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A meeting of the **Planning Committee** will be held in the Committee Rooms, East Pallant House on **Thursday 25 May 2023 at 9.30 am**

MEMBERS: Mr R Bates, Mr D Betts, Mr R Briscoe, Mr J Brookes-Harmer, Ms B Burkhart, Mrs H Burton, Mr J Cross (Vice-Chairman), Mrs D Johnson, Mr S Johnson (Chairman), Mr H Potter, Ms S Quail, Mrs S Sharp and Mr C Todhunter

SUPPLEMENT TO AGENDA

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Agenda Update Sheet

**Planning Committee
Thursday 25.05.2023**

ITEM: 6

APPLICATION NO: 22/01178/DOM

COMMENT:

For clarification, the proposed annex accommodation, restricted to ancillary accommodation by Condition 9 does not constitute a separate unit of accommodation and therefore is not required to demonstrate nitrogen neutrality nor contribute towards the Bird Aware Scheme for Recreational Disturbance.

Additional condition:

It is recommended that the following condition is imposed:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) no external illumination shall be provided on the site other than in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the proposed location, level of luminance and design of the light including measures proposed to reduce light spill. Thereafter the lighting shall be maintained in accordance with the approved lighting scheme in perpetuity.

Reason: In the interests of protecting wildlife and the character of the area.

ITEM: 6

APPLICATION NO: 22/01501/REM

COMMENT:

WSSC Highways - Additional comment dated 16.05.2023 received following receipt of additional information

This is the WSSC Highways response to further information received in support of the above planning application for the approval of Reserved Matters for appearance, landscaping, layout and scale following Outline Planning Permission 14/01018/OUT - erection of class C2 assisted living/extra care accommodation with communal facilities and car parking.

Comments below solely respond to parking provision for the development and should be read alongside previous WSSC Highways response dated 15 March 2023.

Response.

Paul Basham Associates has again produced a report responding to the Local Councillors comments raised at the previous Planning Committee meeting. The summary of the committee decision was to defer until '*additional information relating to parking (parking management plan, visitor parking, parking space for medic/ambulance and evidence of whether other sites were in areas with controlled parking headroom in zone S, how far zone S stretches + provision for adapted bicycles)*' was provided.

1. Parking Provision and Visitor Parking + parking management plan

Paragraphs 2.1 – 2.8 of the Paul Basham report provides background information taken from other similar sites and explains why the provision of 40 parking spaces for the application site, the subject of this response, would be suitable.

The report concludes that based on the evidence provided based upon McCarthy Stone independent research utilising data from comparable sites to justify the parking ratio of 0.66 units (including 0.1 for visitor parking) and by utilising car ownership by age group data, this shows that a provision as low as 34 parking spaces could be suitable for the development or utilising parking data from the King's Place development, a parking provision as low as 16 could be suitable for the development. Therefore, 40 spaces should be sufficient for the scheme.

With regard to visitor parking, the applicant has said that 4 of the spaces can be classed as visitor parking spaces (if utilising the ratio 0.1) for the 61-unit development which the applicant deems sufficient as the total parking provision is provided on a higher ratio of 0.66 per unit in comparison to the mentioned site in Fleet.

In addition, although there are no specific parking spaces allocated for staff, the applicant does not expect that all of the residents will travel independently by car, thereby allowing for some spaces for staff. In addition, parking permits are allocated on an annual basis and therefore if necessary, a minimum of 8 spaces could be retained for staff use to ensure staff have space to park at the development site. As the site is within a CPZ, they say that staff will either have to secure a parking space at the development site or travel by alternative modes of travel.

Furthermore, a Travel Plan will be provided to staff to encourage them to utilise sustainable travel methods (walk, cycle and public transport) to reach the site. The purpose of the Travel Plan will be to promote sustainable travel methods to staff allowing them to understand the different methods of travel to work which are available to them.

2. Parking for medics/ambulance, deliveries and refuse collection.

Paragraphs 2.33 – 2.42 discuss servicing/ambulance/delivery Vehicle parking. As proposed, no specific provision is provided within the car park for this. Instead, all deliveries will take place within the parking area, blocking parking spaces. The report states that this will be managed by the site manager/staff at the development as all deliveries will be planned and therefore, it can be ensured that residents/visitors/staff are not blocked in while these deliveries take place. The report concludes that such arrangements are standard across McCarthy Stone developments.

With regard to refuse vehicle movements, the Highway Authority has sought clarification about what will be collected and from where. It is understood that food waste will be removed from within the car park using vehicles similar in size to box vans/delivery vans as previously tracked for the car parking and access. For general waste collection, this will take place from the street (Palmersfield Avenue) which has been discussed between the applicant and the refuse contractor.

For access by medics/ambulances, the applicant has said that staff/site managers will be aware of an ambulance and/or medic arriving. No provision has been provided for such a vehicle and it is proposed that any vehicle will block parking spaces while attending the site. This would be managed by staff/site managers. Again, it is stated that such an arrangement is standard across McCarthy Stone developments. Of course, in the event of an emergency, such vehicles could also legitimately use the public highway too.

Further data on the typical frequency of ad-hoc deliveries is not available for the respective operators. To provide certainty to the LHA, further analysis has been undertaken by Paul Basham Associates. The analysis has focused on potential instances of a car entering the site (and requiring access to a parking space) at the same time as a servicing vehicle being temporarily stationary in the aforementioned areas. The temporary obstruction of parking spaces whilst cars wish to exit parking spaces is not considered a significant issue as this would not result in cars waiting within parking aisles.

For the level of servicing vehicle 'Arrivals', trips rates derived from TRICS have been applied to the scheme, based on the TRICS outputs (Appendix E of the report).

The 'Arrivals' trip rates have then been applied to the development to establish the frequency at which servicing vehicles and cars/taxis require access. These calculations are set out within Table 1 below and within Appendix F of the report.

Time	Servicing Vehicles (arrivals)	Taxi (arrivals)	Total Vehicles
07:00-08:00	1	0	1
08:00-09:00	0	0	0
09:00-10:00	1	0	1
10:00-11:00	0	0	0
11:00-12:00	0	0	0
12:00-13:00	1	1	2
13:00-14:00	0	1	1
14:00-15:00	0	0	0
15:00-16:00	3	0	3

16:00-17:00	0	0	0
17:00-18:00	0	1	1
18:00-19:00	0	0	0
Total	6	3	9

Table 1

As shown in Table 1, the maximum delivery/servicing vehicles expected within an hour is 3, equating to one vehicle every 20 minutes between the hours of 15:00-16:00. However, the consultant states that as this is managed, there is unlikely to be more than one delivery/servicing vehicle within an hour at the proposed development. All other movements are expected to be a maximum of 1 per hour, with a maximum of 9 arrivals over a 12-hour period.

In addition, as shown within Appendix F of the report, the maximum number of vehicles entering the car park within an hour period is 6, equating to 1 every 10 minutes. Therefore, as movements are minimal, it is unlikely that there would be conflict between waiting vehicles occurring.

In all cases, the period of the temporary obstruction of the aforementioned parking spaces by servicing vehicles (no more than five minutes) would be less than the frequency of taxis accessing the car park.

The report concludes that as the obstruction of spaces would be managed by the house manager, conflicts would be minimal.

3. Impact on Controlled Parking Zone (CPZ) by development.

As stated in its previous response, the Highway Authority has examined the Controlled Parking Zone (CPZ) in the vicinity of the site - Zone 'S'. This zone has a capacity of 334 spaces and at the time of writing, 244 permits have been issued. Therefore, if WSCC were to provide (upon successful application) non-residential on-street CPZ permits or, indeed, residential permits, these would be road-specific and based on the current take-up of permits and should not cause unnecessary pressure in Zone 'S'.

4. Cycle/Buggy Storage Provision

As mentioned in the previous parking note, the proposed development will provide 14 buggy spaces. These spaces will be provided within a mobility scooter store located next to the entrance of the development.

The report states that McCarthy Stone research suggests that mobility buggy storage should be provided at 1 per 5 apartments. This would equate to 12 spaces. Therefore, the site is providing an excess of 2 spaces meaning 14 spaces is sufficient for a 61-unit RLP development.

In addition, cycle parking will be provided at 0.0289 spaces per apartment, equating to 2 spaces. This will also be accommodated within the mobility scooter store.

Furthermore, visitor and staff cycle parking spaces will be located outside the Estate Managers office and stairwell, as shown within Appendix C in the report. There will be the provision of 3 Sheffield Cycle Stands which can accommodate up to 6 bikes.

Cycle parking for electric bikes will be available within the mobility scooter store, with a charging point provided. Bicycles are stored/parked in the same way as “traditional” cycles. Although electric bicycles have a slightly wider frame than conventional bicycles, neither are of course wider than their respective handlebars. Therefore, no special storage/parking is required for electric bicycles.

With regard to adapted/adaptive bicycles, the Highway Authority has discussed this directly with the consultants. They have informed the author that the store is over 36sqm and capable of accommodating 14 mobility buggies as-per the proposed plan. As would be expected, adaptive bikes come in all shapes and sizes and are uncommon, which makes designing for the rare occurrence that one is required potentially difficult. That said, the consultant has undertaken some scrutiny of possible adapted/adaptive bikes that might be more popular (trikes) and is of the view that hand-cycles, recumbents etc would not be suitable for the retirement living residents. Additionally, there is very little commonality in design or indeed dimensional specifications, and many manufacturers don't provide overall dimensions (rather wheel size, frame length etc) but a fair example of the 'Large Adaptive Trike' is generally 1.65m in length, 800m wide and so would fit comfortably down the left-hand side of the store and is only modestly larger than the mobility scooters shown.

Conclusion.

Based on the additional information provided by the applicants and their agents about parking, deliveries, impact on CPZ and adaptive cycle parking for the proposed development, the Highway Authority raises 'No Objection' to the proposal.

ITEM: 7

APPLICATION NO: 22/02298/FUL

COMMENT:

Officer comment providing further detail regarding nitrate neutrality:

The application scheme would not result in a net increase in the number of dwellings compared to the approved schemes.

The application proposes to use the agreed nitrates mitigation scheme for application 22/00017/FUL, which was a scheme to take an area of land in Stoughton, West Marden, in lowland grazing use out of production and planted to woodland. An area of land 0.21ha would be planted to broadleaf trees at a density equivalent to 100 per hectare for perpetuity (80-125 years). This was secured through a s106 agreement. This mitigation would be secured on the current application if permitted through a deed of variation. Natural England have raised no objection to the proposals.

One additional third party objection has been received concerning:

- a) Overlooking and light pollution from the increased number of windows since the original scheme was permitted.
- b) The loss of screening and vegetation that has occurred
- c) The proposed 12-14ft laurels in the revised landscaping scheme have not been planted.
- d) Requesting assurance of conditions placed around the landscaping and screening of boundaries in the future

Amendment to condition 6 (page 70):

No dwelling shall be occupied until the hard and soft landscaping has been provided in complete accordance with the details specified on drawing 1195/Figure3 Rev 03. The works shall be carried out in accordance with the approved details and planting timetable and in accordance with the recommendations of the appropriate British Standards or other recognised codes of good practice. Any trees or plants which, ~~within a period of 5 years after planting,~~ are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity and of the environment of the development.

ITEM: 8

APPLICATION NO: CC/22/03201/LBC

COMMENT:

This item has been withdrawn from the agenda.

ITEM: 9

APPLICATION NO: 22/00406/FUL

COMMENT:

Southbourne Parish Council:

Members agreed that the Committee's original comments still stand:

Councillors unanimously agreed to object to this planning application. Members felt that, although they could see some improvements to the design including an improved sewage system, the re siting of one caravan and additional planting they felt that the design did not go far enough and objected on the grounds of; The plan does not adequately protect

wildlife, particularly given the significance of the site being within a wildlife corridor. – The plan does not sufficiently address issues with drainage and surface water. – Location, the proposed site of the development is too far to the southeast, it would be better placed closer to the road and the other sites that are already positioned there. – The application is contrary to the neighbourhood plan. No travellers' sites had been requested as part of the neighbourhood plan process despite there being opportunity to do so.

Members further agreed to add that they were disappointed to see that this site is being reconsidered given that the planning authority had refused this application and the Decision notice was posted in February 2022. Members wished to comment that the recent officer recommendation to permit appears to be based on policy which is not yet made and is contrary to their initial officer recommendation and to current, existing policy.

ITEM: 13

APPLICATION NO: 22/01283/FULEIA

APPEAL REF: APP/L3815/W/23/3318548

Updated Recommendation

That the Planning Committee:

- i) notes the information within the report, and
- ii) to contest the appeal APP/L3815/W/23/3318548, only in respect of:

A27 highway contribution

- In the scenario where the appellant's recently submitted viability information is not agreed by the Council's appointed Independent advisors that the appeal is defended on the grounds of a lack of financial contribution of the scale envisaged in the draft Policy T1 of the Local Plan 2021-2039: Proposed Submission to enable the Council to secure the identified A27 highways improvements
- In the scenario where the appellant's recently submitted viability information is agreed by the Council's appointed Independent advisors, the S106 Agreement is negotiated on the basis of a financial contribution towards the coordinated package of highway works on the A27 Chichester bypass, in accordance with the formula set out in the Chichester Local Plan 2021-2039: Proposed Submission (Regulation 19) calculated at the time of granting any permission. The current estimate is £788,256 (102 (net increase) x £7,728 per dwelling) and a reduced on-site affordable housing provision of no less than 20% affordable housing (21 dwellings)

S106 Obligation

- Lack of infrastructure provision (affordable housing, nitrate mitigation land, recreation disturbance mitigation, public open space, allotments and community orchard, ecological buffer to the Ham Brook, a public right of way contribution and travel plan monitoring) until a S106 Legal Agreement is agreed

Nitrates

- ~~Impact upon Chichester Harbour and Solent Maritime SPAs from discharge of nitrates unless the LPA, in consultation with Natural England, is satisfied that the development would be nutrient neutral~~

Nitrates

The Appellant has provided a plan confirming the exact position of the parcel of mitigation land to be used. The updated plan identifies 3.42ha of mitigation land within the wider parcel shown in the submitted Nutrient Balancing Assessment (May 2023). The Council's Environmental Strategy Unit have reviewed the revised assessment and are satisfied that the revised nitrate calculations are acceptable. Subject to the Inspector, as competent authority, carrying out their own separate Habitats Regulation Assessment and the proposal passing an Appropriate Assessment, together with securing the agreed nitrate mitigation and its long-term management and monitoring under the S106 Agreement, it is the view of Officers that this would result in the scheme being nitrate neutral.

In light of the above, the third bullet point of the Recommendation at 2.1 of the Committee Report has been satisfied subject to the above. Note that nitrate mitigation land is still required to be secured via S106.

Sustainability

The Council's Environmental Strategy Unit have reviewed the updated Sustainability Assessment (May 2023) and consider the proposals to be reasonable. The Appellant has also confirmed that every dwelling would be provided with an EV charging point and they would be willing to accept a condition to that effect. A condition is also recommended to secure final details of the sustainable measures.

Viability

The Appellant has just provided viability evidence and the Council is in the process of having this independently verified. This viability evidence sets out the following:

- Evidence that the Appellant believes the development can pay the required A27 highway contribution but only on the basis of a reduced affordable housing contribution – reducing it from 30% on site to 20% on site
- Requesting the A27 highway contribution is paid on the occupation of the 56th dwelling
- In the event that the formula for the A27 highway contribution as set out in Chichester Local Plan 2021-2039 Proposed Submission (Regulation 19) is deemed not to comply with the Regulation 122 Test at the Local Plan examination then the A27 mitigation contribution shall revert to that set out in the adopted Affordable Housing and Planning Obligations SPD and the affordable housing provision will be provided by way of 20% on site provision and 10% as a commuted sum.

At this stage, the drafting of the S106 agreement is ongoing.

In relation to the first bullet point above – as set out in the recommendation above Officers consider this reasonable, subject to the findings of the Council's Independent advisors.

In relation to the second bullet point above - Officers do not think it is reasonable for the first payment of the A27 highway contribution to be paid at occupation of the 56th dwelling, as proposed by the Appellant. Officers will be requiring half the contribution on commencement of the development and half following occupation of the 52nd dwelling (i.e. half way through the residential development).

In relation to the third bullet point above – the position of the Council is that the A27 highway contribution calculated via the formula set out in Chichester Local Plan 2021-2039 Proposed Submission (Regulation 19) is necessary to pay for essential infrastructure to support housing. Officers do not agree with the appellant that this level of funding rests on the outcome of the Chichester Local Plan 2021-2039 Proposed Submission (Regulation 19). Without the scale of funding proposed the Council will be unable to secure sufficient funding for the requisite improvements to the A27 necessary to enable the delivery of the planned housing development. The Council will therefore not be able to agree a S106 Agreement that includes a clause allowing for a reduced payment on the basis of the outcome of the Chichester Local Plan 2021-2039 Proposed Submission (Regulation 19). In addition the Council will not accept a commuted sum in lieu of on-site affordable housing.

Correction

At paragraph 4.12 this should read 'refuge' not 'refuse'.

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