



WYG Ref: HP19007

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

Sent electronically only

7th February 2019

Dear Sir/Madam,

RE: Regulation 18 Consultation February 2019 - Chichester District Council Local Plan Review to 2035 Consultation Response on behalf of Miller Homes and Linden Homes

On behalf of our clients, Miller Homes and Linden Homes, I write in response to the Council's current consultation on the Regulation 18 - Chichester District Local Plan review to 2035 (hereafter referred to as 'the draft plan'). My clients have a continued interest in the land known as West of Chichester (the site) which is currently allocated through the adopted Chichester Local Plan (Policy 15) for:

- 1,600 new homes
- 6 hectares of employment land (suitable for B1 business uses);
- A neighbourhood centre/community hub, incorporating local shops, a community centre, small offices and a primary school; and
- Open space and green infrastructure, including a country park.

The first part of the allocation already benefits from outline planning permission for 750 homes and extensive associated infrastructure, including a primary school, local centre, SANGs and numerous offsite highways works. Linden Homes and Miller Homes are now progressing with a series of detailed Reserved Matters applications to facilitate commencement on site by the summer of 2019.

This representation primarily relates to draft policy AL1: Land West of Chichester, which retains the allocation of the site for 1,600 homes. The section will demonstrate that a more flexible approach should be adopted towards the number of new homes allocated on the site. This is in the context of the national need to 'significantly boost the supply of housing' coupled with the site's sustainability and excellent links to the sub-regional centre of Chichester. This would also mean the allocation of housing

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is consistent with all but one of the other policies which allocate housing in the draft plan by requiring a 'minimum' number of homes to be delivered. This representation will then move on to comment on several other draft policies of the plan as they relate to the site before concluding with a summary.

Draft Policy AL1: Land West of Chichester

Firstly, Linden Homes and Miller Homes fully support the continued allocation of the site for a new mixed-use community. Linden Homes and Miller Homes are committed to delivering much needed, high quality, homes on site along with the supporting infrastructure to create a diverse, sustainable new community to the west of Chichester. This is demonstrated by the continued work currently being undertaken to obtain Reserved Matters consents and discharge all pre-commencement conditions to facilitate commencement on site as soon as is legally possible.

It is noted that, in the main, the draft policy AL1 and its supporting text replicates Policy 15 of the adopted plan, whilst taking account of the fact that outline permission has been granted for the first 750 homes and associated infrastructure. Linden Homes and Miller Homes are generally supportive of this replication and have no comments on most of the allocation policy.

However, in the context of the national objective of 'significantly boosting the supply of homes (para. 59, NPPF 2018)' it is considered that a less rigid approach to the allocation of new homes on the site should be adopted to allow the flexibility for more than 1,600 homes to be delivered on site if technical evidence, at planning application stage, can demonstrate this can be sustainably accommodated. The rest of this section sets out why a more flexible approach to allocating homes on the West of Chichester site should be adopted to make it clear that 1,600 is only the **minimum** number of homes to be delivered on site.

The land west of Chichester has been masterplanned as a new, sustainable community which will have a range of services and facilities to support residents of the site. This includes a new school, healthcare facility, local shops, employment space and country park. Furthermore, the site is masterplanned to maximise sustainable links to the city centre by bicycle and public transport which further improve residents' access to the many facilities, services and employment opportunities Chichester has to offer. This is further evidenced by the recently approved Reserved Matters application for the primary infrastructure and SANGs, which includes enhanced cycle and pedestrian links to routes into Chichester Centre.

It is therefore considered that housing could sustainably be accommodated on site beyond the 1,600 currently allocated by marginally increasing the density across the site, particularly in areas identified for lower density development. This is supported by draft Policy DM3, which supports densities of at



least 35dph per hectare, and higher in locations with good transport links and access to services. Furthermore, government policy also supports development that makes efficient use of land, which includes ensuring that 'decisions avoid homes being built at low densities, and ensure that development make optimal use of the potential of each site (paragraph 123 of the NPPF)'.

Considering this, and in line with emerging policy DM3 and the national emphasis on boosting housing supply, it seems appropriate to explore increasing the average density of the site from the current site wide average of 34dph to an average closer to 40dph due to the planned transport links and good access to services, facilities and job opportunities that the site will enjoy. This could be achieved through a slight increase in the density of housing proposed in the outer areas of the site from the current low level envisaged of 25dph to a range of 30 - 35dph. This has the potential to increase the number of new homes achievable on site from 1600 to circa 1750 without increasing the development area of the site.

Maximising the use of the site supports CDC's strategy set out at draft Policy S3. Policy S3 sets out the broad approach to development within the district. It states that sustainable planned development across the district will be focused on Chichester and within the east-west corridor. Chichester is recognised as a sub-regional centre, with access to the best range of services, facilities and employment opportunities in the district. Therefore, rather than artificially limiting growth around Chichester, allocated sites around Chichester should be given the flexibility to deliver as many houses as environmental and technical constraints allow.

'Significantly boosting the supply of housing' is a critical objective of the Government's approach to overcoming the national housing crisis (Paragraph 59 NPPF). To do this paragraph 60 requires that LPA's 'determine the **minimum** number of homes needed [our own emphasis added]'. It follows therefore, that policies that allocate sites for new housing should also adopt an approach that only sets a **minimum** number of houses, particularly in those most sustainable locations that have the potential to support higher growth. Indeed, this is an approach adopted by the Council to all but one of the other allocation policies. Removing the artificial cap of 1,600 homes allocated at the West of Chichester site would allow more homes to be delivered in the plan period and hence help provide the Council and Local Plan Examiner additional reassurance that there is sufficient flexibility within the allocation policy for more housing to be supplied should there be difficulties with delivery on other sites. This is particularly important in the context of the low level of oversupply identified by the Council of 128 homes, equating to a buffer of only 1% of the total housing requirement. Therefore, as the above has demonstrated, there is no reason why the same wording should not be used within draft policy AL1.



Any outline or full planning application which is required will be supported by a full suite of technical documents and evidence, including any additional environmental evidence required under the EIA regulations, to demonstrate how additional housing could be accommodated on the site in such a way that adverse environmental impacts could be avoided. Any changes to density on site would also still have careful regard to the character of the area and any specific environmental constraints, which may mean that some areas of lower density would still be appropriate where circumstances require. Suitable contributions (either financial or in kind) towards additional infrastructure would also be provided to support additional housing where required by relevant planning policies and an identified need is demonstrated and justified.

Taking the above together therefore, we propose that point 1 of draft policy AL1 be amended to make clear that 1,600 is the **minimum** to be delivered on site. This alteration has the benefit of providing consistency with the adopted masterplan for the site, previous adopted allocation policy and other draft allocation policies, whilst providing flexibility for the site to deliver additional housing in a highly sustainable location where detailed assessment at the planning application stage demonstrates this is environmentally feasible.

We also wish to correct an error within the supporting text to the policy at paragraph 6.13. The paragraph states that the outline application delivers a connection to Tangmere Waste Water Treatment Works. This is incorrect on two accounts. Firstly, the actual connection and pipeline is being delivered separately by Southern Water and is detailed in their planning application for the pipeline with reference WSCC/004/18/WH. Secondly, the outline permission actually allows not only for a connection to the Tangmere facility, but also allows for an onsite foul drainage facility. Whilst the preference is for a connection to the Tangmere facility, the actual foul drainage solution for the site, to date, has not been formally selected yet and both options remain open. We therefore recommend the text is amended to reflect this situation.

Policy S6 - Affordable Housing

The need for more affordable homes across the country is fully appreciated, and Linden Homes and Miller Homes have already committed to delivery of a policy compliant 30% affordable housing on the first part of the West of Chichester site, equating to 225 new affordable homes. However, the new NPPF places more emphasis on testing the viability of development at plan making stage rather than on a site by site basis (paragraph 57, NPPF). This, coupled with the Council's suggested additional requirements relating to such things as optional technical standards, stricter housing mix criteria and sustainable design standards, all place significant additional burden on a sites viability than was the case when policy 34: Affordable Housing, was adopted. It also does not appear to take account of potentially high provision of infrastructure costs required on larger strategic sites, such as West if



Chichester. The draft policy DM1 maintains a requirement to provide 30% affordable housing, and it is not clear whether this takes account of these additional viability burdens and the national policy shift towards assessing viability at local plan preparation stage.

Policy S8: Meeting Employment Land Needs

Linden Homes and Miller Homes recognise and support the need for an adequate supply of employment land to help provide jobs and services to the residents of the local area and help meet economic goals within the district. In this respect, the provision of some employment land on the West of Chichester allocation is accepted to create a sustainable, mixed-use, community.

However, the Council's planned need for new employment space is add odds with the evidence provided by the Council's own HEDNA. The HEDNA identifies a need for 145,835m² of new employment floor space where as the plan provides for a supply of 235,182m² of floor space, an oversupply of over 60%. It is recognised that the difference is to make up for forecast losses in employment space over the plan period, however, the reasons for these forecast losses are not made clear. Reference is made to 'no longer suitable sites for employment' but it is not clear where these sites are or why they may no longer be suitable. In any case, the retention and/or redevelopment of existing employment sites (which would normally be classified as brownfield sites) should take precedent over new allocations, which is endorsed by draft policy DM9 of the draft plan.

Furthermore, if the Council has particular concerns in regards the loss of employment space through Permitted Development rights allowing Change of Use to Residential (C3) use then, if they can provide suitable evidence, the Council could explore use of an Article 4 direction to help better control the loss of employment space, rather than rely on new, less certain, employment allocations.

Finally, the policy, and allocation policies which provide for new employment space, do not provide sufficient flexibility to allow the plan to adapt to changing local, national and international economic circumstances, which can change quickly and sometimes unexpectedly. Whilst recognition is given to the need for close monitoring and potentially early review of the policy, it is considered that instead flexibility should be built into the policy now to allow developers to show local need.

Therefore, given the above, it is recommended that added flexibility is provided in both policy S8 and in the allocation of 6 hectares of employment space at West of Chichester via policy AL1 to recognise the uncertainty associated with employment provision. It is recommended that instead the allocation of employment space at West Chichester be made more flexible by allocating the areas for mixed use employment and residential uses, with the final amount of employment to be determined by market evidence submitted at the time of the application. This will help ensure that the employment provision



provided meets local needs at the time of development and the land is put to its most economically and socially valuable use.

Policy DM2: Housing Mix

Linden Homes and Miller Homes support providing a mix of homes of differing size, types and tenures to meet a range of local needs. However, any such policy has to be flexible enough to recognise the range of needs locally and the specifics of the site and its context. The current, relatively rigid table is not considered to fully provide this flexibility and would not allow home builders to respond effectively to changing market conditions over the plan period, which in the current economic and political climate, can occur quickly. It also does not recognise that, within the district, and particularly on large sites such as West of Chichester, circumstances may exist which require a less prescriptive approach to housing mix on site. Furthermore, the financial viability of providing a given mix also had to be considered and allowed for in any policy wording to reflect that, particularly on larger sites, too heavy a weighting on any particular size of houses can have significant viability implications. This is currently not reflected in the policy wording.

The policy on specialist housing runs counter to the provisions of the allocation policy and masterplan for the site, neither of which are referenced in the West of Chichester Allocation policy. If the intention of policy DM2 is to allocate a proportion of the site for specialist housing, this should be clearly justified with site specific evidence in discussion with Linden Homes and Miller Homes as soon as is possible. If this is not the case, then this should be made clearer in the policy wording.

Finally, if it is the intention that the Nationally Described Space Standards (NDSS) become mandatory then this needs to be fully justified, which does not appear to currently be the case. Linden Homes and Miller Homes understand the size and types of homes that people want and will buy and, unless there is strong evidence that the NDSS is required to be mandatory to address District specific issues regarding home sizes being provided in the district and specifically on the West of Chichester site, this requirement should be reviewed. Any evidence relating to the adoption of the NDSS would also need to consider the affect it would have on viability, land supply and affordability of new homes as required by the NPPG.

Policy DM3 - Housing Density

Linden Homes and Miller Homes support the premise of policy DM3 which aims to make the best use of land in accordance with the NPPF paragraph 122. However, the policy does not fully recognise that new developments improve the provision of transport links and access to services and hence can, in themselves, provide new opportunities for higher density development. Large strategic sites, such as the west of Chichester allocation, improve accessibility to services and facilities through the provision



of new infrastructure and sustainable links to existing centres. It will also provide new services such as healthcare facilities, schools and employment opportunities. The policy should reflect the fact that large strategic developments can often accommodate higher densities either the modification of point (a) or the addition of a new point (c) which states that higher densities will also be actively encouraged on larger strategic sites which improve access to transport links and facilities.

Policy DM16 - Sustainable design and Construction

Linden Homes and Miller Homes support sustainable design and construction and strive to minimise the environmental impact of development during construction and post occupancy and hence the aspirations of the policy are supported. However, Policy DM16 is overly prescriptive in terms of the standards and considerations that are required to reduce energy demand.

Linden Homes and Miller Homes will adopt a fabric first approach to construction of their homes on the West of Chichester site which is considered to be more sustainable than relying on renewable energy solutions which are often more expensive, have a higher embodied energy use and may not necessarily be used efficiently by future occupiers. Miller Homes and Linden Homes will consider the use of renewable sources of energy on site, such as through the provision of solar panels on roofs. However, this is not always the most environmentally or financially appropriate or viable method of lowering energy demand and this needs to be recognised within the policy text.

These points should be recognised within the policy text and the requirements of point (4) in particular relaxed to recognise the variable ways in which higher energy efficiency can be achieved.

DM32 - Green Infrastructure

Linden Homes and Miller Homes support the draft policy's aims, demonstrated by the incorporation of significant new green infrastructure within the proposals for the site, including a country park and green corridors. It is though important that the policy does not unduly hinder other policy aims, such as the implementation of key infrastructure, and this should be recognised clearly within the policy.

DM34: Open Space, Sport and Recreation

Linden Homes and Miller Homes support the provision of new open space and sports facilities to help create active communities that benefit from a high quality of life. The masterplan for the West of Chichester site already includes significant areas of public open space and sports facilities, including two country parks, a new sports facility, play space and allotments, much of which is planned for delivery relatively early in the site's overall development. This will help meet not only the needs of new residents, but also help meet deficiencies outside of the site.



The aims of Policy DM34 are therefore supported. However, it is recommended that the policy also better recognises the opportunities that can arise from relocating open space, and particularly sports facilities, particularly where that can result in improved access to facilities to a wider section of the community or facilitate quantitative or qualitative improvements to the provision in the area. Additionally, it is suggested that the policy, or its supporting text, give recognition to the benefits of sharing of sports facility space in particular between different users, for example local schools and wider community and clubs, which makes better use of space and provide opportunities for new social interactions.

Finally, it is appreciated that new development will need to provide new open space, however, the policy is not, and nor are the tables 7.1-7.3 to which it refers, clear in regards how very local need will be considered when requiring new open space or sports provision to be provided. It is also unclear how the 'Priority Sites and Projects' set out in the Sports Strategy (2018) link to any area specific requirements for increased provision. Simple adherence to the tables therefore does not seem flexible or robust enough to ensure new provision is effective at meeting specific local needs.

Conclusion

Overall, we are supportive of the overarching aims and objectives of the plan and in particular the continued allocation of the land West of Chichester for a sustainable new community of at least 1,600 homes. We trust these comments will be taken into account when the next stage of the Plan is considered, particularly those relating to the potential of the site to deliver additional homes to assist the Council meet its housing need. We would welcome the opportunity to discuss this with the Planning Policy team.

Finally, should you require any further clarification on any of the matters raised in this response please contact either myself or my colleague, Dr Chris Lyons, on 023 8202 2800 or by email at nick.billington@wyg.com or chris.lyons@wyg.com.

Yours sincerely

A handwritten signature in black ink, appearing to read 'N. Billington'.

Nick Billington
Principal Planner
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