

# Public Document Pack

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A meeting of **Planning Committee** will be held in virtually on **Wednesday 31 March 2021** at **9.30 am**

MEMBERS: Mrs C Purnell (Chairman), Rev J H Bowden (Vice-Chairman), Mr G Barrett, Mr R Briscoe, Mrs J Fowler, Mrs D Johnson, Mr G McAra, Mr S Oakley, Mr R Plowman, Mr H Potter, Mr D Rodgers, Mrs S Sharp and Mr P Wilding

## SUPPLEMENT TO AGENDA

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## Agenda Update Sheet

Planning Committee  
Wednesday 31 March 2021

**ITEM: 5**

**APPLICATION NO: TG/20/02893/OUT**

**Further response from Natural England dated 26 March 2021** – confirming that it agrees with the Council's submitted Habitats Regulations Assessment (HRA).

### **Habitats Regulations Assessment**

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that **we concur** with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given.

### **Additional representation from Boxgrove Parish Council, dated 24 March 2021**

[Officer note: On 29 March the applicant provided a direct response to the matters raised by the Parish Council and the applicant's response is provided in *[italics]*, below]

We note that the WSCC S106 response says that off-site junction mitigation measures will be evaluated in the light of actual impact, as measured during the period of construction, with no decision as to what form, if any, those measures will take. There are only three off site junctions where it is proposed to monitor traffic movements, A285/Roman Rd, A285/New Road and Shopwhyke/Drayton Lane/Tangmere Rd. We feel strongly that traffic monitoring should include The Street, Boxgrove since this is used as a rat run from Tangmere to the A285. *[The three junctions which are subject to monitoring all have agreed mitigation proposals (drawings JNY9716-SK043, SK044 & SK045) presented and the S106 monitoring will determine if and when these mitigation measures are required. The agreed development area of influence includes the three junctions referenced and the results of detailed junction capacity modelling indicates that mitigation measures will be required to address the development impact at these locations. There are no other alternative mitigation proposals offered by the applicant, although the suggested draft S106 clause includes for the provision for WSCC to receive a contribution to deliver alternative mitigation measures. With regards the suggestion that The Street should be*

*included in the monitoring scheme, this is not considered to be part of the SDL development's area of influence and there is no evidence to suggest that traffic to or from the SDL would make use of this route. This has been confirmed through discussions with WSCC who have agreed the development's area of influence and the outcome of the Transport Assessment. For these reasons the offer of traffic monitoring is limited to the three junctions identified in the S106 draft as requested by WSCC.]*

Also, the proposal is to commence monitoring after 300 houses are occupied, which is also when the link Road to Temple Bar has to be completed. We therefore respectfully request that the Halnaker crossroads, at the northern end of The Street, be included in the off-site junction monitoring and that monitoring must start prior to any occupation, otherwise any traffic generated by the first 300 dwellings would not be included. *[As per the previous comment, the development has been determined to have a negligible impact at the Halnaker Crossroads junction through the Transport Assessment, and this is outside of the agreed area of influence (agreed with WSCC). A mitigation scheme is therefore not required to be considered at this location and as such monitoring would serve no purpose. This is confirmed by WSCC in their submissions and accordingly a junction monitoring regime is unnecessary and is not offered by the applicant.]*

Should traffic monitoring show that the A285/New Road need improving then Boxgrove PC would favour a roundabout. *[The implementation of a traffic signal junction provides the necessary mitigation during the AM and PM peak traffic periods and has been accepted by WSCC as being the most appropriate deliverable proposal. The agreed mitigation scheme is shown on drawing JNY9716-SK044.]*

Before and post construction traffic monitoring, for speed and flow, should include The Street, Redvins Road, New Road as well as the A285 and measures taken to eliminate in appropriate rat running through The Street and Redvins Road. *[It has been agreed with CDC and WSCC that all construction access to the development site will be from the A27(T) at the Temple Bar junction and accordingly there is no prospect of construction traffic using the routes indicated. This will be confirmed in a subsequent Construction Traffic Management Plan (CTMP) which will advise construction traffic of all appropriate routes to the development site. As per my previous response, the development is predicted to have no material impact on The Street and accordingly no traffic speed or flow monitoring is required or offered.]*

Regarding public transport. We note the commitment to provide a frequent and direct service between Tangmere and Chichester and Stagecoach talk about expanding the service to serve Shopwhyke Lakes and to utilise the planned bus priority at the Oving crossroads. Any new service to service the proposed development must compliment and not detract from the existing Route 55 service that serves Boxgrove and Halnaker. We insist that the existing level of service is maintained to Boxgrove and Halnaker and that the Boxgrove Parish Council be involved in any consultation regarding proposed changes to the bus service. *[This is not a matter for the Tangmere SDL applicant to address as the current service 55 is operated on a fully commercial basis by Stagecoach and they are responsible for determining the timetable and routing. The applicant has provided details of how the existing service 55 can be extended to the SDL site in addition to its current routing and is committed to funding bus access to the development. The future level of service to Boxgrove and Halnaker are matters for Stagecoach and the applicant has no control over this.]*

We are concerned that construction traffic will inappropriately use The Street through Boxgrove unless it is stated clearly in the Construction Management Plan that construction traffic is prohibited from using The Street. *[As mentioned in a previous comment, it is difficult to see a situation where construction traffic would use The Street as it is provided with direct access to the site from the A27(T) Temple Bar junction during all stages of the project. However, this will be made clear in a CTMP as previously indicated]*

We welcome the proposed expansion of the Walking/cycle network connecting Tangmere and Chichester but ask that consideration be given to also providing funding to develop safe routes connecting Tangmere and the South Downs National Park. *[A sum of money equivalent to that identified in the CDC Infrastructure Delivery Plan is being made available for cycle improvements, and it is a matter for WSCC and CDC to determine how this should be apportioned in accordance with their respective policies and strategy.]*

### **Representation from Lavant Parish Council, dated 29 March 2021**

Lavant is a Parish which will be effected by this development because there will be in additional 2600 cars using surrounding roads. Those roads located closest to Tangmere will be most seriously at risk. New Rd and Fordwater Rd. must be considered in this category. The transport plan for WSCC and the out of date CDC local plan both investigated the effects on minor roads if no upgrade of the A27 was done. When the opportunity presented itself both authorities made knee jerk reactions and advanced alternative policies (contrary to their published policies) so it can come as no surprise that the minor roads have been affected. New Rd and Fordwater Rd. have recorded over 400 cars per hour (in one direction; data from police certified Lavant Speed Watch team), which is a traffic density equal to a single carriageway on the A27! The construction of these roads is a cart track with bitumen surface dressing and it breaks down every 9 months. Today we are waiting for repairs to be made but we are told that there is no money until the new financial year. The road is maintained to a third world standard. The impatience of the traffic is visible as more off road passing is attempted and verges are broken down. This in turn brings more silt onto the road which blocks drains and hence the road floods. We can then turn our attention to Pook Lane bridge which was never designed to take this traffic density. There is a width restriction order on these roads but the police have no manpower to enforce this regulation. The hope is the community will act as a police enforcement arm.

The time has come to reflect on the reality of the situation and that is the A27 will not be upgraded for another 20 years as a minimum. Traffic will continue to grow on minor roads and a traffic flow plan has to be created. There should be no through traffic in East Lavant and traffic should be routed past the race course to the Midhurst rd. (A286). Traffic flow barriers should be built into Fordwater Rd to emphasis the single lane character of this road and priority given to outgoing cars. They should be built into Pook lane at the eastern end of the village as traffic diversions implemented by WSCC when Fordwater rd. is closed successfully diverts traffic to the Kennels and then turn rt. along Pook Lane. (Yes this is the reality of the situation!!) This traffic diversion has not happened once but on several occasions and each time residents loose wing mirrors (£600/mirror minimum repair bill) as traffic forces its way through narrow openings. The traffic scheme needs to be properly engineered so traffic flow is forced over the top to the A286.

The new world order is that District and County councils have less money and therefore ask more from a Parish. In turn we wish to see that some of our problems are recognised and solutions implemented. The tick box exercise of asking for opinions does not strengthen the respect people have for local authorities. If you build your houses you cannot ignore the traffic congestion.

**Further information from applicant (30 March 2021)** – agreement to fund 2 cycle improvement studies, in addition to the already offered contribution of £630,000  
*[Summarised]*

We recognise the importance of improved cycle connectivity between the TSDL and Chichester, and as you know we have invested considerable time and resources to date into exploring potential off-site improvements with WSCC, the Parish Council and the local cycling forum.

The proposed approach is therefore acceptable in principle, and we can agree to fund the two studies requested by WSCC, separate to the financial contribution of £630,000, provided it is agreed by CDC and WSCC that, if WSCC request that Countryside implements any physical improvement works resulting from either study directly, then the cost of such works will be offset against the £630,000 contribution to avoid double counting.

**Minor alteration to paragraph 8.59 of the report (“up to” deleted in first sentence)**

8.59 Policy 18 allocates the site for 1,000 new dwellings, but emerging Policy AL14 recognises the potential of the site to satisfactorily accommodate a higher number of dwellings and consequently proposes a minimum of 1,300 dwellings on the site.

**Additions to the Heads of Terms for a Section 106 Agreement in paragraph 8.214**

- **Community Buildings** – In relation to the two alternative locations shown on the Land Use Parameter Plan referred to above, any expansion of the village centre facilities includes the option of expanding the existing Tangmere Community Centre, up to a total of 1,100m<sup>2</sup> of floorspace.
- **Public Transport** - Footway and bus stop provision, given the possibility of the current Gamecock Terrace stop being moved onto Tangmere Rd.
- **Direct Highway Works** – The provision of a cycleway and footpath link from the proposed principal recreational cycleway to the site boundary, in order to enable an extension of the route to Nettleton Avenue.
- **Off-site Highway works and contributions** – Amendment to the third bullet point.

*The installation of a scheme for a controlled pedestrian crossing point on Tangmere Road, in the vicinity of the Malcolm Road junction, to facilitate improved road safety.*

## Changes to recommended conditions:

- Addition to Condition 4 (Design Code) – Requirement for details of the provision of car and cycle parking and storage.
- Addition to recommended Condition 11 (CEMP) – Requirement for the provision of a Soil Resources Management Plan – *New criterion (u)*
- Update to recommended Condition 35 -

The proposal shall make provision for a footpath and cycle link from the proposed principal recreational cycleway to Church Lane, to the east. No foot or cycle access connection shall be made to Church Lane unless and until a scheme of footway improvements has been completed along Church Lane and uncontrolled crossing points across Tangmere Road in accordance with the details as indicatively shown on drawing JNY9716-SK058 Revision A.

Reason - In the interests of pedestrian safety.

- Update to recommended Condition 38 -

No more than 300 dwellings shall be occupied within the southern part of the site, which are served only by the two proposed access points from Tangmere Road.

Any dwelling that results in occupation above 300 dwelling units shall only be served by an alternative access from the north of the site. No more than 651 dwellings shall be occupied within the site unless and until the link road has been fully completed and is open to through traffic between Tangmere Road to the A27 Temple Bar Grade Separated Junction.

Reason: In the interests of highway safety.

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**ITEM: 6**

**APPLICATION NO: O/20/02471/FUL**

### **Amendment to Report**

Page 186 – deletion of ‘ - *Provision of a 3m wide off-site pedestrian/cycleway link to Oving Road in the north-west corner of the site*’ from the anticipated S.106 agreement heads of terms. This matter will be addressed by planning condition and condition 17 of the recommendation is amended accordingly.

### **Amendment to Condition**

Condition 17 on the recommendation is amended so that it shall now read:

**Before commencement of the development** the developer shall enter into a Section 278 Agreement with West Sussex County Council Highways Authority in respect of securing off-site highway improvement works for a Footway/Cycleway Link as shown on the Cole Easdon Consultants drawing number 6549/SK10 Rev D 'Proposed Footway/CyclewayLink' (or such other scheme of works substantially to the same effect). Before first occupation of the 115th dwelling on the development a detailed scheme of highway improvement works

shall be submitted to and be approved in writing by the Local Planning Authority in consultation with Highways England and West Sussex County Council Highways Authority.

Reason: To accord with the terms of the application and to provide a convenient and sustainable off-site connection to the existing pedestrian and cycle network and links to Chichester City in accordance with Policy 39 of the Chichester Local Plan: Key Policies 2014-2029.

The Section 106 agreement will define 'commencement of the development' as construction of the 44<sup>th</sup> dwelling on the site – the first 43 dwellings on the land being common to both the 100 dwelling permission currently being implemented and the current application for 143 dwellings.

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**ITEM: 7**

**APPLICATION NO: BI/20/02899/FUL**

**Addendum to report**

Recommendation should read: Recommendation to Permit