

7 February 2019
L190207 - Local Plan Preferred Options Reps



Planning Policy
Chichester District Council
East Pallant House
Chichester
West Sussex
PO19 1TY

Bradley Wiseman
E: brwiseman@savills.com
DL: +44 (0) 161 277 7272

Belvedere
12 Booth Street
Manchester M2 4AW
T: +44 (0) 161 236 8644
savills.com

Sent via email to: planningpolicy@chichester.gov.uk

Dear Sir / Madam,

**THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
REGULATION 18 CONSULTATION ON 'PREFERRED OPTIONS' DRAFT OF CHICHESTER LOCAL PLAN
REVIEW 2016 – 2035
LAND AT BARNFIELD DRIVE, CHICHESTER
SUBMITTED ON BEHALF OF BROOKHOUSE GROUP LTD**

Introduction

This consultation statement is submitted by Brookhouse Group Limited in response to the Chichester Local Plan Review 'Preferred Approach' ('**Local Plan Review**') consultation. It follows earlier representations submitted on 28 September 2018 in relation to the Chichester District Council ('**the Council**') Housing and Economic Land Availability Assessment ('**HELAA**'), and on 3 August 2017 in relation to the 'Issues and Options' stage of the Local Plan Review.

This Statement should be read in conjunction with the earlier representations submitted on the earlier stages of the Local Plan Review process. A copy of those submissions are enclosed at **Appendix 1** for ease of reference.

The land at Barnfield Drive, is shown on at Drawing Reference 7054-P701-A – 'Site Development Plan' included at **Appendix 2** (the '**site**'). The site is allocated in the adopted Chichester Local Plan: Key Policies 2014 – 2029 (July 2015) (the '**Local Plan: Key Policies**') for retail and business land uses. It is also designated for those uses in the adopted Sites in Chichester City North Development Brief (January 2012).

Overview

The site is unquestionably a Development Site. This is evidenced by the fact that it is:

1. Located within the settlement boundary and urban area of Chichester, surrounded on all sides by existing development.
2. Previously developed or 'brownfield' land. The site was formerly a gravel extraction operation and has subsequently been landfilled.
3. Free from the presence of environmental, historic or infrastructural constraints.
4. Sustainably located, intimately situated within existing communities, adjacent to allocated growth areas, and well served by a variety of modes of transport, including public transport and cycle routes.
5. Allocated for development in the adopted Local Plan: Key Policies, by virtue of the Sites in Chichester City North Development Brief, adopted by the Council in 2012.
6. Part of a wider regeneration site which has benefited from significant support from the Local Planning Authority and has been hugely successful in delivering 15,000 sq. m of new development at Barnfield Drive.

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Previous representations made in respect of the site set out the case that it is a sustainable location for retail and residential land uses which meet identified needs in the Council's Evidence Base¹. As the site is currently allocated for retail and employment land uses in the adopted development plan, there is clear evidence that this allocation should be retained in the emerging Local Plan Review. This remains the case in the light of the Council's new Evidence Base on retail land uses in the Chichester Retail and Main Town Centre Uses Study (the '**Retail Study**'), published on 20 July 2018.

Furthermore, this Statement sets out the case for the potential allocation of the site for 'mixed-use' development, to include residential and commercial land uses, to ensure that a flexible approach can be taken to ensuring the comprehensive sustainable regeneration of the site. The policy approach advocated does not limit to any individual land use in order to ensure a flexible approach to the delivery of this sustainably located and accessible, brownfield site in the urban area of Chichester.

The planning history of the wider Barnfield Drive site demonstrates the success of the allocation through a strong track record of delivery, with Phase 1 fully completed and operational, having attracted four new large-format retailers to Chichester, and the first component of the Phase 2 site recently consented, and due to start on site in summer 2019.

Description of the Site and Surroundings

The site is located approximately 1.2km to the north-east of Chichester City Centre. It is a former gravel extraction site that has been landfilled and subsequently partially developed for retail purposes. The site is well-related in the urban area of Chichester and is located in close proximity to surrounding residential areas and commercial development including retail land uses.

The site is accessed from Barnfield Drive and comprises three distinct areas, namely:

1. The existing Homebase site, accessed from Barnfield Drive to the south.
2. The Phase 1 development land, located to the north-east of Barnfield Drive, which comprises:
 - a. A new retail terrace comprising Wickes, Iceland Food Warehouse and Halfords.
 - b. A new Aldi foodstore.
3. The Phase 2 development land, located to the south of Barnfield Drive, which is currently vacant.

Whilst part of the Phase 2 development land recently gained reserved matters approval for the erection of a Lidl supermarket (App Ref: 18/01565/REM), the outline planning permission for the remainder of the Phase 2 land has now expired.

Accordingly, the majority of the Phase 2 site no longer benefits from any extant planning permission for development. It follows that the allocation of the remainder of the Phase 2 development land is critical in ensuring that the site can come forward for redevelopment with the full support of the Council.

Consideration

Potential for the Site to be Allocated for Commercial Uses

Paragraph 12.26 of the Local Plan: Key Policies states:

"The land at Barnfield Drive is identified as suitable for employment or retail uses, provided that any retail uses are complementary to and do not detract from existing shopping provision in the city centre."

Further to the above, Policy 14 of the Local Plan: Key Policies states:

¹ See Paragraph 4.1 of the Issues & Options consultation statement

“In accordance with the guidelines in the guidelines as set out in the ‘Chichester City North Development Brief’ sites are allocated for the following land uses:

- *Land at Barnfield Drive – retail and employment uses (Use Classes A1, B1, B2 and B8) subject to a flood risk assessment and a landfill gas risk assessment. Proposed retail uses should meet an identified need or shortfall, complement existing facilities in city centre and not have a significant adverse impact on the vitality and viability of the city centre.”*

Whilst the draft Local Plan Review does not currently seek to include a replacement Policy 14 of the Local Plan: Key Policies, we understand that this was due to an error on the part of the Council, where it was believed that the whole of the Phase 2 land benefitted from planning permission and was in the process of being developed for retail purposes.

Evidently, that is not yet the case, despite the considerable successes already made on Phases 1 & 2, and we understand from discussions with the Council that the site will now be re-allocated in a subsequent draft version of the Local Plan Review.

The Council’s Retail and Main Town Centre Uses Study 2018 (the ‘**Retail Study**’), undertaken by Lichfields, identifies that Chichester has the capacity to support up to 27,000 sq. m of additional comparison goods retail floorspace in the period up to and including 2036. Policy S9 of the Local Plan Review states that the Council will make provision for 9,500 sq. m of additional comparison goods floorspace (gross) development in the period up to 2026, to be located in Chichester city centre, the Southern Gateway and other opportunity sites.

Therefore, the Council’s Evidence Base identifies the capacity for an additional 17,500 sq. m of comparison goods (gross) retail floorspace which is currently unallocated in the Local Plan Review. The emerging Local Plan covers the period to 2035, which broadly correlates with the assessment period in the Retail Study.

Paragraph 23 of the NPPF states that:

“Strategic policies should provide a clear strategy for bringing sufficient land forward, and at a sufficient rate, to address objectively assessed needs over the plan period, in line with the presumption in favour of sustainable development.”

It follows that the Local Plan should make provision for meeting its identified retail need over the plan-period, and not to a lesser point in time (e.g. 2026), in accordance with the requirements of Paragraph 23 of the NPPF.

The site at Barnfield Drive is in a sustainable location to accommodate a significant portion of the additional comparison retail floorspace capacity identified in the Retail Study. The site is previously developed land situated in a sustainable location within the Chichester urban area, which is already developed for retail land uses. It already benefits from an allocation for retail and employment uses in the adopted Local Plan: Key Policies. The site therefore forms part of an area of land which is characterised by retail land uses.

The development of further retail land uses, whilst importantly assisting to meet the need identified in the Council’s Evidence Base over the plan-period, fits in with the overall existing pattern of development in this part of the urban area of Chichester. An allocation of the site to include the potential to deliver retail land uses would therefore be consistent with both the Council’s evidence base and the requirements of Paragraph 23 of the NPPF.

In addition, to support economic growth and ensure a flexible approach to the development of the brownfield site can occur, if there was to be market-demand from employment uses that are viable to ensure the deliver the landfilled site, it is also appropriate to allocate the site for Class B1 – B8 use classes and other employment uses, including car showrooms and trade counters that can play an important role in supporting the economy and securing sustainable economic growth.

Potential for the Site to be Developed for Residential Uses

As previously submitted to the Council at the 'Issues and Options' stage of consultation on the Local Plan Review in August 2017, the site is also capable of being allocated for low to medium density residential development.

Paragraph 2.1.1 of the Issues and Options Consultation document sets out that the Local Plan Review is required due to the fact that the Local Plan: Key Policies was unable to meet the total identified housing need for the area. On that basis, the Council committed to undertake a Local Plan Review within five years of adoption of the Local Plan: Key Policies, with the aim of identifying further sites to meet the unmet housing need.

Whilst the Local Plan Review is now underway, the Objectively Assessed Need ('OAN') for housing in Chichester district is proposed to be capped below the identified figure of 775 dwellings per year, in order to ensure that targets are 'deliverable' as per Paragraph 25 of the 'Right Homes in the Right Places' consultation document. As a result, the adjusted housing need requirement for Chichester outlined in the Local Plan Review is 609 dwellings per year.

In justifying the adoption of a reduced housing target in the Local Plan: Key Policies (and by extension, in the Local Plan Review as a result of the new OAN cap), the Council quoted a number of constraints which meant that the calculated OAN could not be met in accordance with the principles of sustainable development. These constraints included the predominance of a rural character, a high quality landscape and natural environment in need of protection from development and significant areas of land at risk from flooding.

Given the accessible location of the site, its previously developed nature and its location within the urban area adjacent to existing residential properties, it is clearly a sustainable and accessible development site for residential dwellings.

To that end, Section 11 of the NPPF is entitled 'Making Effective Use of Land'. Paragraph 117 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."

Paragraph 118 of the NPPF goes on to state that planning policies and decisions should:

- c) *give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land; [and]*
- d) *promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively."*

From the above, the site is a sustainable location for the provision of housing development within the Borough.

In accordance with the NPPF, it is able to meet an identified need for such development in the area. Whilst the OAN has been capped at a figure of 609 dwellings per annum, in order to ensure that the target is 'deliverable' as per the most recent Government guidance, there is no practical reason to limit the number of dwellings in accordance with that cap.

It follows that the site is an appropriate and sustainable location for the development of residential dwellings and is capable of being adopted for those purposes in the Local Plan Review, in accordance with national Government policy.

Proposed Mixed-Use Allocation

As outlined above, the site is considered to be available, suitable and viable for redevelopment for a variety of land uses, given its sustainable location within the urban boundary of Chichester, and history of regenerative development.

Given the existing allocation for retail and employment uses under Policy 14 of the Local Plan: Key Policies, and the potential for the site to accommodate additional residential development, the site should be allocated for mixed-use development, with the potential to deliver a range of land uses, to be determined in accordance with the site's constraints.

Allocating the site for mixed-use development would provide the flexibility to allow the site to come forward for development for any or all of the envisaged uses, without prejudicing the delivery of one use over another. Put another way, the allocation should make provision to enable a mix of the uses to be delivered or one use in its entirety (e.g. solely retail, or solely employment, or solely residential).

Such an allocation would be in keeping with the Council's approach to other Strategic Site Locations AL1, AL2, AL4 & AL5; all of which have been allocated for comprehensive mixed-use development, incorporating a range of commercial and residential uses.

Summary and Conclusion

Paragraph 17 of the NPPF states that the development plan must include strategic policies to address each local planning authority's priorities for the development and use of land in its area. As per Paragraph 20, those policies should set out an overall strategy for the pattern, scale, and quality of development, and make provision for both housing and commercial development.

We therefore formally request that the forthcoming Local Plan Review should allocate the Phase 2 Barnfield Drive site as being an appropriate location to deliver mixed-use residential and commercial development including retail and business uses as stated above.

We trust that the above representations will be taken into account in the drafting of the revised draft policy in order to ensure the continued delivery of sustainable development at the wider Barnfield Drive site. Should you have any queries or require any further clarification, then please contact Matthew Sobic or Brad Wiseman on the numbers above. We reserve the right to make further comments or provide further evidence at later stages of consultation.

Yours faithfully,

A handwritten signature in black ink, appearing to read "Savills", written in a cursive style.

Savills (UK) Limited
Planning

cc. M Nuttall – Brookhouse Group
T Whitehead – Brookhouse Group

Appendix 1

3 August 2017

Chichester Local Plan Review 2034 Issues and Options Consultation

Consultation Statement in Relation to Land at Barnfield Drive

Submitted on behalf of Brookhouse Group Limited

1.0 Introduction and Background

- 1.1 This Consultation Statement is submitted by Brookhouse Group Limited in relation to Chichester Local Plan Review 2034 Issues and Options Consultation. It follows the earlier representations made on 17 August 2016 in relation to the Chichester District Council Housing and Economic Land Availability Assessment 2016: Draft Methodology and Call for Sites. This Statement should be read in conjunction with that earlier Statement on the Call for Sites document. A copy is enclosed at **Annex 1** for ease of reference.
- 1.2 The land at Barnfield Drive shown on at Drawing Reference 7054 – P701 Revision A – ‘Site Development Plan’ included at **Annex 2** (‘the site’) is allocated under Policy 14: *Development at Chichester City North* in the adopted Chichester Local Plan: Key Policies 2014 – 2029 (July 2015) as an appropriate location for retail and business uses.
- 1.3 The Call for Sites Consultation Statement set out the case that the site is a sustainable location for retail land uses that will meet identified retail needs in the Council’s evidence base¹.
- 1.4 Accordingly, the Call for Sites Consultation Statement set out that there is a requirement for the development plan to ensure that retail needs are met in full. As the site is allocated for retail land uses in the development plan and therefore identified as a sustainable location for retail land uses, there is clear evidence that the site should be allocated in the emerging local plan as being able to provide for a full range of comparison retail goods (in addition to the food retail floorspace that is already permitted at the site²).
- 1.5 The comments in the Call for Sites Consultation Statement therefore apply to the Issues and Options Consultation and the Statement at **Annex 1** forms part of our representation on the Issues and Options that the site should be allocated for retail uses in line with the current development strategy for the site.

¹ In the light of the above, it follows that there remains a quantitative need for 49,907 sq. m (gross) of additional comparison goods retail floorspace in the City of Chichester by 2026 after committed or recently constructed floorspace has been taken into account (see cross-reference to Paragraph 5.9 of the Statement at **Annex 1**).

² Details of the permitted food retail floorspace are set out at Paragraph 4.1 of the Statement at **Annex 1**.

1.6 We therefore don't propose to provide any further comments on the Issues and Options Consultation in addition to those already provided in terms of the case to allocate the site for retail land uses.

1.7 However, this Statement sets out the case for the potential allocation of the site to include residential land uses in addition to retail land uses to ensure that a flexible approach can be taken to ensuring the comprehensive sustainable regeneration of the site and in the event that not all of the land is deliverable for retail land uses.

2.0 Description of the Site and Surroundings

2.1 The site is accessed from Barnfield Drive and comprises three distinct areas, namely:

1. The Homebase accessed off Barnfield Drive to the south.
2. Phase 1 development land that is located to the north of Barnfield Drive and comprises:
 - a. A new retail terrace comprising Wickes, Iceland Food Warehouse and Halfords.
 - b. A new Aldi store that is under construction and will open shortly.
3. Phase 2 development land that is located to the south of Barnfield Drive. The land is vacant, and part of it benefits from permission to be developed for a large format foodstore, some pod units and a Petrol Filling Station.

2.2 The site is located approximately 1.2km to the north east of Chichester City Centre. It is a former gravel extraction site that has subsequently been land filled and developed in part for retail uses. The site is well-related in the urban area of Chichester and is located in close proximity to surrounding residential areas and commercial development including retail land uses.

3.0 Consideration

3.1 As set out above, the case for the allocation of the site for retail uses is set out in the Call for sites Consultation Statement included at **Annex 1**.

3.2 The case for residential development at the site is straightforward. The potential residential development area would relate only to the area shaded blue on Drawing Reference 7054 –

P701 Revision A – ‘Site Development Plan’ included at **Annex 2**.

- 3.3 Paragraph 2.1.1 of the Issues and Options Consultation document sets out that the Local Plan Review is required as the existing Local Plan was unable to meet the full identified housing need for the area. On that basis, the Council committed to undertake a Local Plan Review within five years with the aim of identifying further sites to meet the unmet housing need.
- 3.4 Given the accessible location of the site adjacent to existing residential properties and its brownfield previously developed nature, the site is a sustainable development site for residential dwellings that will assist in reducing the pressure on the Council to deliver the residential dwellings on greenfield sites.
- 3.5 Paragraph 13 of The Framework outlines that local planning authorities must have regard to national policies in drawing up local plans. It follows that the following parts of The Framework are relevant to the drawing up of local plans to meet retail and residential needs in Chichester:
1. The presumption in favour of sustainable development that means (Paragraph 14):
 - a. Local planning authorities should positively seek opportunities to meet development needs in their area.
 - b. Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change.
 2. The requirement to proactively drive and support sustainable economic development to deliver homes and business needs (Paragraph 17).
 3. The requirement to encourage the effective reuse of previously developed land (Paragraph 17).
 4. The commitment to securing economic growth and ensuring that the planning system does everything it can to support sustainable economic growth (Paragraphs 18 and 19).
 5. The requirement for local planning authorities to plan proactively to meet the development needs of business (Paragraph 20).
 6. The requirement for investment in business to not be over-burdened by planning policy

expectations (Paragraph 21).

7. The requirement for planning policies to recognise and address potential barriers to investment (Paragraph 21).
8. The requirement for Local Plans to positively and proactively encourage sustainable economic growth (Paragraph 21).
9. The identification of strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period (Paragraph 21).
10. The requirement to allocate a range of suitable sites to meet the scale and type of retail and leisure needs (Paragraph 23).
11. The importance of ensuring that needs for retail and leisure uses are met in full and are not compromised by limited site availability (Paragraph 23).
12. The requirement to set policies for meeting the identified needs in other accessible locations (Paragraph 23).
13. The requirement for planning policies to aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for shopping and leisure activities (Paragraph 37).
14. To boost significantly the supply of housing (Paragraph 47).
15. To ensure an integrated approach to considering the location of housing, economic uses and community facilities and services (Paragraph 70).
16. The need to plan positively for the provision of community facilities such as local shops (Paragraph 70).
17. The requirement to ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community (Paragraph 70).

18. The requirement for strategic policies to deliver retail and leisure development (Paragraph 156).

4.0 Conclusion

4.1 There is a requirement for the development plan to ensure that housing and retail needs are met in full. This is acutely the case given the substantial requirement for additional comparison goods retail floorspace in the Council's evidence base, and the requirement to undertake the Local Plan Review given the current Local Plan doesn't meet housing needs.

4.2 As the site is allocated for retail land uses in the development plan, is a brownfield site in a sustainable location and adjacent to existing residential, there is clear evidence that the site should be allocated in the emerging local plan as being able to a full range of comparison retail goods (in addition to the food retail floorspace that is already permitted at the site) along with the potential to provide housing. This would accord with the requirements of Paragraph 70 of The Framework to ensure an integrated approach to considering the location of housing, economic uses and community facilities and services

4.3 We therefore confirm that any new emerging plan should allocate the Barnfield Drive site shown on Drawing Reference 7054 – P701 Revision A – 'Site Development Plan' included at **Annex 2** as being an appropriate location to provide housing development and/or a full comparison goods retail offer. The policy should state:

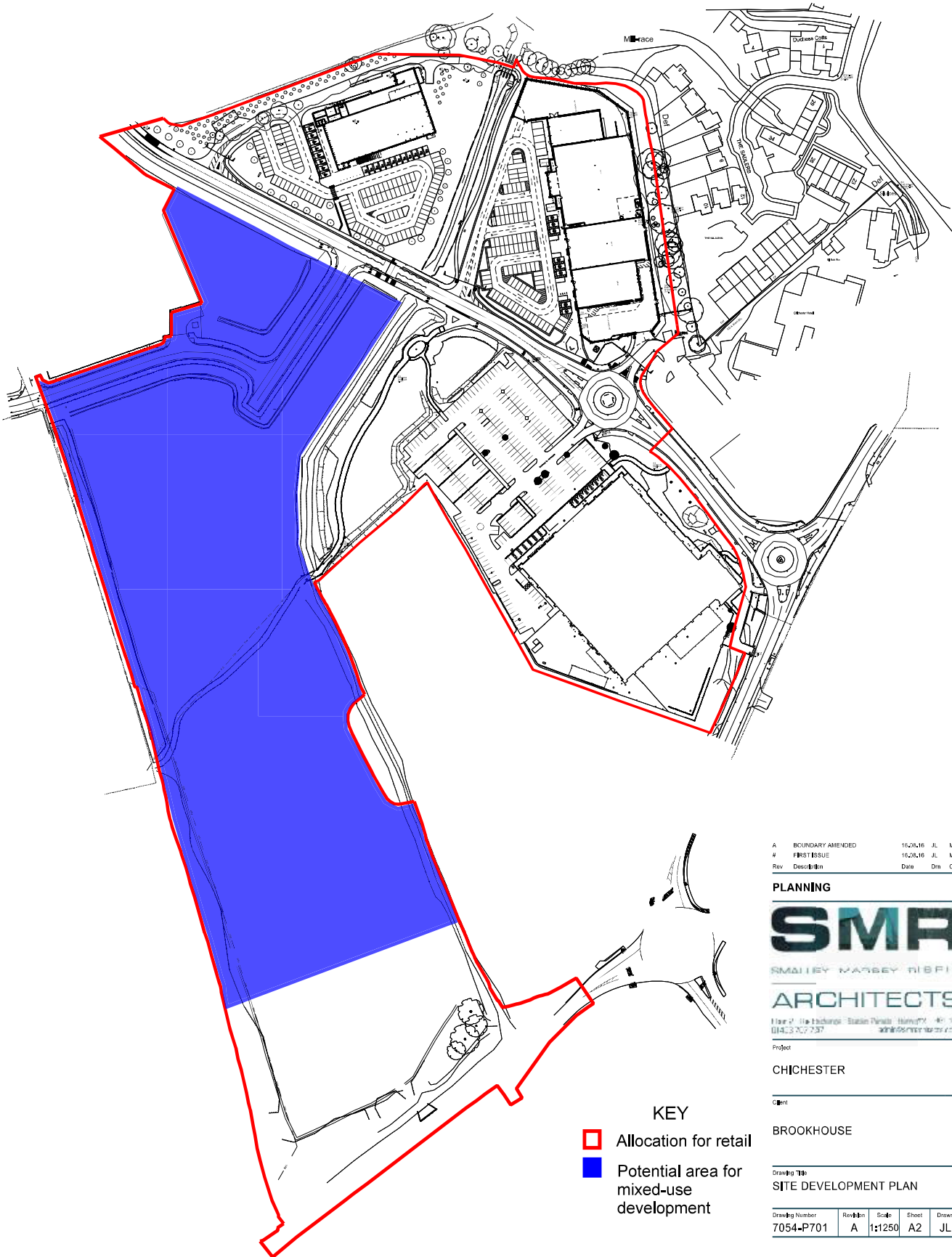
'Land at Barnfield Drive is allocated for comparison goods retailing and housing to meet identified needs in Chichester.'

4.4 We trust that the above will be taken into account in the drafting of the emerging policy as it will ensure that in the event that not all of the land is deliverable for retail land uses, alternative sustainable development in the form of housing can be delivered. We reserve the right to make further comments or provide further evidence.

Appendix 2

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ARCHITECTS

110a St. Nicholas - Station Parade - Hove - Brighton - BN1 3QZ - 01323 702737
www.smalleribbin.co.uk

Project
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Drawing Title
SITE DEVELOPMENT PLAN

Drawing Number	Revision	Scale	Sheet	Drawn
7054-P701	A	1:1250	A2	JL

KEY

- Allocation for retail
- Potential area for mixed-use development