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# Appeal Decision

Inquiry held on 8-11 and 14-16 February 2022

Site visit made on 25 February 2022

**by G Rollings BA(Hons) MAUD MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 11<sup>th</sup> April 2022**

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**Appeal Ref: APP/L3815/W/21/3284653**

**Field South Of Raughmere Drive, Lavant West Sussex, PO18 0AB**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
  - The appeal is made by Berkeley Strategic Land Ltd against the decision of Chichester District Council.
  - The application Ref LV/20/02675/OUTEIA, dated 16 October 2020, was refused by notice dated 16 July 2021.
  - The development proposed is an outline application with all matters reserved (except for access) for the development of 140 dwellings, public open space, landscaping, parking and associated works.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. The development plan for the area comprises the *Chichester Local Plan: Key Policies 2014-2029* (CDCLP)<sup>1</sup> and the *Lavant Neighbourhood Development Plan 2016-2031* (2017) (LNP)<sup>2</sup>. The Council's Local Plan review is at an early stage and is subject to further consultation and revision. I therefore accord it only minimal weight in my decision. However, various documents have informed the development of the Plan thus far and were presented as evidence to which I refer below.
3. A completed and signed Planning Agreement (s106 Agreement) was submitted after the Inquiry closed. It contains no alterations to the version discussed at the Inquiry. The third reason for refusal on the Council's decision notice stated relates to the absence of a s106 Agreement. It was common ground at the Inquiry that provision of the Agreement meant that this reason would no longer be in contention.

## Main Issues

4. The main issues were agreed at the Inquiry as being:
  - whether the Council can demonstrate a five-year housing land supply;
  - the effect of the development on the character and appearance of the area, including the setting of the South Downs National Park (SDNP) and the gap between Chichester and Lavant; and

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<sup>1</sup> CD 4.1.

<sup>2</sup> CD 4.2.

- whether the proposal would provide satisfactory living conditions for occupiers of the development, with particular regard to road traffic noise and noise associated with the operation of the Goodwood Aerodrome and the Goodwood Motor Circuit.

## Reasons

### *Housing land supply*

#### Calculating the need

5. The appellant disputes the Council's claim that it can demonstrate a five-year housing land supply (HLS), with the parties citing a supply of 3.7 and 5.3 years respectively. The CLP is more than five years old, and a recent appeal decision<sup>3</sup> in the district found that the relevant housing supply policies are out of date. Assessing local need is complicated by the incursion of the South Downs National Park (SDNP) into the Chichester District Council area, with each of the authorities having its own objectively assessed need (OAN) figure.
6. Using the standard method set out in the Planning Practice Guidance (PPG),<sup>4</sup> the Council published an updated position of its HLS in April 2021<sup>5</sup> to cover the 2021-2022 period, indicating a need of 759 dwellings per annum (dpa), including land within the SDNP. This figure is not disputed but requires adjustment to account for that part of the district within the SDNP. The 2017 *SDNP Housing and Economic Development Needs Assessment*<sup>6</sup> (HEDNA) was published in 2017 found an OAN for 125 dpa within the Chichester portion of the SDNP, representing 28% of the need within the whole of the SDNP, which the Council has subtracted from its figure to reach a five-year housing requirement figure of 666 dpa (incorporating a 5% buffer).
7. However, the subsequent *South Downs Local Plan (2019)* (SDLP)<sup>7</sup> designated a lower figure, with reference to restrictions to development in the protected landscape of the SDNP. The expected housing figure of 250 dpa within the whole of the SDNP represents a shortfall of 197 dpa against the OAN. The appellant's calculation method uses the 28% figure to extrapolate a figure of 70 dpa, and following the same method as the Council, has calculated a housing requirement of 723 dpa.
8. The HEDNA is the most up-to-date analysis of the housing need and its underpinning issues within the SDNP. Its methodology is robust. Furthermore, the SDLP figure is based on an expectation of supply rather than need alone, and whilst I have some sympathy for the view that unmet need within the SDNP will continue to be unmet, apportioning this need requires a level of analysis best suited to the local plan review process. The Council's approach considers the 'best available information' as set out within the PPG in cases where a locally determined method of assessing need is suitable,<sup>8</sup> given that it considers local circumstances in detail. Accordingly, the Council's housing requirement figure is the most appropriate for use in this appeal.

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<sup>3</sup> CD 6.02.

<sup>4</sup> PPG: Paragraph: 001 Reference ID: 68-001-20190722.

<sup>5</sup> CD 8.3.01.

<sup>6</sup> CD 8.2.05.

<sup>7</sup> CD 8.2.04.

<sup>8</sup> PPG: Paragraph: 014 Reference ID: 2a-014-20190220.

Supply: Windfall allowance

9. Neither the *National Planning Policy Framework* (2021) (the Framework) nor the development plan define windfall sites in terms of their size. That paragraph 69 of the Framework omits plots larger than 'small or medium' does not mean that these are precluded as windfall sites, nor is there anything to suggest that the inclusion of small or medium sites makes this a closed list. My view accords with that of the Secretary of State's on the Hanging Lane appeal.<sup>9</sup>
10. The Council's 'Critical Friend Review' analysis of windfall completions of recent years indicates that these comprise a high percentage of overall completions – between 71% and 100% between the periods 2011/12 and 2019/20.<sup>10</sup> Figures for 2020/21 were lower, but the overall trend over this lengthy period suggests that windfall sites would also constitute a large proportion of approvals within the district. Although perhaps not the strategic approach envisaged by the Framework at paragraph 68, it does allow for the use of windfall sites provided that there is compelling evidence that they will be a reliable source of supply (paragraph 71). The high delivery rate continued for several years following the adoption of the CDCLP in 2015 which suggests that completions during this time would have been approved under the then recently adopted plan. Given the long-term trend, there is nothing to suggest that windfall sites should not be considered as a reliable supply source.
11. The aforementioned analysis does not define 'large' sites but refers to major development: that of ten or more dwellings. The trend was reflected in the delivery of major windfall development,<sup>11</sup> with the rebuttal evidence of the Council's witness indicating that such development was generally permitted by the Council, rather than through the appeals process. This is an indicator of major windfall development as a reliable delivery source. The Council's preferred figure of 140 dpa includes a downward adjustment on the past trend, allowing for the adoption of a new local plan in the coming years and is, in my view, based on a robust assessment.

Supply: Individual sites

12. Two sites were identified by the appellant as potentially being undeliverable within the current five-year HLS period. Firstly, Cooks Lane has outline permission for 199 dwellings, granted in March 2020. There were strong indications at the current period's base date that reserved matters applications were to be submitted in the following months. The development would be delivered by a reputable volume housebuilder, and I see no reason to dispute this site's inclusion in the current HLS period.
13. The second site, Tangmere, did not have outline permission at the base date. The PPG indicates that permission is a good indicator of site availability<sup>12</sup> but also sets that other evidence may be suitable.<sup>13</sup> At the base date, the development agreement had been signed with the development partner nearly two years previously and a Compulsory Purchase Order (CPO) had been made. In addition, the site is allocated for development within the CDCLP but a s106 planning agreement had not been signed, despite progress being made.

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<sup>9</sup> Appeal ref: APP/P4605/W/18/3192918.

<sup>10</sup> CD 8.3.02 table 12.

<sup>11</sup> CD 8.3.02 table 22.

<sup>12</sup> PPG: Paragraph: 019 Reference ID: 3-019-20190722.

<sup>13</sup> PPG: Paragraph: 007 Reference ID: 68-007-20190722.

However, despite the Council's expectation of a successful outcome to the CPO process, this was not assured.

14. Given the potential for uncertainty on site assembly, I am not convinced that the deliverability of the site was assured at the base date. In my view this does not constitute the clear evidence that housing completions would begin on the site within 5 years, as set out within the Framework's definition of 'deliverable'.
15. I have considered the possibility of including information received between the base date and the present time, and whether this should be added to the base date position to update the deliverability of sites. The Inspector in the Hanging Lane decision suggested that such information could be taken into account in instances when, for example, this could confirm previous assumptions to be well founded. My views on the potential uncertainty of the CPO process, despite the Council's confidence of a positive outcome, leads me to be hesitant in applying this to the Tangmere development. The fact that there was an agreement signed with a national housebuilder does not alter my view that, as of the base date, the development was at too early a point to be considered deliverable in accordance with the Framework. Accordingly, I have removed 178 dwellings from the supply calculation.

#### Five-year HLS position

16. Taking the above in account, the Council has a total supply of 3,356 dwellings. With a small surplus of 26 dwellings above the agreed five-year housing requirement of 3,330 dwellings, I consider that the Council has a HLS of 5.039 years. I therefore conclude on this main issue that the Council can demonstrate that it has a five-year housing land supply.

#### *Character and appearance (landscape)*

17. The northern edge of the site adjoins the SDNP and forms part of its setting, both through its proximity to the site and in views and approaches to and from the SDNP. The site is also located between the built-up area of Chichester to the south and the various small settlements of Lavant, which are within the SDNP. It is bound on its western edge by the A286, Lavant Road and is part of one of the strategic gaps between settlement identified in policy, with land to the west and east of the site also part of the gap.
18. Relevant Development Plan Policies include: CDCLP Policy 2, which seeks to prevent the coalescence of settlements; Policy 33, which seeks to ensure that new residential development respects the landscape and character of the area in which it is set; Policy 45, which sets out criteria for development outside settlement boundaries in limited circumstances; Policy 47, which seeks to maintain the individual identity of settlements; and Policy 48, which sets out that there should be no adverse impact on the setting of the SDNP, amongst other considerations. Further policies relevant to this appeal are LNP Policies LNDP1, which seeks to protect the gaps between the Lavant settlements and Chichester; LNDP2 pertaining to the setting of the SDNP; and LNDP3 which protects against the coalescence of settlements, amongst other factors.
19. In a journey along Lavant Road, by vehicle or on foot, the traveller experiences the three 'zones' of Chichester, the gap, and Lavant/the SDNP in relatively quick succession. The transition between each of these is perceptible, due to the clear edge to existing development in Chichester, the openness of the gap,

- and the village character of Lavant. As well as its role in preventing the coalescence of the settlements, the open nature of the gap and the site in particular is a sharp contrast to the built-up nature of Chichester and Lavant and contributes to both the physical and perceived separation of the two.
20. Views across the site are an important component of this experience. Although the built-up edge of Chichester and/or Lavant are almost always visible from either Lavant Road or the right-of-way along the eastern edge of the site, the size of the existing field provides a sense of distance that does not detract from the site's open nature, or its contribution to the rural character of the gap.
  21. The southernmost part of the site was previously the subject of an application for residential development, which was dismissed on appeal in 2014<sup>14</sup> (the 2014 appeal/scheme). The Inspector in that instance found that development of the site would be harmful to the strategic gap and diminish its purpose. Protection of the site was carried through to the subsequent LNP as set out above, and the Local Plan review evidence recognises that there are significant constraints to the development of the site.<sup>15</sup>
  22. Although residential development in the current proposal remains clustered in the southern part of the site, it differs from the 2014 scheme through different siting and incorporating landscaping elements that seek to mitigate the impact of new buildings on the existing character. This includes a tree band with the purpose of visually screening the new dwellings from Lavant Road. Setting aside the fact that the trees would take many years to mature and achieve their intended purpose, the open part of the site would be substantially reduced, which would diminish the gap and correspondingly affect both the visual and perceptual separation of Chichester and Lavant.
  23. This effect would be compounded by the interventions proposed on Lavant Road and the northern part of the site. At present, despite its traffic, the appearance of Lavant Road is not urban. Upon passing the petrol filling station and emerging from the wooded area, the immediate impression of leaving Chichester and entering rurality is reinforced by the narrowing of the road, the treatment of its edges, its enclosing/bordering features and the visibility of the South Downs. The new junction into the site would necessitate a widening that, although affecting only a short part of the road, would nonetheless have an urbanising effect. The proposed crossing interventions on the road would have a lessened but similar effect.
  24. The outline proposal provides for a country park on the northern part of the site which the indicative plans show as remaining generally open. Whilst the design of the park would be a reserved matter, I acknowledge that there is an intention for a pastoral landscape within this area. However, any land of a publicly managed nature is likely to have a detrimental effect when compared with the quiet rural nature of the existing land, by virtue of visitor activity, as well as any proposed hard or soft landscaping interventions.
  25. I heard at the Inquiry that although the site would be outside the current Chichester settlement boundary, it would be considered by existing residents as neither part of Chichester nor Lavant. Given what I heard regarding the importance of the gap in contributing to the settlements' boundaries both

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<sup>14</sup> CD 6.01.

<sup>15</sup> CD 8.1.01 and CD 8.1.02.



physically and perceptually, it also provides a 'sense of place', contributing to the legibility of the area for those who use it. Part of this is the anticipation of entering a new area in the context of a journey between the two settlements, which includes the approach and arrival into the SDNP. The reduction of the open part of the site and corresponding length of the 'rural' part of a journey on Lavant Road would negatively affect this legibility and be detrimental to the setting of the SDNP.

26. Cumulatively, these changes would result in a deterioration of the rural character of the site, a diminution of the gap and its purposes in separating Chichester and Lavant and harm the setting of the SDNP. I therefore conclude that it would have a harmful effect of the development on the character and appearance of the area. It would conflict with CDCLP Policies 33, 45, 47 and 48 and LNP Policy LNPD3, for the reasons set out above. These policies are generally consistent with the Framework.

*Living conditions (noise)*

27. Three main noise sources are identified: general aviation traffic from the Goodwood Aerodrome on the Goodwood Estate to the east of the site; racing activity also at the Estate; and Lavant Road to the west. The prevailing wind direction is from the west and south-west, which affects both noise carriage and aircraft movements. The Noise PPG<sup>16</sup> states that the cumulative impacts of more than one source of noise is a relevant factor to consider. Although prospective residents would be unlikely to hear noise from all three sources at once due to wind direction and the resultant use of various aerodrome runways, the existence of multiple sources suggests that the use of cumulative data would be the most appropriate in assessing any impact on prospective living conditions.
28. Runway 24 is used during south-westerly wind conditions and is thus one of the busiest runways for take-offs<sup>17</sup>. During ascent, aircraft turn over the site, reflecting its present undeveloped status. The summer is the aerodrome's busiest period.
29. The Noise Policy Statement for England (2010) (NPSE)<sup>18</sup> identifies the Lowest Observed Adverse Effect Level (LOAEL) as the level above which adverse impacts on health and quality of life can be detected; and the Significant Observed Adverse Effect Level (SOAEL) as the level above which significant adverse effects occur. The appellant has identified the SOAEL for the site at an equivalent continuous level over 16 hours ( $L_{Aeq}$ ) of 60 decibels in dwellings' gardens and 40 dB  $L_{Aeq}$  in living rooms. Externally, this is higher than the BS 8233:2014<sup>19</sup> upper guideline value for external space in noisier environments of 55 dB  $L_{Aeq}$ , which recognises that this level may not be achievable in some circumstances and that design should mitigate higher levels.
30. Nonetheless, 55 dB  $L_{Aeq}$  is the Council's SOAEL baseline, which is adjusted downward to 52-53 dB  $L_{Aeq}$  to take account of the circumstances of the site and the multiple noise sources. However, given that not all noise sources would have the same impact or be heard at the same time, I am not convinced that this is appropriate. The appellant's design target is 55 dB  $L_{Aeq}$ . Taking into

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<sup>16</sup> CD 8.4.44 (Paragraph: 006 Reference ID: 30-006-20190722).

<sup>17</sup> ID 09.

<sup>18</sup> ID 10.

<sup>19</sup> CD 8.4.33.

account the guidance and given that there is some common ground in this matter, this is an appropriate level at which to set the SOAEL.

31. The aerodrome may operate up to 70,000 flight movements per annum under its current section 52 agreement, but infrastructural constraints mean that 52,000 is the highest possible level of operation, and I heard that 30,000 has been more typical of recent years. It is reasonable to assess the development based on the operational capacity of 52,000, and assuming that 26,000 movements would be take-offs, the noise assessment submitted by the appellant<sup>20</sup> calculates a 54.3dB  $L_{Aeq}$ . However, this can 'spike' – for example, if there were busy days with 104 aircraft movements over the site, as is possible during the summer, there would be a cumulative noise level of or over 55 dB  $L_{Aeq}$  at five of the garden receptor points within the indicative design layout of the scheme on these days. The SOAEL would be exceeded at three of these and given that both flights and garden use increases in the summertime, this noise could be a particular source of annoyance for residents. Moreover, cumulative noise levels modelled for internal areas with windows open would exceed the relevant SOAEL of 40 dB  $L_{Aeq}$  at all of the receptor points.
32. Quantitative analysis provides only 'half the picture' of what it might be like to live at the site. The Government's 1988 qualitative analysis of general aviation traffic<sup>21</sup> found that 15% of the population would be "very much annoyed" at general aviation noise levels of 55 dB  $L_{Aeq}$  measured over one week. The evidence indicates that although this level would not generally be exceeded externally, it would be internally. It is not reasonable to expect residents to accept that they would need to keep their windows closed to experience acceptable noise conditions during the hottest time of the year. Such conditions could result in complaints from residents, which could lead to implications for the future operation of the Aerodrome. Paragraph 187 of the Framework states that development that could be significantly adversely affected by the operation of an existing business, suitable mitigation should be provided. Given the data, I am not convinced that this could be satisfactorily achieved.
33. The effects of noise on prospective living conditions was also an issue in the 2014 appeal. That appeal considered only aircraft movements, but the Inspector found that noise levels at that time were sufficient to potentially induce "serious annoyance" which would affect living conditions and "impinge on the enjoyment and use of gardens by prospective residents" with no mitigation possible. The usage trends of the aerodrome do not indicate that there has been a substantial change since then, and taking account into the above considerations, I consider that similar conditions would apply in the proposed scheme.
34. I therefore conclude that the proposed development would not provide satisfactory living conditions for the occupiers of the development, with particular regard to road traffic noise and noise associated with the operation of the Goodwood Aerodrome and the Goodwood Motor Circuit. It would conflict with CDCLP Policy 33, which requires that new residential development provides a high-quality living environment in keeping with the character of the surrounding area and its setting in the landscape, amongst other considerations, and which is generally consistent with the Framework.

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<sup>20</sup> CD 8.4.35.

<sup>21</sup> CD 8.4.05.

### *S106 Agreement*

35. The heads of terms of the s106 Agreement were agreed between the main parties prior to the Inquiry. Given that an obligation may constitute a reason for granting planning permission only if it meets the tests set out in Regulation 122 of the *Community Infrastructure Regulations 2010* and paragraph 57 of the Framework, it falls to me to reach a finding on its acceptability.
36. The proposal would provide on-site affordable housing comprising 30% of the total number of dwellings. This complies with the requirement set by Policy 34 of the CDCLP and contribute to local supply as set out in the planning balance section below.
37. Contributions would be paid by the appellant to the Council to mitigate the impact of development on the Chichester and Langstone Harbours Special Protection Area (the SPA). The development is within the 5.6km 'zone of influence' of the SPA and it had been determined by both the Council and Natural England that the development would result in increased recreational pressures causing disturbance to birds. Natural England has no objection to the development, based on the measures proposed, which are in line with the Council's *Planning Obligations & Affordable Housing Supplementary Planning Document* (2016) (the SPD). I have not considered the implications of the effects on the SPA in further detail because the scheme is unacceptable for other reasons.
38. The proposed highway works would be necessary to enable both efficient and safe access to the site, provide new access across Lavant Road, and bus stops. There would be a contribution paid to National Highways towards the cost of carrying out proposed works on the A27, based on the impact of additional traffic generated by the development, and a travel plan would be prepared, which would encourage sustainable modes of transport. These matters satisfy the requirements and guidance of CDCLP Policies 7, 8, 13 and 39, and the SPD.
39. Provision and installation of the green and play spaces around the development, the management company and a monitoring fee satisfy the requirements of CDCLP Policies 9, 33, 43, 45, 47, 48, 49, 52 and 54, the SPD and LNP Policy LNDP3. The various sums within the obligation are justified and I am satisfied that the Council could rely on the document to secure the contributions. Moreover, I am content that the obligations meet the requirements of the statutory and acceptability tests.

### **Planning Balance**

40. I found above that the Council is able to demonstrate that it has a five-year HLS. Although the CDCLP is older than five years, I do not consider this appeal to be one where the development plan policies that are the most important for determination are out of date, and therefore paragraph 11(d) of the Framework is not engaged.
41. The development would provide 13 shared ownership dwellings, 15 affordable rented dwellings and 14 social rented dwellings. The appellant calculated that the Council had an undersupply of 1,245 affordable homes in the five-year period to 2015/16. An undersupply of 208 dwellings was recorded in 2019/2020 based on an affordable need of 348 dwellings and 140 completions.



The mix would accord with the need set out in the Council's HEDNA<sup>22</sup> and taking account of the persistent undersupply, I give the provision of affordable homes significant weight in my decision. I acknowledge that the market homes would also meet local need but given that the Council can demonstrate a HLS and appropriate levels of past supply, this attracts only minimal weight.

42. The proposal would provide economic benefits to the local area through the effects of construction and impact on local services. The parties considered that this matter should attract moderate weight, and I agree.
43. The new play areas would be unlikely to provide benefits for those living outside the development, due their distance from and lack of connectivity to existing homes. New pedestrian connections would be created, although I am not convinced that these would be of great benefit to those outside the development. I have no evidence to suggest that the country park would meet any identified need for local open space and I have afforded these considerations only minimal weight. However, a net gain in biodiversity through habitat creation attracts moderate weight. There would be a net loss of nitrogen into protected habitats, mostly as a result of the loss of the site's current agricultural status, which also attracts moderate weight.
44. Nonetheless, the harm caused by the proposed development's impact on the character and appearance of the area, and the likely living conditions of residents, would be substantial. The adverse impacts of the proposal significantly and demonstrably outweigh the benefits such that the proposal does not represent sustainable development. Accordingly, there are no material considerations to indicate that I should determine the appeal otherwise than in accordance with the development plan.

### **Conclusion**

45. For the reasons given above I conclude that the appeal should be dismissed.

*G Rollings*

INSPECTOR

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<sup>22</sup> ID 26d.

## APPEARANCES

### FOR THE LOCAL PLANNING AUTHORITY

Andrew Parkinson  
of Counsel

Instructed by Nicola Golding,  
Solicitor, CDC

He called  
Alex Roberts AssocRTPI  
Robyn Butcher FLI  
Mike Stigwood MIOA FRSPH MCIEH  
Andrew Robbins MRTPI

Director, Lambert Smith Hampton  
Director, The terra firma Consultancy  
Director, MAS Environmental Ltd  
Senior Planning Officer, CDC

### FOR THE APPELLANT

Christopher Boyle  
of Queen's Counsel

Instructed by Jon Lambert MRTPI,  
Berkeley Strategic Land Ltd.

He called  
Matthew Spry MRTPI MIED FRSA  
Andrew Smith CMLI  
Nigel Mann MIOA

Senior Director, Lichfields  
Joint Managing Director, fabrik  
Director – Environmental Scientist,  
Tetra Tech Ltd.

Also appearing  
Jamie Lockerbie  
Jessica Craske

Solicitor, Pinsent Masons  
Solicitor, Pinsent Masons

### INTERESTED PERSONS

Nathaniel Belderson MRTPI

Planning Link Officer,  
South Downs National Park Authority  
Landscape Officer,  
South Downs National Park Authority  
Director, HMPC Ltd  
(for Goodwood Estate)  
Councillor, Chichester North,  
West Sussex County Council

Ruth Childs

Haydn Morris MRTPI

Cllr Jeremy Hunt

Nick Reynolds  
Alan Taylor  
James Pickford  
John Halliday  
Richard & Nicolette Meyer  
Mark Todd  
Roger Hitch  
John Long  
Clifford Vince  
Graham Reed  
David Priscott  
Carley Sitwell  
Philip Scott

Lavant Parish Council  
Lavant Parish Council  
Lavant Parish Council  
Summersdale Residents' Association  
Local residents  
Local resident  
Local resident  
Local resident  
Local resident  
Local resident  
Local resident  
Local resident  
Local resident  
Local resident

## **CORE DOCUMENTS REFERENCED IN THIS DECISION**

- CD 4.1 *Chichester Local Plan: Key Policies 2014-2029.*  
CD 4.2 *Lavant Neighbourhood Development Plan 2016-2031 (2017).*
- CD 6.01 Appeal Decision ref: APP/L3815/A/13/2200123.  
Decision date: 11 February 2014.  
CD 6.02 Appeal Decision ref: APP/L3815/W/21/3274502.  
Decision date: 4 November 2021.
- CD 8.1.01 *Chichester District Council Landscape Capacity Study – Section B Sub-area Reports: East West Corridor (2019).*  
CD 8.1.02 *Chichester Local Plan Review 2035 Landscape Gap Assessment for Chichester District Council May 2019.*
- CD 8.2.04 *South Downs Local Plan (2019).*  
CD 8.2.05 *South Downs National Park HEDNA Final Report (2017).*
- CD 8.3.01 *Chichester Local Plan Area – Five Year Housing Land Supply 2021-2026 Updated Position at 1 April 2021.*  
CD 8.3.02 *Chichester District Council 5YHLS Critical Friend Review (2021).*
- CD 8.4.05 *A Study of Community Disturbance Caused by General and Business Aviation Operations, Final Report.* Department of Transport, July 1988.  
CD 8.4.33 BS 8233:2014.  
CD 8.4.35 *Noise Assessment*, October 2021.  
CD 8.4.44 PPG: Noise  
CD 8.4.45 BS 8233:1999.

## **DOCUMENTS SUBMITTED AT THE INQUIRY**

- ID 1 Opening Submissions on Behalf of the Appellants.  
ID 2 Opening Comments on Behalf of CDC.  
ID 3 Schedule of Major Site 'Windfalls'.  
ID 4 High Resolution Verified Visual Montages.  
ID 5 Goodwood Motor Circuit Diary 2022.  
ID 6 Oral Submission of John Halliday / Summersdale RA.  
ID 7 Draft s106 Planning Agreement.  
ID 8 Statement of Common Ground in relation to noise.  
ID 9 Goodwood Flight Data.  
ID 10 *Noise Policy Statement for England*, March 2010.  
ID 11 Landscape submission of Richard Meyer.  
ID 12 MAS Adjustment of Tetra Tech Table 5.4 data to reflect higher Summertime flight activity.  
ID 12a MAS Adjustment of Tetra Tech Table 5.4 data to reflect higher Summertime flight activity (update).  
ID 13 Appendix 4 extract from proof of Vernon Cole, appeal ref. APP/L3815/W/21/3270721.  
ID 14 Lavant PC submission on additional 3D information.  
ID 15 Tetra Tech 11 Feb 2022 – Additional Flight Analysis.  
ID 16 Status of CDC Policies.  
ID 17 Scant Road appeal committee report (CH/20/1826/FUL).  
ID 18 CDC *Rural Housing Needs Survey report, Lavant Parish*, June 2014.

- ID 19 Questions for the appellant from Graham Reed.
- ID 20 Lichfields Note on Planning Issues Raised by Third Parties.
- ID 21 Statement from Alan Taylor / Lavant PC.
- ID 22 Email from Goodwood Estates in response to flight data request.
- ID 23 Statement from Nick Reynolds / Lavant PC.
- ID 24 Site visit programme, 18 February 2022.
- ID 25 Statement from Carley Sitwell.
- ID 26 GL Hearn *Coastal West Sussex Strategic Housing Market Assessment Update, Final Report*, November 2012.
- ID 26a GL Hearn *Coastal West Sussex SHMA Update, Chichester District Summary Report*, November 2012.
- ID 26b GL Hearn *Chichester Housing and Economic Development Needs Assessment*, January 2018.
- ID 26c GL Hearn *Chichester Housing and Economic Development Needs Assessment, Final Report*, January 2018.
- ID 26d GL Hearn *Chichester Housing and Economic Development Needs Assessment, Final Report*, September 2020.
- ID 27 Approved Judgment – Wavendon Properties v SSHCL [2015] EWHC 1524 (Admin).
- ID 28 Approved Judgment – Gladman Developments Limited v SSHCLG [2021] EWCA Civ 104.
- ID 29 PPG – Neighbourhood planning.
- ID 30 PPG – Determining a planning application.
- ID 31 Statement from David Priscott.
- ID 32 Further statement from Lavant PC.
- ID 33 Closing Comments on Behalf of CDC.
- ID 34 Closing Submissions of Behalf of the Appellants.

#### **DOCUMENTS SUBMITTED AFTER THE INQUIRY**

Planning Agreement (submitted 1 March 2022).