

Town and Country Planning Act 1990 (As Amended)

Chichester District Council Interim Planning Statement for Housing.

Representations on Behalf of: **Sunley Estates Limited and Castle Properties**

10 July 2020



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Appendix 1	Briary Energy Response to Chichester Interim Housing Policy Criterion 8 – Sustainability Policy
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1.0 Instructions and Introduction

1.1 Neame Sutton Limited, Chartered Town Planners, is instructed by Sunley Estates Limited and Castle Properties ("**Sunley and Castle**") with landholdings and interests in Chichester District, to prepare representations to the Interim Planning Statement for Housing (June 2020) ("**the IPS**").

1.2 These representations make comment on the IPS document as a whole and the specific criteria proposed to manage new housing applications in the District.

1.3 The structure of these representations is set out below:

Section 2	The need for housing
Section 3	Draft Criteria
Section 4	Summary and Conclusions

2.0 Housing Need

- 2.1 Sunley and Castle are pleased to see the use of the IPS to invite and manage housing supply in Chichester District. It is a proactive step to delivering much needed housing, and especially important in the current economic climate, where housebuilding will be integral to supporting the country's economy.
- 2.2 Chichester District Council ("CDC") has acknowledged that it is delayed in its Local Plan progress and is now not expecting to adopt a new Local Plan until Autumn/ Winter 2021, notwithstanding any delays from COVID-19.
- 2.3 The Council has concluded its housing need, calculated through the standard method, is a figure of at least 628 dwellings per annum. It is important to recognise that this is a minimum number and not a cap to delivering sustainable housing. This figure is, however, a significant jump in requirement when compared to the current constrained adopted Local Plan figure of 435 dwellings per annum. CDC is now required to manage the shortfall in housing need from the suppressed adopted plan housing figure and unmet need from a lack of an up to date local plan.
- 2.4 For this reason, the Council should issue a revised position statement on their housing land supply, with the caveat that the standard method housing figure is also capable of being extended higher and not yet confirmed through the Local Plan process. This should be regularly updated and published on the website, until the Council have adopted the new Local Plan. This will give applicants, decision makers, and those producing neighbourhood plans clear guidance on the current housing figures and permissions in the District whilst the IPS is in place.

3.0 Draft Criteria

- 3.1 The following section provides representation specific to the criteria of the IPS.
- 3.2 New development should be contiguous with existing settlement boundaries. There is no further comment made in regards of **criteria 1 and 2** of the IPS.
- 3.3 In regards of **critierion 3** of the IPS concern is raised of the use of the term Landscape and Visual Impact Assessment ("**LVIA**"). A LVIA is a very detailed technical report. The main difference between a LVIA and Landscape and Visual Appraisal ("**LVA**") is that the assessor is required to identify 'significant' effects in accordance with the requirements of Environmental Impact Assessment Regulations (2017). Whilst not exclusively provided in support for EIA development, an LVIA is not a report undertaken lightly given its detail, cost and specialism.
- 3.4 The Landscape Institute, the professional body for Landscape Architects, deems that LVIA should only be undertaken by suitably qualified and experienced landscape professionals. In regards of reviewing assessments this should be undertaken by a 'competent expert' as set out in the EIA Regulations, the Landscape Institute defines that would be a Chartered Member of the Landscape Institute who has substantive experience of undertaking and reviewing LVIAs.
- 3.5 Further clarity is therefore sought on whether Landscape and Visual Impact Assessment under criterion 3 was used as a term for the need for appropriate assessment, akin to that under the EIA regulations, or as a general term, perhaps akin to LVA where the level of landscape assessment is proportionate to the landscape impact.
- 3.6 In addition to the above, a Landscape and Visual Impact Assessment is not a national or local requirement for application validation, nor should it be as a result of the IPS. It is suggested that the wording of criterion 3 is amended so that proportionate assessment is provided (LVA) and that LVIA is only required when it is reasonable and can be assessed by someone suitably qualified.
- 3.7 No comment is provided for **criteria 4 and 5**.
- 3.8 Criterion 6 should be deleted. The potential Strategic Wildlife Corridors are not yet confirmed and will not be formally in place until the Local Plan Review is adopted. This criterion is therefore premature and potentially prejudices the delivery of suitable and sustainable housing sites. In any event all new development is required to have due regard to biodiversity impacts and provide appropriate mitigation and compensatory measures, such that this criterion is not necessary.
- 3.9 No comment is provided for **critierion 7**.

- 3.10 **Criterion 8** of the IPS highlights the Climate Change emergency and how new residential development can assist in reducing or mitigating impacts of construction and occupation. The criterion sets out a number of measures which should be considered. Neame Sutton has been working with Briary Energy in demonstrating sustainability in building design. Briary Energy have provided comprehensive comment in regard to the specified measures, and this has been provided in full in appendix 1. The author of the Briary Energy representation is highly experienced and sets out his membership and involvement in a number of national sustainability forums.
- 3.11 The main emphasis of the response is that this policy position is at odds with the Deregulation Bill (2015) and that local authorities should not be setting their own technical standards, nor should they be replicating in policy the requirements of building regulations, which are likely to change more frequently than policy needs.
- 3.12 The comment by Briary Energy also discusses how setting an arbitrary figure does not achieve actual building sustainability, and achieving some of the measures, such as high insulation levels would normally require the use of synthetic materials which have been under significant scrutiny following the Grenfell and Hackett Reviews. Achieving the 19% DER through fabric only measures is therefore flawed. Further consideration should be undertaken on **critterion 8**. There is, however, support for sustainability in building design and its long-term use.
- 3.13 No further comment is provided in relation to **criteria 9, 10, 11 or 12**.

4.0 Summary and Conclusion

4.1 The IPS is generally supported as a method of inviting and managing housing supply in Chichester.

4.2 There are however specific concerns about the wording of criteria 3, 6 and 8. Clarity should be sought on the specifics of these policies and whether the assessments or information providing with an application would be reasonable and proportionate to the size of development
