

OVERVIEW

The post-hoc Environmental Impact Assessment justification of this opportunistic and exploitative proposal by Berkeley at Raughmere **confirms the extent to which development of the field cannot and will not be mitigated.**

The so called ‘benefits’ are illusory. The extent of the proposed mitigation is evidence of a flawed proposal that is totally out of scale and out of character with its surroundings. It is a wholly unsustainable location. This is a callous attempt to force through an application that should be refused in both its generality and in its detail.

Place making

There is no coherent logic in what is proposed in this application. **Its location in an area of high landscape sensitivity is isolated and out of scale** (in both its 2 dimensional +3 dimensional massing). It is aesthetically and environmentally destructive and the proposed composition of buildings in relation to the settlement areas of Lavant and Chichester is wholly out of character and out of scale. It will be highly visible from both near and far.

As a result of this lack of visual connection and physical juxtaposition the proposals fails to integrate with the surroundings resulting in a prominent and harmful island of development with resultant site boundaries poorly related to the existing landscape pattern and detached from both the northern edge of Chichester and divorced totally from the Lavant settlement area. The proposals are therefore contrary to CDC policies and those in the Lavant Neighbourhood Development Plan where the necessary affordable housing is located within the settlement boundary.

The overall conclusion of the Applicant’s Environmental Statement (p269 para 2.25 Vol1) states that ***the Proposed Development will involve the introduction of a built form in an open green field land, with significant adverse environmental effects for the landscape and the visual amenity of the area.*** However, the design includes a landscape strategy which is anticipated to generate significant beneficial effects for the

community derived from the change of land use and creation of open public green space. In addition, the maturing of planting over time would potentially reduce the adverse landscape and visual impacts summarised in this ES to a point where they are not significant.

There is absolutely no evidence provided of any grounds to anticipate that there will be *“significant beneficial effects for the community derived from the change of land use...”* which they do not already enjoy.

Furthermore, to suggest that *“planting over time would potentially reduce the adverse landscape and visual impacts”* is to simply state the obvious – there will be adverse environmental impacts for the landscape and visual appearance and there remains only the potential for this to be reduced. **As we know with all such developments the potential is never realised in any reasonable timeframe.**

EVALUATION

What matters is the *product* not the process

The process of design that leads to a well considered architectural solution is important BUT what matters at this stage is that the decision to build must be centred on the ***product and its contextual setting***.

The familiar pattern in the construction industry is exemplified here when a project is dissected into multiple elements. This is the tendency to justify individual elements as a collection of parts and not to take a holistic view of the potential damage of the project as a whole. **The whole is far more important than the sum of the parts.**

In an effort to be persuasive the applicant has resorted to the tried and tested focus on the process where the assumption is that if the process is correct the product will follow as being correct. Not so. This is the pervasive tick box culture which emerged with the introduction of targets and resulted in the overzealous focus on rules and regulations rather than issues and people.

Thus, where it has not been possible to quantify effects *“qualitative assessments based on professional experience and judgement”* have been carried out. It is however such professional experience and judgement that is called into question by others and that leads to the unanimous rejection of this application.

The blatant attempt to justify dropping a large suburban housing estate into a rural context at the gateway to a small cathedral city on the periphery of the National Park is simply exploitation for the benefit of very few people at the expense of very many.

The proposed enclave is neither part of Chichester nor part of Lavant. The grain of the development respects neither.

The EIA fails on many levels to support the thesis with any evidence that this development will improve the environment. **Contrary to what is claimed its visual impact will be immense and the suggested mitigation unachievable.** Furthermore there is a litany of incorrect assumptions. Why is there no evidence of the 3D visualisation of this proposal that computer aided design makes so readily available? It is clear to those who are used to ‘reading’ drawings that the impact of this development would be so severe that the DoNothing scenario is the only one option that is feasible but to which scant attention is given.

There is absolutely no evidence as to how the development will protect and enhance the environment or facilitate a truly sustainable development. This has all the hallmarks of yesterday’s solution to tomorrow’s problems. The proposed development is rooted in the pre-COVID19 era, but will leave a 50 year post- COVID19 legacy. Future developments to provide environments for communities firmly focused on public and environmental benefit and not private profit must become the mantra.

SOME CORE ISSUES

	ISSUE	REASONS FOR OBJECTION
1	This site is unsustainable. Its development is the antithesis to every single policy as it is located outside the settlement area of both Chichester and Lavant.	Reserve Housing sites (for additional housing over and above the immediate need) are already provided for in the LNDP with the emphasis on affordable homes. The development in Lavant is plan-led ie collaboratively agreed between LNDP, SDNPA and CDC. It is NOT developer led on a whim. Neither the HELAA , nor any other interim policy housing statement undertaken by CDC shows a requirement for this land to be included for development.
2	The previous Public Inquiry determined that this rural tract of land should never be built on	If built on this would result in: <i>Severe and irrevocable damage to the landscape, the countryside, the character of the strong sylvan northern edge to the City and diminish the impact and function of this strategic gap.</i>

3	<p>There is no evidence based justification in the EIA that would support building on this site</p>	<p>There is not a single evidence based reason why this site should be built on. The whole of the EIA and Environmental statement is about mitigation. In marked contrast there is a plethora of evidence based reasons available as to why this site should not be built on leading to environmental destruction.</p>
4	<p>The sewerage and road infrastructure are wholly inadequate</p>	<p>The <u>sewerage infrastructure</u> in the CDC area is woefully inadequate and has been for many years with known capacity constraints at Lavant. The waste water treatment plants cannot accept any further connections despite vague statements to the contrary from Southern Water. CDC have referred this serious matter to OFWAT in their letter dated 07Dec. The planned new trunk sewer will not serve this site. This is a problem that cannot be overcome and on that evidence alone the application should be refused.</p> <p>CDC with support from Highways England have agreed major A27 <u>road improvements</u> will focus on the existing A27 alignment to meet the additional pressure from future housing. The transport interchanges and new housing and other commercial development are to the south of the city.</p> <p>On that evidence alone this application for more housing where cars will be a dominant form of transport to the north of Chichester should be refused</p>
5	<p>The Site is of high sensitivity in landscape terms. It lies adjacent to the boundary of the SDNP and is visible in views to and from the SDNP.</p>	<p>The site provides the landscape transition between the South Downs National Park and the gateway to Chichester. It is of a minimum size to satisfy that function which will be entirely eroded by the proportionately enormous area of housing and unwarranted ‘manufactured’ (ie not natural) landscape.</p> <p>This context in relation to SDNP is ignored with an urban landscape proposal included in a rural context. There is recognition that lighting will have a significant effect on the NP – and this will be particularly when viewed from the National park where the north of Chichester currently appears very dark.</p>

6	<p>The extensive footprint of the built area is massive. Its density is urban. Its relationship to surrounding areas non existent.</p> <p>The 3-Dimensional implications up to 14m in height on the NW part of the development have been ignored .</p>	<p>Nearly 50% of the site is represented by the footprint of the development.</p> <p>The ‘grain’ and layout of the proposed housing is urban.</p> <p>The development extends well beyond the Rew Lane housing leaving a very narrow gap between the north edge and Raughmere House.</p> <p>This is overdevelopment and contiguity of settlements of the worst kind.</p> <p>The photos that have been taken use a wide angle lens that distorts the size of the site (it is small). This is disingenuous. No attempt has been made to illustrate the 3D dominant form of the buildings.</p>
7	<p>Meaningful Consultation has not occurred. Sufficient only for the applicant to tick the box</p>	<p>There is no evidence that any comments have been incorporated which would have led to a NoDevelopment scenario that has been summarily dismissed by the applicant on spurious grounds.</p> <p>The comments of Lavant Residents were available when preparing the LNDP which unanimously discounted any development of this field.</p>
8	<p>The site is not sustainable</p>	<p>The applicant has failed to provide evidence that the proposed development on this site is a sustainable proposition.</p> <p>Social and environmental implications were all considered when developing the LNDP and determining the spatial strategy for new development.</p> <p>Key to this was substantial affordable housing provision within the existing settlement boundaries.</p> <p>The proposed development does not address these key issues. Furthermore there is no recognition of the arable land requirement and the need for proper consideration of changed needs arising from CV19 .</p>

SUBURBAN SPRAWL IN A RURAL CONTEXT

A new neighbourhood to which the Applicant refers is precisely the opposite of sound planning policy to which the National, Local and Neighbourhood plans aspire. It is outside the settlement boundaries of both communities and would not be part of Lavant or part of Chichester. **This vision flies directly in the face of good planning practice that encourages cohesive and contiguous development within**

settlement boundaries. Put simply the concept is not sustainable; it is flawed. The massing is highly intrusive, highly visible and highly destructive. The footprint is 50% of the area of the field and extends well to the north of the Rew Lane housing on the east boundary.

Suburban sprawl in this critical and minimal gap of farmland that separates the village of Lavant from the City of Chichester will unavoidably create actual, perceptual and visual coalescence of the two communities. The historic gap is a vital element in maintaining the mental, emotional and physical well-being of both communities as well as others who travel in the area. The environment will be destroyed by the proposed development.

This application together with its supporting documentation is a callous attempt by the Applicant to push through an unsustainable development on a rural tract of fertile agricultural land that provides an appropriate setting to the north of Chichester and the SDNP. It is a wrong (suburban) development, in the wrong (rural tract of land) place at the wrong (need to fight climate change and CV19) time.

The small cathedral city of Chichester is suffering from extreme over-development, land loss, suffocating traffic congestion, and toxic air pollution coupled with a lack of infrastructure. The Coronavirus Pandemic teaches us again of the need to value and protect open green spaces. **Indeed, the space between built up areas is as important as adequate housing of the right type.**

The restorative solutions to the pandemic and climate emergency are inextricably intertwined. Bio-diversity is an essential life-line. We must plan to live sustainably and not sanction environmentally ruinous and unsustainable planning.

The changing face of retail should be reflected in the changing face of cities. Chichester should accommodate residential development within the fabric of the city and not in the rural hinterland that destroys its setting. With imagination there is plenty of space that could be re-purposed to reinvigorate the city that is close to and within easy walking distance of the bus and rail stations and the improved A27, all of which lie to the south of the city.

LESSON FROM HISTORY

There have been no material changes that warrant any change to the planning policy for this site since the inspector summed up the impact of building on this field at a previous appeal of a far lesser scale of development (45% less dense than that which is now proposed) only a few years ago. His conclusion was that development would lead to:

Severe and irrevocable damage to the landscape, the countryside, the character of the strong sylvan northern edge to the City and diminish the impact and function of this strategic gap.

By projecting beyond the woods and foliage, and due to its limited integration with the adjacent suburbs, the estate would appear as something of an unrelated outlier to the pattern of suburban development here”

Berkeley have clearly become complacent with their narrative that there is a need for more housing of the type they propose at the expense of the environment. Their application is clearly opportunist and exploitative in an attempt to pursue an unsustainable development that conflicts with planning and environmental policies in an area designated as rural under Section 157 of the Housing Act 1985. The vision is flawed, its presentation disingenuous, its provision not needed.

NOT A SUSTAINABLE PLANNING SOLUTION

The applicant endeavours to make the case throughout the documentation that this is a “...sustainable residential development” . This is an abuse of the term and the concepts. The evidence base is, at its best, thin because the retention of natural resources, environmental protection and social benefit are also fundamental requirements for which scant regard is given.

The loss of the rural open space and biodiverse ecology that separates Chichester from Lavant is both a historical legacy and a safeguard for future generations (In its broadest sense sustainability refers to something that can be sustained and that includes food security on arable land). To cover such an area of rural landscape with acres of hardscape and buildings with inadequate infrastructure is by definition not sustainable. Indeed, the proposal makes no attempt to link with either the fabric of Chichester or Lavant.

LACK OF EVIDENCE - ONLY POST HOC JUSTIFICATION FOR A FLAWED CONCEPT

The words and the descriptions used throughout the EIA are misleading. There are many examples where there is simply no supporting evidence...merely statements. By illustration the following are cited as examples:

- There is no evidence that *the design has evolved in response to feedback*. The No-Development Scenario would have become the default if that was indeed the case.
- *Consideration has been given to the objections raised during previous development proposals for the site*. These, although now more relevant than ever, must have been ignored because the objections were those supported at the previous appeal and the LNDP consultation.

- *The feedback received from local residents and organisations...have been considered.* But clearly ignored by the applicant. One example is that that the massive (in context) footprint of the proposal extends well beyond anything that the inspector was asked to consider at the previous appeal, another is that it is entirely non-compliant with the LNDP.
- *The proposed landscape strategy has evolved with consideration to.....site constraints and feedback from local residents groups".* There is no evidence.
- *The landscape-led design presented a number of opportunities* is an anomalous statement. The design is not landscape led. The landscape is what is left over after building 140 houses. The claim by the applicant is simply misleading jargon. It is development led. The fact that the applicant refers to *landscape buffering* is an admission that screening is necessary to hide the development but the effect of the development will be to reduce the open space by 50%.
- The *Indicative Early Opportunities Plan* which shows the development surrounded by open space on all sides also refers to vegetation providing screening . This is contradictory. This is a dense and extensive 3 dimensional project on a flat site with some planting. It reinforces the concept of a stand alone enclave that is neither part of Lavant nor part of Chichester.
- *The public open space* is that which you would anticipate in a suburban development and not something that is expected on the boundary of a National Park
- When cars emerge from the N of Chichester the vista opens towards the Downs to the NE. When coming S the established trees provide an edge to Chichester . To pretend that the 3-D mass of development in the field of vision has no impact is misleading.
- What are the *beneficialimpacts on the environment?* There are none mentioned that are not already provided in the immediate vicinity

The EIA is simply further evidence that there is no golden thread that ties together the elements that comprise this submission and leads from an objective assessment of the site to the decision to construct 140 houses. Furthermore to pursue an unsustainable development at the expense of the Chichester and Lavant communities for the sole benefit of the developer is wholly unacceptable.

HOUSING NUMBERS

The core reason for this application has nothing to do with housing requirements. **Lavant has more than enough provision for the future provided for in their LNDP.** Indeed within that Plan there is a 200% reserve to ensure that emerging evidence of housing needs in any can be addressed. This is provided on sustainable sites within the built up curtilage of the settlement area in order to ensure that developers would not attack the greenfield buffer that is so important in retaining the separateness of Lavant as a village community from the north of Chichester.

This allowance was purposeful because the callousness of developers putting forward an opportunistic application was foreseen where there was likely to be total disregard for the environment. The stewardship of Lavant rests with Lavant as envisaged in the NPPF.

LANDSCAPE + VISUAL IMPACT ASSESSMENT

There are many misleading statements by the applicant. The reality is that by replacing a greenfield site with construction there will be major impacts during both the construction and the operational stages. This development will be highly visible and to suggest otherwise is disingenuous.

APPLICANT STATEMENT	COMMENTARY
<i>Much of the site is visually well contained</i>	Existing hedgerows and their removal for access DO NOT visually contain the site. It is totally visible and particularly with 140 houses up to 13m high in the centre of the site.
<i>The site is well related to the existing settlement edge of Chichester</i>	Not the case. The relationship to the settlement edge of Chichester is irrelevant as it is outside the settlement boundary of both Chichester and Lavant. The current settlement edge is well defined and will be detrimentally impacted with the scale of development proposed. The screening by trees is spurious because if as is claimed the architecture will be of such high quality why is there the need to screen it?

<p><i>Fig15 photo</i></p>	<p>Taken with a wide angle lens this distorts the size of the site and the prominence of the SouthDowns ridge. The location of the existing house in Rew Lane is less than 50% of the northward trajectory of the proposed development. This view of course will be non existant as it will be totally blocked by the new housing</p>
<p><i>Lighting will be designed to avoid light spill....beyond the immediate built development area to be lit</i></p>	<p>The lack of light pollution is a key tenet of the SDNPA and the LNDP. This statement confirms that there will be significant light pollution emanating from 50% of the field by public area and residential light spillage. It is unavoidable and will be highly visible from theSDNP.</p>
<p><i>The proposed dwellings are located within the southern part of the site which is well related to the settlement edge of Chichester...</i></p>	<p>In addition the proposed development creeps 60% up the eastern boundary and well beyond the Rew Lane properties. Thus there is no relationship as claimed.</p>
<p><i>The public open space will contribute to the setting of the SDNP...and views into the site from the SDNP</i></p>	<p>This is wholly inaccurate. No evidence is given to support the fact that by developing 50% of the field the setting of the SDNP will be improved!</p>
<p><i>The introduction of built development is predicted to lead to ...adverse effects on the skyline, the designated local gap and the setting of the SDNP</i></p>	<p>Yes. That is why this development should not proceed.</p>
<p><i>All developments result in greenhouse gas emissions</i></p>	<p>Clearly the DoNothing baseline scenario where the proposed development is not progressed is the only viable option. Compared with NOT developing this site the carbon emmissions during construction and occupation will be totally unacceptable. The re-purposing of properties within Chichester and the build out of those sites planned in the LNDP and the Chichester Local Plan for housing must not be exceeded.</p>
<p><i>The site is agricultural land which in reality may give rise to greenhouse gas emissions</i></p>	<p>To use this to contrast to the development is fallacious because the logical conclusion is the more you build and the more you concrete over the better the result.</p>

The overriding issue is that this is open rural countryside that acts as a strategic gap between the settlements of Lavant and Chichester. It provides long distance views when emerging from N Chichester and conversely acts as a gateway to the north of Chichester when travelling south. To pretend that there is no visual impact on this experience is disingenuous. The buildings will be a massive visual block that extends 60% up the east boundary of the field.

THE NO DEVELOPMENT SCENARIO

The applicant has ignored the bulk of the comments from consultation. Collectively the comments made and the objections to this development supported the work done at Neighbourhood Plan stage which in summary is to **retain Raughmere field as arable land**, to support the inspector's decision on the previous application and to **recognise the housing need in the future by over providing an allocation elsewhere in the village** within the settlement boundary. Comments in respect of the EIA erroneous statements in this regard are:

1. The physical visual and perceived gap would NOT be retained with the proposed development. It is already at a minimal level and the transition to suburban housing estate comprising acres of hardscape, built form, lighting and vehicle movements noise and pollution and residents activities would adversely ruin the tranquility of this tract of land. To pretend otherwise is wrong.
2. We are not losing the opportunity to *“deliver high quality new open space and public realm to improve the quality of the area...together with new landscaping..”* . This shows how little the applicant understands the site and its landscape value. The applicant has been unable to demonstrate the ability to deliver a high quality integrated scheme. There will be a diminution of open space and not further open space , there is no wish for public realm improvements and there is no need for new landscaping. This is not a brownfield site that needs transition. It is a greenfield site that needs retaining.
3. Lavant takes the opportunity to incrementally increase biodiversity at every opportunity with additional planting and hedgerows within the settlement area and outside it. Nobody is convinced that by disturbance from construction activity over 2 years coupled with the amount of hardscape, usage and manufactured urban landscape is going to increase the biodiversity.
4. We are not interested in losing the opportunity to achieve the Applicant's main objective and vision which is the delivery of a residential development to contribute towards meeting local housing needs including provision of affordable homes. This is because

the LNDP already provides that within the settlement boundary . In any event this is not the main objective which is to make maximum profit for the applicant and is clearly not a social enterprise.

5. There are no grounds with any plausible evidence for discounting the DoNothing option.
6. Berkeley have commented that the October 2020 planning application aims to proactively address the matters of concern raised in relation to the 2012 planning application submitted by Taylor Wimpey whilst also ensuring efficient use of the land encompassing the Site. **This is fallacious as the evidence to the contrary is in the proposed development drawings and related narrative reports. Any development of this site was referred to by the Inspector at the previous Inquiry :**

It would result in severe and irrevocable damage to the landscape, the countryside, the character of this strong sylvan northern edge to the City and diminish the impact and function of this 'strategic gap'. By projecting beyond the woods and foliage, and due to its limited integration with the adjacent suburbs, the estate would appear as something of an unrelated outlier to the pattern of suburban development here. Moreover, its position beneath a flight path from Goodwood Aerodrome would be likely to seriously affect the quality of life for prospective residents".

7. **There is no evidence that the development will preserve the strategic gap between Lavant and Chichester**, improve connections to Centurion Way, or increase net gain in biodiversity (when the rural landscape and wildlife habitat will be substantially reduced and concreted over to include including 422 car parking places and urbanised landscape).
8. **The proposals are a flagrant breach of the LNDP provisions** because any development must comply with the following constraints:
 - Not diminish the gaps between East Lavant, West Lavant, Mid Lavant and Chichester
 - Respond to the individual identities of East Lavant, West Lavant, and Mid Lavant;
 - Protect and where possible enhance local habitats, flora and fauna.
 - Not have a detrimental impact on the predominantly open and undeveloped landscape setting of the village (which provides a gateway to the SDNP) or the National Park;

- Be in accordance with the Development Plan.
 - Must not visually, perceptually or physically lead to coalescence of settlements (A Landscape and Visual Impact Assessment must demonstrate no diminution in openness of and views from the local gaps.)
 - Allow for Important trees and hedgerows and key landscape features to be retained as part of any development proposal.
 - Proposals for the use of a Local Gap for outdoor sport and recreation and other community uses will be supported unless the use will have a significant detrimental impact on the openness of the Local Gap and wider landscape. Any structures associated with the outdoor sport and recreation and other community uses must satisfy the criteria above.
 - All development (both inside and outside the South Downs National Park where it affects its setting) must conserve and enhance the special qualities and essential characteristics of the National Park. In particular development should not adversely affect the views towards and out of the National Park by virtue of its location, scale or design.
 - The assessment of development proposals except residential extensions or other minor development should demonstrably refer to the South Downs Integrated Landscape Character Assessment 2011 or subsequent revisions of that document.
-