactorily addressed these concerns. In addition, the NPPF has since been updated to include, in para 176, reference to the setting of National Parks, AONBs and the Broads, and that "The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas."



We would therefore suggest that considerations in terms of setting of the National Park and AONB, and inter-visibility between the two landscapes, has been strengthened through National Policy and have not been adequately addressed through the application.”

Permitting development at Highgrove would mean that this visual and wildlife link between the two protected areas would be compromised.

6) Development at Highgrove will exacerbate the problems on the A27 strategic road network.

The Fishbourne Roundabout has been identified as a priority junction for mitigation measures in CDC's recently published Local Plan Transport Assessment which states:

"A ranking or prioritisation of the provision of mitigation on the A27 has been proposed. This prioritises the mitigation of the A27 Fishbourne junction and Bognor junction as the top two junctions that would require mitigation first."

There is no guaranteed money for any mitigation and the assessment goes on to state:

"The modelling shows that all the junctions on the A27 Chichester bypass are well over capacity, even before adding in the Local Plan development and with the exception of Portfield Roundabout are actually shown to be over capacity in the base model year (2014) in one or both peaks."

Adding 300 further houses where a large majority would be expected to access the roads via the Fishbourne Roundabout will not ease the burden on the road network. The fact that the A27 junctions have been judged to be overcapacity for nearly 10 years now and no mitigation has been provided or is planned is a strong argument to halt further development, including this development in particular which will add to the Fishbourne Roundabout burden. There are also other arguments regarding the effects on the air quality in Fishbourne and the Harbour from the idling of engines and extra traffic on the A259.

7) There is no primary school provision for this site which will put this site at odds with CDC's 2023 Local Plan Transport Assessment.

There is no capacity to expand the two primary schools within walking distance (Bosham and Chidham) because of site size restrictions.

WSCC has confirmed that primary schools proposed with capacity for this development include Thorney Island, Compton, Westbourne and Funtington which will all involve driving because they are not on public transport routes or walkable.

CDC's Local Plan Transport Assessment and the Proposed Local Plan strongly advocate

a 'monitor and manage' approach which in essence means trying to get people to use public transport or walk when possible because there is no guaranteed money or plan provided to upgrade the road network and this is outside of CDC's control.

A site of 300 houses could mean a further 200 children in the village is a possibility. This would mean a whole single-form primary school full of children would need to be driven to school and collected. This would increase congestion and air pollution in Bosham and the outlying villages.

8) There is no plan in place to provide nitrate offsetting required for this development.

The SDNPA has stated that they cannot guarantee the land at Chilgrove will be able to be used to provide the offsetting of nitrates which is required if planning permission was granted for this site. As of yet no other proposal for how nitrates will be offset has been proposed. SDNPA confirmed this with the landowner's agent on 10th November 2022 and again on 22nd December 2022. Without a plan in place for nitrate mitigation permission should not be granted.

9) This development would see the population of the village increase by 27%, which is not sustainable or in keeping with the character of the village.

300 houses with 2.4 people in each would mean an extra 720 people in the village. The population of Bosham in the 2021 census data was 2,694. This is an increase of 26.7%. There are no extra shops, or medical or dental facilities being provided. The only additional building provided to the village will be a small village hall and we already have 4 of those within walking distance (Bosham Village Hall, St Nicholas Church Hall, Chidham Village Hall and Hamblin Hall) and don't have the need, or a defined end user, for a fifth hall.

10) There is no capacity in the sewage network for this development.

There are 13 overflow pipes which discharge into Chichester Harbour and 3 of those pipes discharge into Bosham Harbour. The Bosham outflows are the most frequent of any of the 13 pipes which discharge effluent into the harbour.

Event ID	Site Number	Bathing Site	Outfall	Last Activation Start	Last Activation End	Duration (hrs)	Activity
814215	12662	CHICHESTER HARBOUR	THORNHAM	09/05/2023 09:07 AM	09/05/2023 09:25 AM	0.30	Genuine
814802	12662	CHICHESTER HARBOUR	BOSHAM	09/05/2023 06:47 AM	09/05/2023 08:15 AM	1.47	Genuine
802006	12662	CHICHESTER HARBOUR	BOSHAM	16/04/2023 08:39 AM	16/04/2023 12:08 PM	3.48	Genuine
799807	12662	CHICHESTER HARBOUR	BOSHAM	14/04/2023 06:50 AM	15/04/2023 22:57 PM	40.10	Genuine
796524	12662	CHICHESTER HARBOUR	THORNHAM	14/04/2023 11:57 AM	14/04/2023 22:13 PM	10.27	Genuine
796516	12662	CHICHESTER HARBOUR	BOSHAM	11/04/2023 18:11 PM	14/04/2023 00:24 AM	54.20	Genuine
803864	12662	CHICHESTER HARBOUR	THORNHAM	12/04/2023 15:14 PM	13/04/2023 11:07 AM	19.88	Genuine
797948	12662	CHICHESTER HARBOUR	PRIORS LEAZE LANE NUTBOURNE	12/04/2023 16:19 PM	13/04/2023 00:59 AM	8.65	Genuine
803863	12662	CHICHESTER HARBOUR	THORNHAM	12/04/2023 00:07 AM	12/04/2023 09:48 AM	9.68	Genuine
796842	12662	CHICHESTER HARBOUR	PRIORS LEAZE LANE NUTBOURNE	11/04/2023 21:28 PM	12/04/2023 01:49 AM	4.33	Genuine
795305	12662	CHICHESTER HARBOUR	BOSHAM	10/04/2023 08:45 AM	10/04/2023 16:45 PM	8	Genuine
794619	12662	CHICHESTER HARBOUR	BOSHAM	07/04/2023 08:25 AM	07/04/2023 11:04 AM	2.65	Genuine
793935	12662	CHICHESTER HARBOUR	BOSHAM	06/04/2023 02:55 AM	06/04/2023 20:32 PM	17.62	Genuine
792775	12662	CHICHESTER HARBOUR	BOSHAM	03/04/2023 07:54 AM	03/04/2023 08:19 AM	0.42	Genuine
792121	12662	CHICHESTER HARBOUR	BOSHAM	02/04/2023 09:03 AM	02/04/2023 22:44 PM	13.68	Genuine
789374	12662	CHICHESTER HARBOUR	THORNHAM	01/04/2023 10:14 AM	02/04/2023 04:42 AM	18.47	Genuine
789385	12662	CHICHESTER HARBOUR	BOSHAM	31/03/2023 02:33 AM	01/04/2023 22:27 PM	43.90	Genuine
788147	12662	CHICHESTER HARBOUR	BOSHAM	29/03/2023 20:05 PM	29/03/2023 22:04 PM	1.97	Genuine
785313	12662	CHICHESTER HARBOUR	BOSHAM	26/03/2023 06:30 AM	26/03/2023 18:54 PM	12.40	Genuine
784260	12662	CHICHESTER HARBOUR	BOSHAM	24/03/2023 13:05 PM	24/03/2023 15:18 PM	2.22	Genuine
784053	12662	CHICHESTER HARBOUR	BOSHAM	24/03/2023 08:18 AM	24/03/2023 10:51 AM	2.53	Genuine
783594	12662	CHICHESTER HARBOUR	BOSHAM	23/03/2023 22:33 PM	24/03/2023 03:03 AM	4.50	Genuine
774874	12662	CHICHESTER HARBOUR	BOSHAM	10/03/2023 01:52 AM	10/03/2023 12:39 PM	10.77	Genuine
751336	12662	CHICHESTER HARBOUR	TAYLORS LANE BOSHAM PS PUMPED	31/01/2023 12:02 PM	31/01/2023 13:51 PM	1.80	Genuine
741898	12662	CHICHESTER HARBOUR	CHICHESTER	21/01/2023 10:36 AM	21/01/2023 10:52 AM	0.25	Genuine



In the first 6 months of this year, according to Southern Water’s data, there have been 776.99 hours of effluent discharges from the Bosham outflow pipes. That is 32.37 days and nights of constant discharge (or over 1/6 of the year).

On the 30th of January 2023, Southern Water confirmed that they do not believe they have the capacity for a further 300 connections to the main sewer network.

11) Many of the flood risk and other assessments provided for the site are not suitable as they are out of date.

Most of BDW’s flood risk assessment data, although submitted in September 2021, relies on borehole data dating back to 9th September 2014. These calculations from nearly 10 years ago cannot be deemed reliable now. Although the data they commissioned suggests there is no flood risk, the statutory bodies whose data should be considered seem to think otherwise.

WSCC flood risk authority has highlighted that their modelling shows the site to be at high risk from groundwater flooding and the EA has suggested concerns with the site for surface water flooding. Neither of these seems to have been addressed yet.

CDC’s Drainage Engineer states:

“Flood Risk: The site is wholly within tidal/fluviial flood zone `1 (low risk), and our mapping does not indicate any significant surface water flood risk. However, we are

aware of surface water flooding in the area around the southwest corner of the site, which may be the result of the restrictive nature of the culvert leaving the site and travelling under the A259. There have also been recent incidents of flooding downstream, and so it is essential that surface water is managed carefully, and flows are not increased, to ensure no increase in flood risk off-site.”

Dev Comms held a Drainage Working Group Meeting on 28th October 2019 and stated that Brooks Lane has historically flooded adjacent to Barnside and further south. Surface water flows from the north of the site, under the railway and onto the site.

Recent flood risk assessments have not been carried out on the site and should be before planning permission is considered.

12) The land is viable grade 1 and 2 agricultural farmland.

The landowners are aware of this. The land has been ploughed this year. The site is 14.6 hectares which are capable of growing between 126 and 144 tonnes of cereal crop per year - that's 244,800 loaves of bread.



Although BDW has commissioned an agricultural assessment playing down the importance of the land in food production, the land has been planted consistently with cereal crops from 2016 - 2021 until last year when it was left fallow. This year it has again been brought back into production, which suggests it is viable and useful land for producing food.

13) The district is water-stressed and drinking water supplies are putting a strain on local rivers.

There is a proposal to address this issue by the building of Havant Thicket reservoir, but this is not going to be in place for several years and by then there will be lots of new developments relying on the water produced by this reservoir. Southern Water are planning to recycle effluent into drinking water via the reservoir at Havant which is not an ideal solution.

Friends of the Ems have written to the Environment Agency raising concerns about the periodic drying up of the River Ems. Last year Bob Taylor, CEO of Portsmouth Water, said, 'In order to reduce the amount of water we need to abstract from the Ems Valley we first need to either reduce customer demand for that water or we need to find an alternative, sustainable, new source of water (or both).'

Only 16 per cent of rivers are close to their natural state, according to Defra's annual report 2021-2022 and improving river water quality is a priority for government. The extension of nutrient and water neutrality advice to more areas cannot be ruled out.

Nutrient neutrality and water neutrality are separate issues with different causes, but both can be used as reasons to create a moratorium on new development.

An additional 300 houses in a water-stressed and overdeveloped district is not going to reduce customer demand or help solve this problem.