Planning Application for 160 dwellings on Clappers Lane, Earnley (14/00457/OUT) – Briefing Note

This application has gone to appeal, which will consist of a formal Inquiry held by a Planning Inspector, due to commence on Wednesday 29th October 2014 and to last for 3 days.

Chichester District Council are prepared to contest the appeal by Wates the developer on three substantive grounds: dwelling density, traffic congestion and general sustainability. The first objection was raised by planning officers, the second by the Local Highways Authority (LHA) & the Highways Agency (HA) and the third by the elected councillors of the Planning Committee. The issue of dwelling density, although valid and welcome, will not overturn the proposal to build on this site; at best it will reduce the numbers to around the 100 to 110 mark.

On the issue of traffic congestion and sustainability, the Council are constrained by the acceptance by the LHA & HA of the developer's Transport Assessment report, which both agree is "robust".

The LHA & HA accept the developer's conclusion that the proposed development will result in just over 30 vehicles per hour approaching the A286 roundabout with the B2201 and the Stockbridge Road roundabout during the peak morning and evening hour. They differ as to what this means: the developer claims the residual effect of this extra traffic will be minimal, the LHA & HA believe it will be "severe". If the Inspector finds that the impact of the extra traffic is not "severe" (per National Planning Policy Framework para 32), then the developer could well win the appeal.

We however believe there is a stronger case to be made, which involves claiming that the developer's Transport Assessment (TA) is not "robust". There are two major objections that can be made:

1. The traffic distribution assumptions in the TA are flawed, in particular the claim that over 40% of residents on the proposed development will get jobs on the Manhood (some 80 jobs), with over 50 jobs in the village of East Wittering alone, marginally more than Chichester. The developer also claims that 71% of all non-commuting journeys – shopping, leisure, schools – will be within the Manhood. The results is that only a third of all journeys will involve approaching the critical A286/A27 roundabouts referred to above.

2. The developer believes that little or no traffic from the proposed site will use the country lanes to the east: through Earnley Conservation Area and either up Bookers Lane or through Almodington and Sidlesham and then joining the B2145. Our local knowledge shows that residents will use these routes to go to the eastern side of Chichester, to Bognor, Littlehampton and beyond and also to Selsey. Many residents prefer these quieter routes, with many more using them during the busy summer tourist months when the main roads are often blocked. All the developer's traffic counts were taken in the period from November to April.

By presenting this case to the Inspector, we could show that the impact on the A286 roundabouts will be significantly greater than just over 30 vehicles per peak hour. We could also demonstrate damage to the quiet rural environment to the east of the site and the safety implications of increased traffic for walkers, cyclist and horse riders. We are not at all convinced that the developer's proposal for a "No Right Turn" (out) and "No Left Turn" (in) arrangement on Clappers Lane will be effective.

We are awaiting a report from an independent Transport Consultant. If that reports concludes we have a case, then the proposal is that a consortium of parish councils on the Manhood is formed to apply for Rule 6 Third Party status at the Inquiry. This means that we have equal status with the appellant (Wates) and the Council and can, therefore, present evidence, call witnesses (such as the Transport Consultant) and cross examine. We would also seek legal advice. To fund this work we look to raise money from residents, a campaign which has already successfully commenced. It would not be our intention to get into debt; expenditure will only be committed if the funds are in place.

It is clear that this 160 new dwellings could just be the beginning, as the same developer has lodged a formal objection to the District Council's Local Plan, proposing that 500 new dwellings should be allocated to the ward of East Wittering alone, as against the Local Plan figure of 100.

If we lose this case it could be a green light for further development in the whole area.

Earnley Parish Council