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Planning Policy Team
Chichester District Council
East Pallant House
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Interim Policy Statement for Housing June 2020

Representation on behalf of the Goodwood Estates Limited

Dear Sirs

The Goodwood Estates Limited fully support the Council's publication of an Interim Policy Statement for Housing Development to provide sound planning guidance during a period of potential policy vacuum, whilst a replacement local plan is adopted. Progress on a review of the adopted local plan has been delayed to address issues surrounding unacceptable high levels of Nitrate discharges to the protected Chichester Harbour, brought about to some significant degree by the amount of new housing development permitted within the harbour catchment driven by the Government requirement for an increased housing land supply. It is most important the planning authority is able to balance the need for new housing locally with a sustainable future for the District as required by the national Planning Policy Framework. A balance between the objectives of housing, social, economic and environmental demands, which often conflict, is best achieved through an up to date local plan, that has been thoroughly tested. The Estate is fully supportive of a new local plan and is keen to work with the planning authority to ensure a robust plan is prepared for a sustainable future.

Unfortunately, as adoption of a new local plan is not yet possible, and it will be some time before the impacts of past developments and other practices on the harbour are rectified, it is appropriate the authority adopts this interim policy to meet the requirements of the NPPF and to balance the need and supply of new homes against the other requirements of a sustainable future.

We fully support the council's strategy and encourage the adoption of a suitable policy at the earliest opportunity. We say this because we anticipate a range of inappropriate housing proposals will be made on the single pre-text of the absence of a five-year land supply and an out of date local plan. We suggest the policy be amended, not because there is anything fundamentally wrong or missing from the document, but because we believe its drafting needs some tightening if it is to ward off the inappropriate attentions of more unscrupulous developers and land speculators wishing to exploit a policy vacuum.

To most people the policy is well-founded, logical and practical from a land management perspective. However, the current wording of the document is, in the view of the Estate, not sufficiently robust to safeguard the direction of strategy emerging in the local plan review and to fully support this in the event of any conflicting planning applications (appeals) in the interim. We believe with minor amendment the policy can be made much more robust and provide greater clarity of the direction of growth. It is accepted this is not a substitute local plan and the document can only go so far in directing new development. Nevertheless, some clarity on where development will

not be supported, and on the contributions of the development to the well-being of the community generally, will be beneficial.

The accompanying note sets out our observations on the draft policy statement on a paragraph by paragraph basis. However, to summarise, we believe the statement should:

- reference the NPPF taken as a whole in decision making, not a reliance on individual parts
- clarify policy relates to all settlements, irrespective of size, not just Chichester
- reference the protection of important countryside
- indicate some important countryside areas may run contiguous with urban edges
- protect the integrity of National Park boundaries
- protect important views of the Cathedral and the historic centre of the city from all key viewpoints
- protect the important setting of the historic city core in the landscape and its relationship to the National Park
- provide clear direction that a lack of five-year housing supply does not mean all sites are suitable for housing, all other material considerations must be applied in accord with NPPF provisions
- further explain how starting development quickly will ensure the early delivery of new housing
- provide clarity over the appropriateness of outline applications as a response to housing need
- explain the need for contributions to A27, local highway network and drainage improvements
- fix development at application stage to avoid delivery delays; and
- define smaller scale sites

We will be very happy to share our thoughts with you further.

Yours sincerely

A handwritten signature in black ink, appearing to be 'HM', with a stylized flourish extending to the right.

Haydn Morris BA(Hons)DipTP MRTPI
For HMPC Ltd
On behalf of the Goodwood Estates Ltd

1 Background

Nothing significant to add

The increased housing target figure per annum is accepted although it might be helpful to explain a large proportion of the District falls within the National Park, which has adopted a lower housing delivery figure, effectively displacing some need to neighbouring authorities, including Chichester.

2 Approach to boosting housing supply

Para.2.2

Accepted and supported.

However, we believe it will be helpful, particularly at appeal, if reference to the NPPF, is inclusive of all provisions in the framework, and not simply the application of paragraph 11, as preferred by developers. We accept reference to the NPPF means it should be taken as a whole, but the previous NPPF reference is to paragraph 11 and this will be seized upon by those wishing to set aside other material considerations

Para.2.3

We accept the council wishes to be able to guide development to appropriate and sustainable locations, but fails to provide more detailed guidance on what constitutes an appropriate and sustainable location. Developers will undoubtedly claim any site is sustainable and appropriate. It is better for the community as a whole if the council advises on broad locations and circumstance where development may or may not be sustainable, rather than rely on a developer to come forward with any site and force an appeal solely on land supply. The council's position will be enhanced if areas unsuitable for sustainable development are identified at this stage and developers encouraged to demonstrate very special circumstances should they wish to promote an application as a departure.

The policy should explain more fully where sustainable locations are likely to be found.

National and Local policies to be taken and applied as a whole, not selectively

3 Planning Policy Context

Paras.3.5 and 3.6

It is a very important requirement that all applications submitted during the interim period demonstrate they will not prejudice the emerging local plan. While it is correct to reference NPPF paragraph 49 at this point, it would be most helpful to set out the broad strategy for site allocations coming forward through the emerging local plan in order to remove any ambiguity over what is contained within the plan making process. This is best included as an extension to paragraph 3.5 (a), (b) and (c).

These paragraphs are designed not to be too prescriptive, but some guidance on the development parameters being applied through the plan making process to the allocation of sites, will provide useful guidance to resist unsuitable sites. For example, that policy may seek to protect open countryside situated between the national park and existing development in Chichester; or that development will be focused on the growth areas to the west of the city or at Tangmere.

4 Local Context

Para.4.1

Should include reference to the NPPF. In particular while the framework carries with it a presumption in favour of sustainable development, other material considerations may dictate otherwise. Sustainability is to be met in many differing ways, not simple proximity or distance 'as the crow flies' to services. Other considerations such as the protection of important local open space or the setting of existing development, historic or otherwise, in protecting local character may be as important as the provision of new housing. For these reasons and others according to the individual merit of sites, it is no means the case that all applications will be appropriate.

Local plan strategy will look at the appropriateness of housing sites in comparison to alternatives. While this is not necessary with individual applications, the availability of alternatives is an important consideration under the provisions of NPPF paragraph 49 and should therefore be addressed in accordance with paragraphs 3.5 and 3.6 of this interim policy statement.

Paras.4.2 and 4.3

The deliverability of the site in its entirety and within a specified time frame should be a pre-requisite of any application promoted during this interim period and justified by the absence of a five-year housing land supply.

The conditioning of any permission to commence within 2 years is to be supported, but this guarantees little beyond the digging of a foundation as a lawful start. It cannot on its own guarantee the delivery of new housing. The council should consider also the appropriateness of a completion date for all or phases of a development, justified by the special circumstances under which these developments are permitted if justified on grounds of meeting an urgent housing need.

We agree fully the applicant must be able to demonstrate the delivery of all necessary infrastructure and it should be fully in the applicant's control.

Para 4.4

We suggest the council should look very carefully at the appropriateness of outline planning applications for new housing to meet a claimed urgent housing need. Outline permissions are inherently slow in delivering housing, often pursued by land speculators with no intention of implementation. The acceptance of outline applications, requiring the later submission of details, simply extends the timescale of delivering much need housing and is in conflict with the aims of paragraphs 4.2 and 4.3. If an application is genuinely promoted to meet a housing shortfall it should be deliverable within a short period post determination. Outline permissions provide no such guarantee. Not only should the authority seek indicative layouts with outline applications, but also very firm development parameters and time limits, to reduce the opportunity for repeat submissions and land banking.

Para.4.5

The purpose of this requirement is understood, but it is increasingly the case at appeal that limited development in some small settlements, without many services, can be equally as sustainable as a suburban development on the edge of a city, where travel distances to services may not be any shorter, New development can also invigorate a small community. The important role of appropriate development in smaller communities should not be overlooked, but provided for.

Para.4.6

Supported – smaller scale sites often offer more to local communities than dormitory estates.

A further explanation of what constitutes a smaller scale site in relation to individual settlements is desirable

Para.4.8 and 4.9

These comments are understood, but some broad indication of housing locational strategy should be provided.

It is suggested reference to national and local policy should refer also to the social, economic and environmental objectives of each.

It is noticeable that any reference to environmental support material is not specified. The protection of open space and countryside is important to the well-being of the community and the policy, in the absence of any other document referenced here, should indicate clearly areas of countryside and open space that must be kept free of development.

5 Purpose of this document

Para.5.2

This is supported but it must be recognized that with many proposals for housing justified by the lack of appropriate supply, developers often seek to demonstrate the land supply consideration 'trumps all other material considerations.' This policy statement should provide an appropriate balance to the NPPF presumption (paragraph 11 footnote 7) to indicate the need for a demonstration of social, economic and environmental benefits in all cases together with a demonstration all material considerations have been applied, assessed and mitigated.

6 Interim Policy Statement

Para.6.2 (1)

This requires some additional precision in terms of the definition of adjoins and adjacent to. Where adjoin is interpreted correctly as “be next to and joined with” indicating a clear physical connection with existing development, it must be made clear a site will not comply if it is separated from development by another physical feature such as a watercourse or road. Adjacent to, on the other hand might be interpreted as more fluid and one can see developments being promoted due to proximity, but not adjoining. “Adjacent to”, as with adjoins, implies some degree of immediacy of location, next to or adjoining, with some physical connection. Again, this should rule out any site separated by a physical feature and this should be made very clear. Failure to do so will result in applications promoted on inappropriate sites, such as on opposite sides of roads or watercourses, justified for reason they are close by or adjacent. This could result in development being permitted in areas for which a road has long been a defining boundary to development.