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10th July 2020

Our Ref: IPSH2020-01

Dear Planning Policy,

Re: Persimmon Homes (South Coast) Representations in respect of the Chichester District Council Draft Interim Policy Statement for Housing

Persimmon Homes welcomes the opportunity to comment on the draft Interim Policy Statement for Housing (IPSH). As detailed below, Persimmon Homes has a number of concerns regarding the content of the IPSH.

Local Housing Need

Paragraph 1.3 of the IPSH acknowledges that, due to the Chichester Local Plan: Key Policies 2014-2029 (July 2015) (CLPKP) being over five years old, the housing target against which housing supply and delivery is assessed will need to be derived from the Government's standardised methodology for assessing local housing need. As such, the IPSH makes reference a housing target for the District of 628 dwellings per annum (dpa). It is understood, however, that the Home Builders Federation have determined that the housing target should be 753dpa, using the standardised methodology, or 691 dpa if this figure is adjusted to account for housing delivery in the South Downs National Park. Without a clear indication of how the Council has arrived at the lower figure, it is Persimmon Homes' view that the HBF target of 691 dpa should be used instead of the Council's proposed figure.

Weight of IPSH Criteria

Paragraph 4.1 of the draft IPSH states the approach put forward in the IPSH document is based on identifying relevant criteria for determining planning applications from national and local planning policies, including the adopted and emerging plans.



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However, as pointed out in Paragraph 3.5 of the IPSH, as the Local Plan Review (LPR) is at a relatively early stage of production (Regulation 18 stage), the policies contained therein can only be given very limited weight in line with the requirement of NPPF Paragraph 49.

It should be noted, however, that Paragraph 49 of the NPPF does not rule out the potential for emerging policies to carry no weight at all. Indeed the Council has not provided any analysis against NPPF Paragraph 49 criteria that would allow it to make a judgement on the whether (and to what extent) weight should be applied to the emerging policies of the LPR. Without this analysis, and for reasons set out in the following section, it is Persimmon's view that the IPSH should not refer to any emerging LPR policies in the IPSH criteria. Adopting this approach would also remove any uncertainty that may occur due to differences in the wording/standards etc. of adopted and emerging policies.

Notwithstanding the above, if the Council is determined to use the emerging LPR as a basis for the IPSH criteria there must be a recognition that not all criteria will carry equal weight in decision-making. For example, those IPSH policies that are based on the emerging Local Plan must necessarily carry less weight than those that are based on adopted local policy, or national planning policy / guidance. This is particularly important as some of the IPSH criteria are based heavily, or in some cases entirely, on emerging LPR policies.

Introduction of New Policies

There is also concern that the Council is seeking to introduce new planning policies in the IPSH contrary to guidance set out in the PPG/NPPF and/or without them having been subjected to the necessary scrutiny.

It is unclear whether the IPSH is being drafted as a Supplementary Planning Document (SPD) or Development Plan Document (DPD). This needs to be clarified. Planning Practice Guidance (Paragraph: 008 Reference ID: 61-008-20190315) is clear in that SPDs do not form part of the development plan, cannot introduce new planning policies into the development plan, and should not add unnecessarily to the financial burdens on development. As such, if the IPSH is intended to have SPD status, those IPSH criteria that are not based on adopted development plan policies should be deleted. If, however, the IPSH is to be considered to have DPD status, it is essential that any of the new planning policies are subject to the necessary stages of preparing a Local Plan as set out in Town and Country Planning (Local Planning) (England) Regulations 2012.

Secondly, criteria 8 of the IHPS seeks to introduce building standards that are not established in the adopted Local Plan. These include:

- 19% improvement in Dwelling Emission Rates above Building Regulations Part L;
- 10% of predicted energy consumption to be met through renewable energy sources; and



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- Incorporation of electric vehicle charging points.

If the Council wishes to introduce the standards proposed in criteria 8 it can only be done so through the review of the local plan following proper examination against the relevant tests of soundness. Planning Practice Guidance requires that policies are subjected to viability testing (Paragraph: 039 Reference ID: 61-039-20190315), this is particularly important for policies relating to development standards which often have a significant impact on development costs. There is no evidence to suggest that such testing has been carried out. It is Persimmon's view, therefore, that criteria 8 of the IPSH should be deleted.

Location of New Development

Taken together, criteria 1 and 2 of the IPSH will heavily influence where development is and is not acceptable. With regards to criteria 1, for development to be considered acceptable (subject to the other criteria in the IPSH) at least one of the site's boundaries must adjoin, or be immediately adjacent to, a settlement policy boundary. Through its adopted Local Plan, the Council took the decision to exclude some settlements from having settlement boundaries despite some settlements having to the potential to accommodate an element of housing growth. It is also apparent that, in some cases, settlement boundaries do not logically follow the built form of a settlement. Given the challenge the Council is facing in meeting its considerably higher housing targets, it may wish to consider amending criteria 1 so that a new residential proposals are required to have one boundary adjoining or immediately adjacent to the existing built form of a settlement (as opposed to a settlement policy boundary). To guard against unsustainable residential proposals, and proposals that may be considered disproportionate to the size of a settlement, criteria 2 could be combined with criteria 1. The amended wording to the criteria (taking into account the comments set out in preceding sections of these representations) is set out below:

The site boundary in whole or in part is contiguous with the built form of a settlement (i.e. at least one boundary must adjoin the existing development or be immediately adjacent to it) and the scale of development proposed is appropriate having regard to the settlement's location in the settlement hierarchy.

Relevant policies include:

- *CLPKP Policy 2 Development Strategy and Settlement Hierarchy*
- *CLPKP Policy 45 Development in the Countryside*

Relevant evidence includes:

- *Local Plan Policies Map*
- *HELAA*
- *Settlement Hierarchy Background Paper*



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- *Settlement Capacity Profiles*

Summary

In summary, it is Persimmon view that the IPSH should:

- Revisit the calculations regarding Local Housing Need;
- Exclude emerging LPR policies as part of the justification for the criteria;
- Delete all new policies that are being introduced through the Statement (particularly those set out in criteria 8); and
- Amend criteria 1 and 2 to help facilitate sustainable housing growth in the District.

I thank you in advance for considering these representations and kindly request confirmation of receipt of this letter.

If it is helpful, I would of course be happy to discuss any of the comments made in these representations with officers in due course.

Yours faithfully,

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