

Planning Policy Team,
Chichester District Council,
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CHICHESTER.
PO19 1TY

BY EMAIL: planningpolicy@chichester.gov.uk

24195/A3/EF/COM/slh

10th July, 2020

Dear Sir/Madam,

**CHICHESTER DISTRICT COUNCIL INTERIM POLICY STATEMENT FOR HOUSING
CONSULTATION:
REPRESENTATIONS SUBMITTED ON BEHALF OF MARTIN GRANT HOMES LTD**

We write on behalf of our client Martin Grant Homes Limited in response to Chichester District Council's (CDC's) consultation on the draft Interim Policy Statement for Housing (hereafter referred to as the "IPS").

As background and context, Martin Grant Homes control land to the south of the B2179 and west of Bell Lane, Birdham, a 3.9ha site, shown in Appendix 1, that has been promoted for residential development through the 'Call for Sites' as part of CDC's Local Plan Review. The site is located adjacent to, and contiguous with, the settlement boundary of Birdham, as revised by Policy 13 'Settlement Boundary' of the made Birdham Neighbourhood Plan, as shown in Appendix 2. It is in close proximity to a range of local services and bus services to Chichester. The site represents an opportunity for a logical and sustainable extension to the south-west of Birdham and has the potential to deliver approximately 90 homes.

These representations comment specifically upon the content of the draft IPS which is intended to guide new residential development in the Local Plan area until such time as the Local Plan Review is adopted.

Interim Policy Statement for Housing

We support CDC in seeking to take a proactive approach through the IPS to provide a clear mechanism on how planning applications for new residential development should be determined in the interim period until the Local Plan Review is adopted.



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We recognise that a proactive and pragmatic approach is particularly necessary in the District as, from 15th July 2020, CDC's Local Plan will be more than five years old. From this date, and in accordance with paragraph 73 of the National Planning Policy Framework (NPPF), CDC's housing supply and delivery will be assessed against the Government's standard methodology figure of 628dpa.

This requirement is a significant increase on the current Local Plan housing requirement of 435dpa and, as such, we recognise there is a risk that CDC may no longer be able to demonstrate a five year supply of housing land, triggering the presumption in favour of sustainable development as set out in the NPPF.

In this context, CDC's pragmatic approach to boosting its supply of housing is welcomed and supported. We consider that, in principle, it is an appropriate mechanism to guide new development alongside the NPPF and policies within the Local Plan which will remain relevant, to enable the delivery of sustainable development.

We note that 12 criteria are identified within the IPS which are intended to set out what CDC considers to be good quality development. In principle, we support this approach. Our comments on the individual criteria are provided below.

Criterion 1

Criterion 1 relates to the relationship of a development site to identified settlement boundaries. We recognise that sites well located to identified settlement boundaries offer opportunities for sustainable development, due to being located near to existing facilities, services and amenities already provided within these settlements. We therefore support the objective of this criterion. However, we recommend that the criterion is amended to ensure that clarity is provided in terms of what constitutes 'an identified settlement boundary' particularly where disparities exist between the Local Plan and a Neighbourhood Plan for example in the case of Birdham. In our view, this should be a settlement boundary which is identified in either the adopted Local Plan or a made Neighbourhood Plan.

In this regard, we recommend and request the following changes to criterion 1:

- 1. The site boundary in whole or in part is contiguous with ~~an identified~~ a settlement boundary identified in either the adopted Local Plan or a made Neighbourhood Plan (i.e. at least one boundary must adjoin the settlement boundary or be immediately adjacent to it).**

Criterion 2

We support the objective of delivering growth of a scale which is consistent with the sustainability of settlements. As such, we agree that development proposals should be appropriate to the location of a settlement in the settlement hierarchy, as set out in criterion 2.

Birdham is identified in the Local Plan Review evidence base as a Service Village that has 'a reasonable range of everyday facilities and range of everyday facilities and reasonable road and public transport access north to Chichester city'. We consider that development of the scale which could be delivered on land to the south of the B2179 and west of Bell Lane (up to 90 homes) would be appropriate for the location of the site within a Service Village with a population of approximately 1,500.

Criterion 3

Regarding criterion 3, we recognise the importance of settlement separation and the maintenance of the character of individual settlements. We therefore agree that, as proposed, Landscape and Visual Impact Assessment should be undertaken to assess the impact of development on coalescence of nearby settlements.

When considering the impact of development on the edge of settlements, we recommend that assessment should take into account any existing built form located outside of the settlement boundary. Existing built form may lessen the potential for development to result in the coalescence of settlements, as we consider to be the case in Birdham.

Criterion 4

We agree that, as set out in criterion 4, proposals should make efficient use of land, consistent with the NPPF. Paragraph 122 of the NPPF which states that:

“Planning policies and decisions should support development that makes efficient use of land, taking into account:

- a) The identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;**
- b) Local market conditions and viability;**
- c) The availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;**
- d) The desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and**
- e) The importance of securing well-designed, attractive and healthy places”**

In this regard, we consider that the density of development should be informed by not only the prevailing character of the existing area but also by any desire to promote change or regeneration. It is important to note that density is not the only factor to be considered in determining the efficient use of land and that it should be considered as part of a holistic assessment taking into account the NPPF criteria set out above and the importance of securing well designed, attractive, and healthy places.

We would therefore recommend the following amendment to criterion 4:

- 4. Development proposals make best and most efficient use of the land, whilst ~~respecting~~ taking into account the desirability of maintaining the character and appearance of the settlement or of promoting regeneration and change. The Council will encourage planned higher densities in sustainable locations where appropriate (for example, in Chichester City and the Settlement Hubs). Arbitrarily low density or piecemeal development such as the artificial sub-division of larger land parcels will not be encouraged.**

Criterion 5

As noted above in relation to criterion 3 we consider that, where relevant, it is appropriate to require that a landscape and visual assessment should be undertaken to assess the impact of development on the surrounding landscape. We also support the need to carry out a townscape assessment as may be necessary.

Criterion 6

We have no comments on criterion 6.

Criterion 7

With regard to criterion 7, we support the principle of development proposals outlining how infrastructure necessary to enable development will be provided. In accordance with NPPF paragraph 56, however, it should be recognised that development proposals should only be required to make provision for infrastructure that is (a) necessary for the development to be acceptable in planning terms, (b) directly related to the development and (c) fairly and reasonably related in scale and kind of development.

Criterion 8

Criterion 8 states that development proposals should not compromise on environmental quality and demonstrate high standards of construction in accordance with the Council's declaration of a Climate Change Emergency. We recognise the increasing need to ensure that the impact of development on the environment is reduced or indeed eliminated. The overarching objective of this criterion and the need for development proposals to be supported by a Sustainability Statement is therefore supported. It should be acknowledged however that an outline application, should only be required to provide the appropriate level of detail known about the proposals at the time of submission.

We support the general criteria concerning conserving water, energy efficiency and electric vehicle charging points but raise objection to the prescribed quantitative criteria concerning minimising energy consumption and maximising energy supplied by renewable sources. Both criteria exceed the current requirements set out in adopted Local Plan Policy 40 and instead reflect emerging Policy DM16 in draft Local Plan Review. The IPS acknowledges at paragraph 3.5 the emerging policies of the Local Plan Review currently have very limited weight for decision making purposes. The criteria are prescriptive and importantly do not make an allowance for any flexibility.

We would therefore request that the wording of the detailed criteria is amended as follows:

- 8. Development proposals shall not compromise on environmental quality and should demonstrate high standards of construction in accordance with the Council's declaration of a Climate Change Emergency. Applicants will be required to submit necessary detailed information appropriate to the scale and nature of development within a Sustainability Statement or chapter within the Design and Access Statement to include, but not be limited to:**
 - Achieving the higher building regulations water consumption standard of a maximum of 110 litres per person per day including external water use;**

- **Where appropriate, development proposals should apply sound sustainable design, good environmental practices, sustainable building techniques and technology, including the use of materials that reduce the embodied carbon of construction and the use of re-used or recycled materials;**
- **Energy consumption will be minimised and the amount of energy supplied from renewable resources will be maximised to meet the remaining requirement, including the use of energy efficient passive solar design principles where possible;**
- ~~Minimising energy consumption to achieve at least a 19% improvement in the Dwelling Emission Rate (DER) over the Target Emission Rate (TER) calculated according to Part L of the Building Regulations 2013. This should be achieved through improvements to the fabric of the dwelling;~~
- ~~Maximising energy supplied from renewable resources to ensure that at least 10% of the predicted residual energy requirements of the development, after the improvements to the fabric explained above, is met through the incorporation of renewable energy; and~~
- **Incorporates electric vehicle charging infrastructure in accordance with West Sussex County Council's Car Parking Standards Guidance.**

Flexibility

The standards achieved as detailed above may be a matter for negotiation at the time of the planning application, having regard to abnormal costs, economic viability, the feasibility of meeting the standards on a specific site and other requirements associated with the development.

Criterion 9

We support the requirement for development proposals to be of high quality design to respect and enhance the existing character of settlements and contribute to creating places of high architectural and built quality.

Criterion 10

We support criterion 10 which requires development to be sustainably located in accessibility terms, and include vehicular, pedestrian and cycle links to the adjoining settlement and networks and, where appropriate, provide opportunities for new and upgraded linkages.

Criterion 11

Criterion 11 seeks to avoid inappropriate development in areas at risk of flooding, steer new development to areas with the lowest risk of flooding and mitigate against any residual risk in accordance with the objectives of the NPPF. For clarity and consistency with the NPPF and Adopted Local Plan Policy 42, we would suggest the following minor amendment to the criteria wording:

- 11. Development must be located, designed and laid out to ensure that it is safe, that the risk from flooding is minimised whilst not increasing the risk of flooding elsewhere, and that residual risks are safely managed. Development in areas at risk of flooding as identified by the Environment Agency flood risk maps will need to be supported by a site specific flood risk assessment to demonstrate the development will be safe, including the access and egress, without increasing flood risk elsewhere, and where possible, will reduce flood risk overall. This also includes, where relevant, provision of the necessary information for the LPA to undertake a sequential test, and where necessary the exception test, incorporation of flood mitigation measures into the design (including evidence of independent verification of SUDs designs and ongoing maintenance) and evidence that development would not constrain the natural function of the flood plain, either by impeding flood flow or reducing storage capacity. All flood risk assessments should be informed by the most recent climate change allowances published by the Environment Agency.**

Criterion 12

We have no comments on criterion 12.

We trust that the enclosed representations are duly made and look forward to receiving confirmation of receipt.

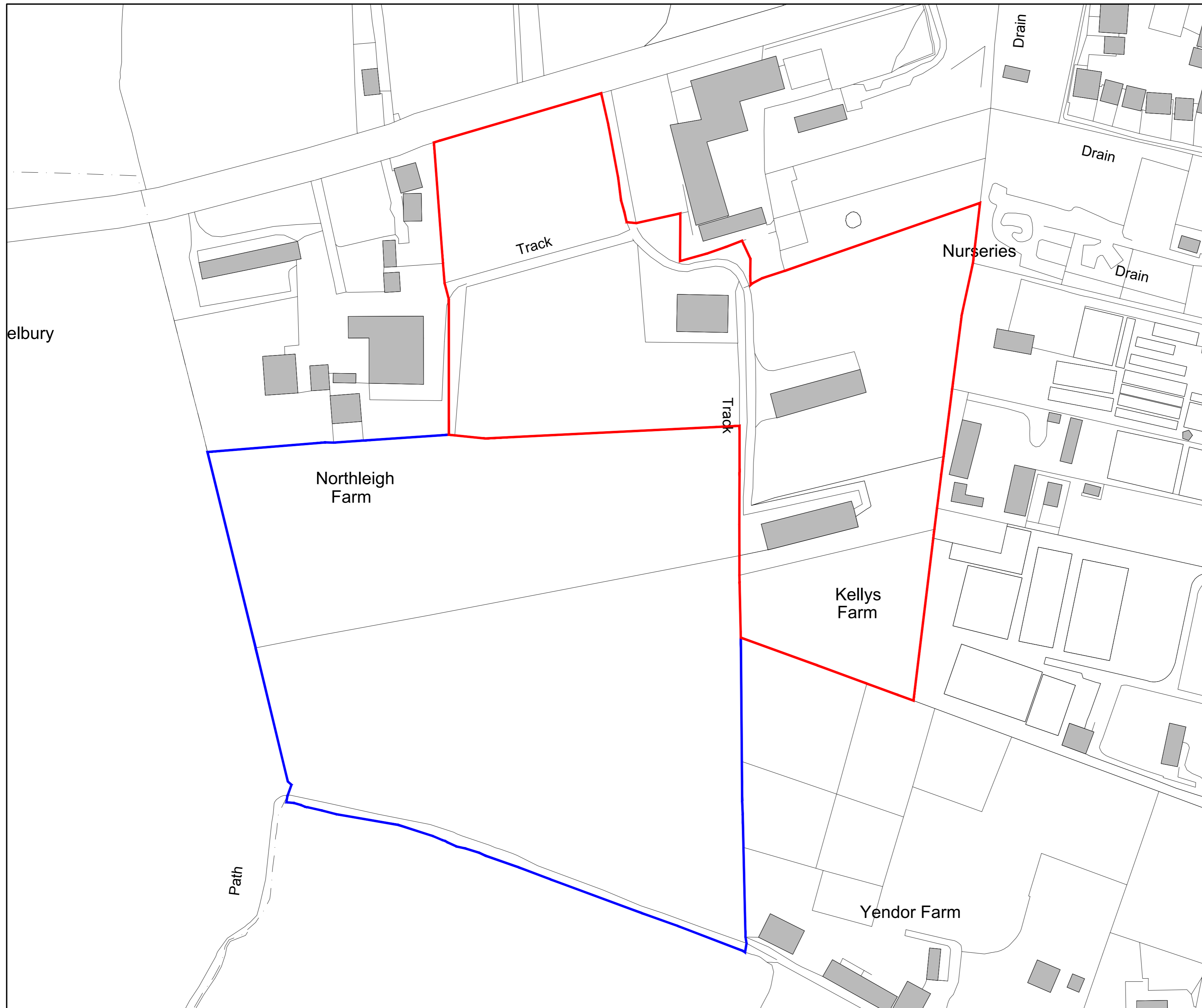
Please contact the writer by emailing charlotte.omahony@bartonwillmore.co.uk should you require any further information or have any queries.

Yours faithfully,



CHARLOTTE O'MAHONY
Associate

APPENDIX 1



- Site Boundary
3.90Ha/9.64Ac
- Other Land within
Ownership Boundary

elbury

Project
Land to the West of Bell Lane, Birdham

Drawing Title
Site Boundary Plan

Date 20.01.17	Scale 1:1,250@A2	Drawn by KD	Check by IW
Project No 24195	Drawing No RG-M-01	Revision A	

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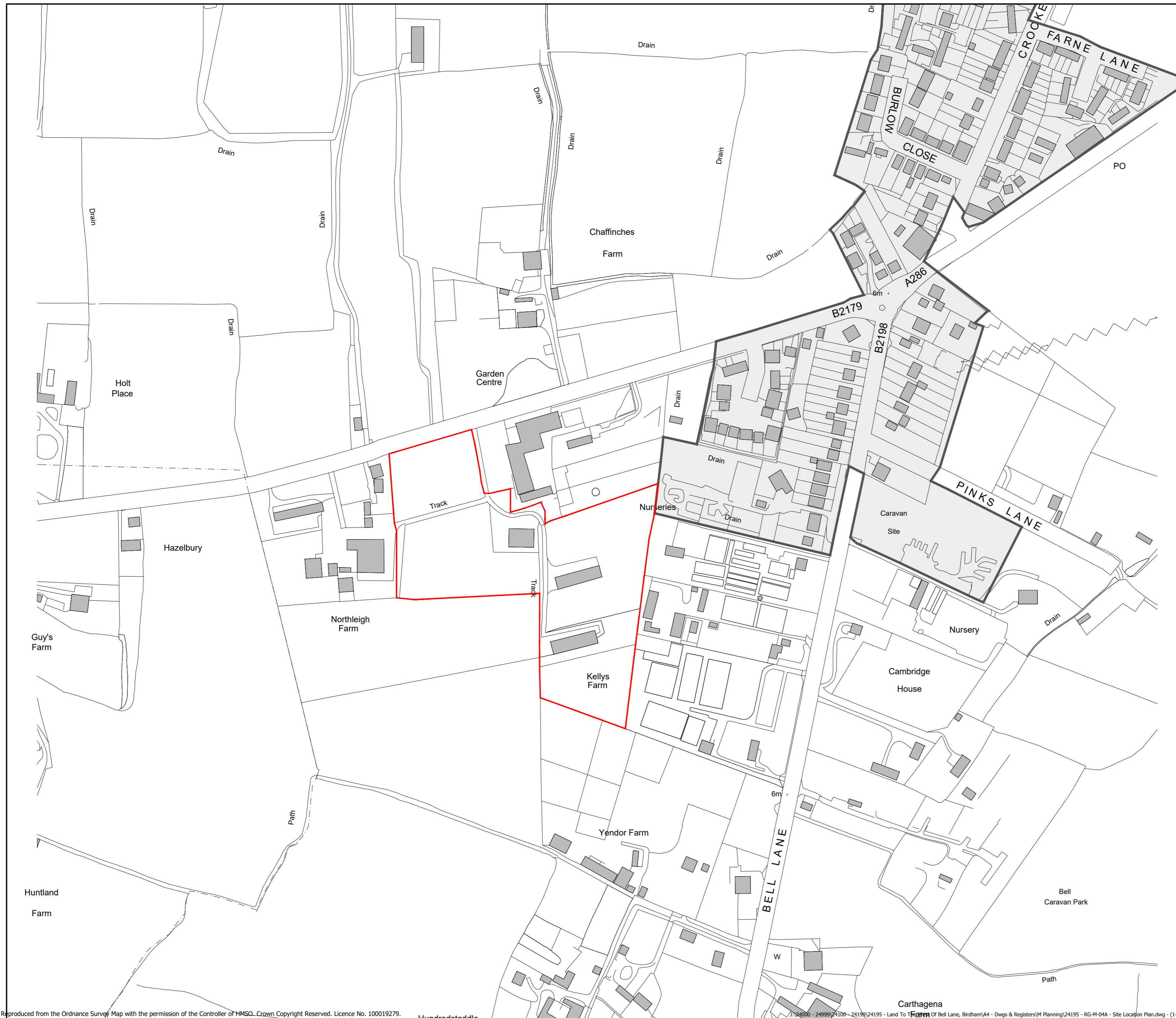
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APPENDIX 2


 Site Boundary
 Birdham Settlement Boundary




Project
Land to the West of Bell Lane, Birdham

Drawing Title
Site Location Plan

Date 24.09.18 Scale 1:2,500@A2 Drawn by NB Check by EF
 Project No 24195 Drawing No RG-M-04 Revision A





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