

Parish:
Chichester

Ward:
Chichester North

CC/17/00599/FUL

Proposal Amend, extend, widen and partially reroute the path at the northern end of Jubilee Gardens. The path will be extended to connect by the dropped kerb to Franklin Place and some planting will be created adjacent to the north-east corner of 41 Franklin Place.

Site Land To The North Of Jubilee Gardens Priory Road Chichester West Sussex

Map Ref (E) 486399 (N) 105131

Applicant Chichester District Council

RECOMMENDATION TO PERMIT



**NOT TO
SCALE**

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1.0 Reason for Committee Referral

Applicant is Chichester District Council

2.0 The Site and Surroundings

2.1 The application site comprises a pedestrian footpath located to the west of the A286 New Park Road. The site comprises an open tarmac footpath bounded by grass planting.

2.2 The application site falls to the south west of the roundabout of the junction of the A286/B2178 roads and comprises a key junction along the primary access routes into the City Centre.

2.3 To the south west of the application site is Franklin Place, comprising a terrace of grade II listed residential buildings and the grade II listed city wall lies beyond this, further to the south of the proposal site.

3.0 The Proposal

3.1 The application proposes the amendment, extension, widening and partial re-routing of the path at the northern end of Jubilee Gardens, Chichester. The path seeks to be extended to connect to the dropped kerb to Franklin Place. Planting is detailed adjacent to the north-east corner of 41 Franklin Place. The plans detail the amended location of a lamp post.

4.0 History

06/04322/PE	REC	Proposed new play area.
12/00636/PE		Erection of panels and provision of plaques and pavement markers in and around Chichester for the City Walls Project.
12/01212/LBC	PER	Installation of 3 no. lectern frame interpretive panels.
12/01550/LBC	PER	Installation of 4 no. A3 size etched zinc plaques with bronze colour infill around the City Walls Trail.
16/03145/PD	REC	Proposed path amendments to Jubilee Gardens.
17/00599/FUL	PDE	Amend, extend, widen and partially reroute the path at the northern end of Jubilee Gardens. The path will be extended to connect by the dropped kerb to Franklin Place and some planting will be created adjacent to the north-east corner of 41 Franklin Place.

5.0 Constraints

Listed Building	NO
Conservation Area	CC
Rural Area	NO
AONB	NO
Strategic Gap	NO
Tree Preservation Order	NO
South Downs National Park	NO
- Flood Zone 2	YES
- Flood Zone 3	YES
Historic Parks and Gardens	YES

6.0 Representations and Consultations

Chichester City Council

Objection. The existing footpath could be removed without the need for replacement because there is an existing footpath route along New Park Road.

WSCC Highways

The proposal to re-route, extend and widen the path at the northern end of Jubilee Gardens has been considered by WSCC as the Local Highway Authority. No objection is raised.

The main bulk of the path is located within the public highway and also within land owned by CDC. The path will need to be closed whilst the works are undertaken however the footpath can be diverted during this time and the contractor will need to provide signs and provide a diverted pedestrian route.

This plan must be submitted to the LPA prior to works commencing.

CDC Archaeology Officer

It is unlikely that works associated with the proposal would impinge on archaeological deposits to the extent that refusal or the requirement of other mitigation measures would be justified.

Environment Agency

The Environment Agency has no comments to make on the above proposal.

7.0 Planning Policy

The Development Plan

7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029. There is no made neighbourhood plan for Chichester City at this time.

7.2 The principal planning policies relevant to the consideration of this application are as follows:

Policy 1: Presumption in Favour of Sustainable Development

Policy 2: Development Strategy and Settlement Hierarchy

Policy 7: Masterplanning Strategic Development

Policy 8: Transport and Accessibility

Policy 9: Development and Infrastructure Provision

Policy 13: Chichester City Transport Strategy

Policy 39: Transport, Accessibility and Parking

Policy 47: Heritage

National Policy and Guidance

7.3 Government planning policy now comprises the National Planning Policy Framework (NPPF), paragraph 14 of which states:

At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking:

For decision-taking this means unless material considerations indicate otherwise:

- *Approving development proposals that accord with the development plan without delay; and*
- *Where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless any adverse impacts of doing so would significantly or demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in (the) Framework indicate development should be restricted.*

7.4 Consideration should also be given to paragraph 17 (Core Planning Principles) and section 4 (Promoting Sustainable Transport) of the National Planning Policy Framework (March 2012).

Other Local Policy and Guidance

7.5 The aims and objectives of the Chichester in Partnership Community Strategy 2016-2029 which are relevant and material to the determination of this planning application are:

- Promote and increase sustainable, environmentally friendly initiatives in the district

8.0 Planning Comments

8.1 The main issues arising from this proposal are:

- i) Principle of Development;
- ii) Heritage

i) Principle of Development

8.2 Policy 39 (Transport, Accessibility and Parking) supports development that provides necessary improvements to transport networks. Policy 39 requires development to minimise additional traffic generation and movement and should not create or add to problems of safety, congestion, air pollution or other damage to the environment. Policy 39 encourages development that can be assessed by sustainable modes of transport, in part, through the creation of links between new development and existing pedestrian, cycle and public transport networks.

8.3 The application proposals seek to improve the direct and free flow of pedestrian and bicycle traffic from the northern strategic development location of Graylingwell to the City Centre of Chichester. Further, the proposals would minimise current localised issues of pedestrian conflicts on the pavement junction on the corner of Franklin place by opening up pedestrian visibility splays. The redirected routes would provide a clearer, more distinct direction for pedestrian traffic to follow which makes sustainable transport routes both legible and safe.

8.4 Whilst the predominant users of the footpath comprise pedestrian and bicycle users, the re-routed pavement would be of particular benefit to wheelchair users and those encumbered by pushchairs or otherwise in need of a wider path. The proposals would improve access routes by providing direct, safe and sufficient access into the City Centre.

8.5 In light of the above, the development accords with the contents of Policy 39 (Transport, Accessibility and Parking) of the Chichester District Council Local Plan Key Policies (2014-2029) and is considered to be acceptable in policy terms, subject to consideration of any other material considerations.

ii) Heritage

8.6 The application site is within the Chichester Conservation Area and is adjacent on its southern western sides to the listed heritage assets of Franklin Place and the City Walls. Policy 47 (Heritage and Design) of the Chichester District Council Local Plan Key Policies (2014-2029) requires development to conserve and enhance the architectural and/or historical significance of designated heritage assets.

8.7 The Chichester Conservation Area Character Appraisal (CACA) identifies “poor quality pedestrian environment in places, particularly paving and street lighting” as a public realm issue within this area. The CACA also notes that the landscaping and surfacing materials within the vicinity of Oaklands Way would benefit from improvement. The proposal would address these issues by providing improved pedestrian access, an additional area of planting, and would retain the current level of street lighting by more suitably siting a lamp-post which currently sits within the existing narrow pathway. It is therefore considered that the proposal would conserve or enhance the Conservation Area and the setting of the nearby listed heritage assets. The proposal is therefore considered to accord with Policy 47 (Heritage and Design) of the Chichester District Council Local Plan Key Policies (2014-2029).

Conclusion

Based on the above it is considered the proposal complies with the development plan policies and there are no material considerations which would indicate a decision otherwise than in accordance with the development plan. Therefore the application is recommended for approval.

Human Rights

In reaching this conclusion the Human Rights of the applicants and nearby occupiers have been taken into account when reaching this recommendation and it is concluded that the recommendation to permit is justified and proportionate.

RECOMMENDATION

PERMIT subject to the following conditions and informatives:-

1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2) **No development/works shall commence** until a schedule of works has been submitted to and approved by the Local Planning Authority, in writing, showing the points of closure of the public footpath and areas of redirection, throughout the construction period. Once agreed with the Local Planning Authority in writing, the development shall be undertaken in accordance with these details.

Reason: To ensure safe and sufficient access for users of the footpath.

INFORMATIVES

1) The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

For further information on this application please contact James Cross.