

# Public Document Pack

## **JOHN WARD**

Director of Corporate Services

Contact: Fiona Baker on 01243 534609

Email: fbaker@chichester.gov.uk

East Pallant House

1 East Pallant

Chichester

West Sussex

PO19 1TY

Tel: 01243 785166

www.chichester.gov.uk



A meeting of **Planning Committee** will be held in the Committee Rooms, East Pallant House on **Wednesday 6 December 2023 at 9.30 am**

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

## SUPPLEMENT TO AGENDA

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## Agenda Update Sheet

Wednesday 6 December 2023

**ITEM: 9****APPLICATION NO: BO/22/02446/FUL****COMMENT:**Additional RepresentationChichester Harbour Conservancy (CHC)

The CHC has provided an opinion from an Agri-Environment Consultant:

1) Is there any necessity for the proposed small agricultural barn to be located at the exact proposed site?

Because the fields are small, they will not require either high numbers of livestock or alternatively grazing for a long period so I would have thought animals could be managed within a temporary handling area on the fields or moved to an existing area of hard standing. Forage could be stored here or left in a temporary stack in-field if animals are grazing into the autumn.

2) Is there any reason why the small agricultural barn could not be located within the curtilage of the existing farm buildings?

Given the fields are in close proximity to the main farmstead I cannot see why this wouldn't be possible whilst still supporting the needs of the grazier who will be conserving the grassland.

3) Alternatively, could hay simply be safely wrapped and stored on the land, without the need for a small agricultural barn?

Round baled hay (dried grass) can be stored outside in single lines without wrapping as the tightly bound exterior does shed rainwater. Alternatively, both cattle and

sheep can eat well-made silage and haylage where wrapping is essential to achieving anaerobic preservation of the still green grass and this makes the bales water tight. The answer to your question is therefore yes if the future management requires the livestock keeper to be supplementary feeding in the autumn.

#### Two Additional Third-Party Objection

- The grassland would lend itself to receive agricultural and environmental subsidy schemes
- The site doesn't lie within the Chichester Harbour SSSI nor a Priority Habitat
- No compelling reason why Natural England would insist it should be grazed, which is central justification for the barn.
- Funding schemes are administered by the Rural Payments Agency which doesn't require Natural England input outside of SSSI.
- Insufficient information to presented to demonstrate a genuine agricultural need
- The applicants should first produce hay before seeking a barn
- The possibility of other storage has not been properly interrogated
- An agricultural consultant should assess need
- The site is not suitable for intensive use
- The building is oversized

#### Additional comments from applicant/agent

The applicant has provided additional supporting information/comments summarised below:

- The Entire Farm is in an AONB. To re-site the barn elsewhere brings no land classification change but would leave the Application land to degenerate.
- The small Barn has no impact on the harbour as it is not seen from the harbour nor
- any public foot paths.
- The barn is not with in the sight lines of Hook Farm House
- The extension at Hook Creek (19/01898/DOM) the harbour conservancy advised the extension would not be unduly prominent or harmful to the AONB.
- The barn will allow the farm to commit to its Stewardship fully

- Adequate justification has been provided
  - Old Park Farm grew the “equivalent” of wheat for 78,000 loaves of bread.
  - In line with the values at Old Park Farm this initiative is the most ecologically friendly use of the block of land that forms part of Old Park Farm
  - Enriching the biodiversity of this block is the foremost objective
  - It will reduce vehicle movements on the farm
  - The Green Barn is set too far away
  - Efficiencies must be made, and the farm and the farm has always prioritised a barn in this area
- 

**ITEM: 13**

**APPLICATION NO: Planning Appeal APP/L3815/W/23/3332866  
(O/23/00188/FUL)**

**COMMENT:**

Consultee comment

Financial viability consultant (Dixon Searle Partnership (DSP)) for CDC

[Additional views received 4 December 2023 in advance of DSP’s further formal comments]

You will recall that our June 2023 review report indicated that the 0% AH scheme produced a surplus of £361,389. This was when including an allowance of £1,043,652 for CIL, utilising a profit level of 17.5% GDV for the market homes and 15% GDV on the commercial element and based upon the appellant’s submitted build costs assumptions available at the time. We also noted that when undertaking sensitivity testing using the submitted assumptions in relation to the commercial unit, the 0% AH scheme produced a deficit of -£34,720. We went on to say that although the scheme appeared marginal, therefore, a nil AH outcome did not appear to be justified at that stage.

We have been reviewing the appellant’s comments as contained within the appeal statement of case and we have been undertaking sensitivity testing, all as agreed.

While DSP's lower BLV assumption of £300,000 appears to be agreed, DSP's higher rental assumption on the commercial element does not. Also, the appellant's statement of case states since the original viability submission in December 2022, the construction costs have increased and a revised cost estimate of £15,113,285 has been provided (an increase from £14,675,555 i.e., approximate increase of £440,000).

DSP has commissioned Martin Warren Associates to review the revised cost estimate, and, in their opinion now available, the submitted costs appear to have been understated i.e., the works costs could potentially be higher than submitted.

You have advised that, in addition to CIL (currently included at £1,043), the scheme would be required to make S106 contributions totalling £510,955. Before considering the increase in the submitted build costs, in carrying out a straightforward calculation (rather than looking at these additional contributions through the appraisal) the S106 contributions would indicate a deficit of c. -£150,000, when deducting the S106 contributions from the identified surplus (0% AH scheme).

On this basis, I am afraid that when also factoring in the higher submitted build costs even with DSP's higher GDV assumption for the commercial element (not agreed), the scheme remains marginal. When going further and including the higher second opinion (MWA review) estimate on build costs, the scheme produces a deficit. Overall, therefore in our view this further review work is confirming / further emphasising this as a marginal prospect, with the scheme now appearing unlikely to be able to support even a small contribution towards AH.

I will carry on with our formal comments and sensitivity testing with the aim of getting our final comments over to you within the next couple of days but with the upcoming committee I wanted to provide you with this latest update at the earliest opportunity as it looks to be directly relevant to whether viability can realistically be taken any further on this one.

### Planning Assessment

#### *Amendment to ground to contest the appeal 1*

The appeal proposal would result in a high density of development on the site. Whilst high density in of itself is not necessarily problematic given that the Shopwyke Lakes masterplan envisaged a mix of 3-4 storey buildings in this location as part of the Neighbourhood Centre, the appeal proposals would result in a density of approximately 147 dwellings per hectare (dph) which is considered very high given that the Council's benchmark density on most greenfield and brownfield sites is 35

dph. The proposals are for only 1 and 2 bed flats which elevates the density figure but what it also does is result in a development which is unacceptable in planning terms because it cannot provide the type of infrastructure that a development of this size would ordinarily be required to deliver. Hence, on the site itself there is no play space and an insufficient amount of public amenity space. In not providing these key elements on the site and relying in this regard on the provision already made by the permitted development at Shopwyke Lakes, the appeal proposals strongly suggest that there is too much development being proposed. In that regard officers recommend that 'over development' of the site is added to bullet point 1 in the recommendation.

*Amendment to ground 2 to contest the appeal*

The additional sensitivity testing carried out by DSP for the Council, as set out above, strongly suggests that the scheme to be considered at appeal is at best marginal in terms of its ability to deliver any affordable housing contribution. Whilst it is possible that an alternative proposal for residential development on the site with a different number and mix of housing might produce a different viability outcome, that is not a matter which the Inspector for this appeal is bound or required to consider. The inspector can only consider the evidence which relates to the specific proposal at appeal. Officers' advice to the Committee therefore in light of the additional work carried out by DSP is that it would be difficult to substantiate defending an appeal on the grounds that the proposals are not delivering any affordable housing. The recommendation is therefore varied insofar as the lack of affordable housing provision identified in bullet point 2 in the report is not taken forward as a ground on which to contest the appeal.

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