

Public Document Pack

JOHN WARD

Director of Corporate Services

Contact: Democratic Services

Email: democraticservices@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 Committee Rooms - East Pallant House on **Wednesday 8 January 2020 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 H Potter, Mr D Rodgers, Mrs S Sharp, Mr A Sutton and Mr P Wilding

AGENDA

1 **Chairman's Announcements**

Any apologies for absence which have been received will be noted at this stage.

The Planning Committee will be informed at this point in the meeting of any planning applications which have been deferred or withdrawn and so will not be discussed and determined at this meeting.

2 **Approval of Minutes** (Pages 1 - 11)

The minutes relate to the meeting of the Planning Committee on 4 December 2019.

3 **Urgent Items**

The chairman will announce any urgent items that due to special circumstances will be dealt with under agenda item 16.

4 **Declarations of Interests** (Pages 13 - 14)

Details of members' personal interests arising from their membership of parish councils or West Sussex County Council or from their being Chichester District Council or West Sussex County Council appointees to outside organisations or members of outside bodies or from being employees of such organisations or bodies.

Such interests are hereby disclosed by each member in respect of agenda items in the schedule of planning applications where the Council or outside body concerned has been consulted in respect of that particular item or application.

Declarations of disclosable pecuniary interests, personal interests and prejudicial interests are to be made by members of the Planning Committee in respect of matters on the agenda or this meeting.

PLANNING APPLICATIONS - AGENDA ITEMS 5 TO 10 INCLUSIVE
Section 5 of the Notes at the end of the agenda front sheets has a table showing how planning applications are referenced.

- 5 **CC/19/02337/FUL - St Pancras Court, Flat 10 St Pancras, Chichester, PO19 7LU** (Pages 15 - 25)
Refurbishment works to the existing residential unit
- 6 **CC/19/02446/ADV & CC/19/02447/LBC - 65 East Street Chichester PO19 1HL** (Pages 27 - 36)
1 no. Fascia sign and 1 no. non-illuminated Perspex pod. Installation of new signage.
- 7 **CC/19/02462/ADV - 72-73 South Street Chichester PO19 1EE** (Pages 37 - 43)
1 no. non-illuminated fascia sign.
- 8 **CC/19/02609/LBC - South House, University of Chichester Bishop Otter Campus** (Pages 45 - 54)
Replacement and refurbishment of existing degraded timber sash windows to match existing.
- 9 **FU/19/02514/FUL - Greenlands Farm Buildings on Land Adjacent to Greenlands** (Pages 55 - 70)
Demolition of existing store and ancillary office building and replacement with 3 bedroom bungalow with associated drive way, foul water treatment plant, PV Roof panels and Air Source Heating Unit.
- 10 **WR/19/02700/DOM and WR/19/02700/DOM - Albion House, Petworth Road, Wisborough Green, RH14 0BH** (Pages 71 - 80)
Construction of single storey side/rear extension.
- 11 **Masterplan for Tangmere proposing a mixed use development comprising up to 1,300 dwellings and supporting development.** (Pages 81 - 139)
The Committee is requested to endorse the broad approach proposed for the development of the Tangmere Strategic Development Location (SDL) as set out in the draft Masterplan dated November 2019.
- 12 **Update on West of Chichester** (Pages 141 - 145)
The Committee is requested to note the content of the report.
- 13 **CDC Guidance Note on Class Q Prior Approval** (Pages 147 - 160)
The Planning Committee is asked to consider for consultation the Guidance Note on Class Q Prior Approvals (Change of use from agricultural to residential), which is appended to the report.
- 14 **Chichester District Council, Schedule of Planning Appeals, Court and Policy Matters, Between 20 November 2019 and 10 December 2019** (Pages 161 - 167)
The Planning Committee will consider the monthly schedule updating the position with regard to planning appeals, litigation and recent planning policy publications or pronouncements.
- 15 **South Downs National Park, Schedule of Planning Appeals, Court and Policy Matters, Between 20 November 2019 and 10 December 2019** (Pages 169 - 174)
The Planning Committee will consider the monthly schedule updating the position with regards to planning appeals, litigation and recent planning policy publications or pronouncements.
- 16 **Consideration of any late items as follows:**
The Planning Committee will consider any late items announced by the Chairman at the start of this meeting as follows:
- a) Items added to the agenda papers and made available for public inspection
 - b) Items which the chairman has agreed should be taken as matters of

urgency by reason of special circumstances to be reported at the meeting

17 Exclusion of the Press and Public

There are no restricted items for consideration.

NOTES

1. The press and public may be excluded from the meeting during any item of business whenever it is likely that there would be disclosure of exempt information as defined in section 100I of and Schedule 12A to the Local Government Act 1972
2. The press and public may view the agenda papers on Chichester District Council's website at [Chichester District Council - Minutes, agendas and reports](#) unless these are exempt items.
3. This meeting will be audio recorded and the recording will be retained in accordance with the council's information and data policies. If a member of the public makes a representation to the meeting they will be deemed to have consented to being audio recorded. By entering the committee room they are also consenting to being audio recorded. If members of the public have any queries regarding the audio recording of this meeting please liaise with the contact for this meeting detailed on the front of this agenda.
4. Subject to the provisions allowing the exclusion of the press and public, the photographing, filming or recording of this meeting from the public seating area is permitted. To assist with the management of the meeting, anyone wishing to do this is asked to inform the chairman of the meeting of his or her intentions before the meeting starts. The use of mobile devices for access to social media is permitted but these should be switched to silent for the duration of the meeting. Those undertaking such activities must do so discreetly and not disrupt the meeting, for example by oral commentary, excessive noise, distracting movement or flash photography. Filming of children, vulnerable adults or members of the audience who object should be avoided. [Standing Order 11.3 in the Constitution of Chichester District Council]
5. How applications are referenced:
 - a) First 2 Digits = Parish
 - b) Next 2 Digits = Year
 - c) Next 5 Digits = Application Number
 - d) Final Letters = Application Type

Application Type

ADV Advert Application
AGR Agricultural Application (following PNO)
CMA County Matter Application (eg Minerals)
CAC Conservation Area Consent
COU Change of Use
CPO Consultation with County Planning (REG3)
DEM Demolition Application
DOM Domestic Application (Householder)
ELD Existing Lawful Development
FUL Full Application
GVT Government Department Application
HSC Hazardous Substance Consent
LBC Listed Building Consent
OHL Overhead Electricity Line
OUT Outline Application
PLD Proposed Lawful Development
PNO Prior Notification (Agr, Dem, Tel)
REG3 District Application – Reg 3
REG4 District Application – Reg 4
REM Approval of Reserved Matters

Committee report changes appear in bold text. Application Status

ALLOW Appeal Allowed
APP Appeal in Progress
APPRET Invalid Application Returned
APPWDN Appeal Withdrawn
BCO Building Work Complete
BST Building Work Started
CLOSED Case Closed
CRTACT Court Action Agreed
CRTDEC Hearing Decision Made
CSS Called in by Secretary of State
DEC Decided
DECDET Decline to determine
DEFCH Defer – Chairman
DISMIS Appeal Dismissed
HOLD Application Clock Stopped
INV Application Invalid on Receipt
LEG Defer – Legal Agreement
LIC Licence Issued
NFA No Further Action

REN Renewal (of Temporary Permission)
TCA Tree in Conservation Area
TEL Telecommunication Application (After PNO)
TPA Works to tree subject of a TPO
CONACC Accesses
CONADV Adverts
CONAGR Agricultural
CONBC Breach of Conditions
CONCD Coastal
CONCMA County matters
CONCOM Commercial/Industrial/Business
CONDWE Unauthorised dwellings
CONENG Engineering operations
CONHDG Hedgerows
CONHH Householders
CONLB Listed Buildings
CONMHC Mobile homes / caravans
CONREC Recreation / sports
CONSH Stables / horses
CONT Trees
CONTEM Temporary uses – markets/shooting/motorbikes
CONTRV Travellers
CONWST Wasteland

NODEC No Decision
NONDET Never to be determined
NOOBJ No Objection
NOTICE Notice Issued
NOTPRO Not to Prepare a Tree Preservation Order
OBJ Objection
PCNENF PCN Served, Enforcement Pending
PCO Pending Consideration
PD Permitted Development
PDE Pending Decision
PER Application Permitted
PLNREC DC Application Submitted
PPNR Planning Permission Required S64
PPNREQ Planning Permission Not Required
REC Application Received
REF Application Refused
REVOKE Permission Revoked
S32 Section 32 Notice
SPLIT Split Decision
STPSRV Stop Notice Served
STPWTH Stop Notice Withdrawn
VAL Valid Application Received
WDN Application Withdrawn
YESTPO Prepare a Tree Preservation Order



Minutes of the meeting of the **Planning Committee** held in The Assembly Room - The Council House (Chichester City Council), North Street, Chichester on Wednesday 4 December 2019 at 9.30 am

Members Present: 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 H Potter, Mr D Rodgers, Mrs S Sharp, Mr A Sutton and Mr P Wilding

Members not present:

In attendance by invitation:

Officers present: Miss N Golding (Principal Solicitor), Miss S Hurr (Democratic Services Officer), Mr D Power (Senior Planning Officer), Mrs F Stevens (Development Manager (Applications)), Miss K Taylor (Senior Planning Officer), Mr H Whitby (Tree Officer) and Mr T Whitty (Divisional Manager for Development Management)

36 **Chairman's Announcements**

The Chairman welcomed everyone to the meeting and read out the emergency evacuation procedure.

No apologies for absence had been received and all Members were present.

37 **Approval of Minutes**

RESOLVED

That the minutes of the meeting held on 6 November 2019 be approved and signed by the Chairman with the following amendments:

That minute 20 included a trigger for Condition 26 Bat and Bird Boxes, and in Condition 34 the Open Space, to be included within the recommendation.

That minute 24 included a Condition regarding brick wall detailing, to be included within the recommendation.

That minute 25 included the form of recommendation as approved by the Committee.

With regards to minute 20 that Mrs Johnson had spoken on behalf of Mr Johnson, and also on her own behalf for planning application SY/19/00321/FUL.

With regards to minute 25 Mrs Sharp queried if the Environment Agency had now provided advice in relation to the chalk stream. Mr Whitty responded that, this had not yet been received.

38 **Urgent Items**

There were no urgent items.

39 **Declarations of Interests**

Mr Barrett declared a personal interest in respect of planning application BI/19/02122/FUL as a member of Chichester Harbour Conservancy.

Rev. Bowden declared a personal interest in respect of planning applications CC/19/02109/TPA and CC/19/01286/FUL as a member of Chichester City Council.

Mr Oakley declared a personal interest in respect of planning applications WW/19/01622/FUL, PS/19/00682/FUL, CC/19/02109/TPA and CC/19/01286/FUL as a member of West Sussex County Council and TG/19/02365/FUL as a member of Tangmere Parish Council.

Mrs Purnell declared a personal interest in respect of planning applications WW/19/01622/FUL, PS/19/00682/FUL, CC/19/02109/TPA and CC/19/01286/FUL as a member of West Sussex County Council.

Mrs Sharp declared a personal interest in respect of planning applications CC/19/02109/TPA and CC/19/01286/FUL as a member of Chichester City Council.

40 **WW/19/01622/FUL - Surbitonia, 45 Howard Avenue, West Wittering, PO20 8EX**

Mrs Stevens introduced the application.

Additional information was provided on the agenda update sheet relating to amended conditions regarding the boundary treatments, the provision of cycling and refuse storage facilities, and the use of porous materials for the proposed hardstanding and driveway. A further verbal update was provided with regards to condition 13, confirming that the strategy must reflect the WSCC Parking Guidance 2019, and also that a condition removing permitted development would be reasonable.

The following members of the public addressed the Committee:

Mr Bill Buckland – Parish Council
Mrs Sue Miles – Objector
Miss Heather McCrudden – Agent

During the discussion Members debated the character of the proposed dwellings within the setting, over-development, sub-division of plots and appropriate number of sub-division of plots, height of the proposed buildings causing loss of the open vista of the street, loss of single floor accommodation, number of proposed parking spaces, loss of a traditional dwelling, greater sustainability of proposed buildings, hedgehog provision and whether one dwelling could be positioned to the front and one to the rear of the plot. The Chairman reminded the Committee that they could only debate details regarding the application as presented. Mrs Stevens responded that the current dwelling was not a listed building and could be demolished without planning permission. The width of the plot was slightly wider than other plots within the vicinity which had been sub-divided as proposed in this application, and some other plots would not be considered as suitable for sub-division. Mrs Stevens confirmed that weight could be given to the 'Village Design Statement', and that this identified the eclectic design within the area. Mrs Stevens further confirmed that it would be possible to walk between the two proposed dwellings and the neighbouring property and other properties had been built-out close to their boundaries. It would be necessary to identify the harm caused with regards to refusing the application on the grounds of the width of the plot. Mrs Stevens also added that it would be possible to reverse into the parking area, there would be provision for one car charging point for each dwelling as part of the considerations, the highways authority had made no objections and the road was used at low speeds allowing any necessary manoeuvres.

Members sought further clarification regarding whether it was considered by officers reasonable to refuse the application and the likely outcome, should the applicants appeal the decision. Mrs Stevens confirmed that all applicants have the right of appeal, and that the officers' recommendation was for the application to be permitted.

Members further debated whether the parking of six vehicles would negatively impact on the character of the street and if in accordance with NPPF 127 this may provide reasonable grounds for refusal, the issue of granting permission and further applicants citing previous permissions for similar proposals, the improved energy efficiency of proposed dwellings, over-burdening of the site, and the impact of an accumulative effect relating to sub-division of plots. Mr Whitty added that the change in character would not result in significant harm, although it is recognised that there would be some change, the proposals broadly accord with other plots within the vicinity.

Members sought further clarification regarding whether the potential to demolish the current dwelling could be prevented, if the area could be protected, whether bat bricks could be included, whether planting could be conditioned to continue after the five year period, would the larger proposed dwellings in comparison with other dwellings conflict with the authorities own policy, and whether the layout of dwellings in considering the VDS, may provide grounds for refusal. Mr Whitty confirmed that the applicant could choose to demolish the current dwelling, however this would leave the applicant with a plot of reduced value if planning permission could not then be secured and suggested this action was therefore unlikely but the Council did not have powers to prevent demolition. Mr Whitty further reminded the Committee that decisions must be made in accordance with current and not future policy, that bat

bricks could be added as a condition. With regards to the planting, it would not be reasonable to expect this to be retained beyond a five year period, small changes which do not require planning permission could be considered to change the character of an area, and the VDS recognises an eclectic mix of dwellings which provides support to the proposals for which the applicant was seeking permission.

Members sought further clarification regarding whether car use and ownership was being encouraged by the number of proposed parking spaces. Mr Whitty confirmed that with the potential number of occupants, they would need to be catered for and further explained that the West Sussex County Council 'Guidance on Parking at New Developments' would be discussed later on the agenda.

Contrary to the recommendation of officers, permission was **Refused** permission for the following reason;

The proposed development by reason of its size and depth comparative to the prevailing form of development in the locality, and the cumulative impact of enclosing open views between properties at first floor level and above, would result in over-development of the site, which would be out of character with the surrounding area and harmful to the visual amenities of the street scene. Furthermore the proposal would result in a car dominated frontage due to the excessive amount of hardstanding, which would be out of keeping with the open character of the street scene. The proposal would therefore be contrary to Policy 33 of the Chichester Local Plan, and paragraphs 127 and 130 of the National Planning Policy Framework.

The Committee took a five minute break.

41 **TG/19/02365/FUL - Land To The West Of Hangar Drive, Tangmere, West Sussex**

Mr Power introduced the application.

Additional information was provided on the Update Agenda Sheet regarding the corrected name of the applicant, additional relevant planning history, amended conditions relating to no occupation prior to vehicular access construction, or until secure cycle parking spaces have been provided and no external illumination permitted other than in accordance with a lighting scheme having been submitted and approved.

Further verbal updates were provided regarding new and amended conditions in relation to litter control, requirement for bird/boxes/nesting bricks, reference to West Sussex County Council Highways Parking Guidance 2019, on the matter of contaminated land, to ensure the proposal would not impact on the integrity of the remediation as previously permitted, and internet provision.

The following member of the public addressed the Committee:

Mr Roger Owers – Objector

During the discussion Members debated the previous permission granted and now lapsed, the change of context to the current time related to the setting, the high density nature of the site, requirement of piling works, contamination, broadband limitations, loss of trees, limitations of new tree planting due to adjacent treatment works, the current opportunity for recreational activity on the site, the proposed limited buffering of proposed development from the reduced open space and the design of the spine road with a pinch point and the effect of parking spaces near to the location. Members further discussed the lack of amenity around the proposed development, disruption to local residents during the construction process, views that the development should have been built when other adjacent plots were under construction, and the number of written objections received by the Council.

Mr Power responded that the density was not out of keeping with the location, the proposed conditions dealt with issues regarding contamination and broadband. The remaining open space would still be of considerable size and the remaining provision of open space would comply with Local Plan policy. The Construction Management Plan could control the impact of piling works to neighbouring amenity, as to could the storage of construction materials and any clearing/tidying of site could be controlled by this condition. Mr Whitty added that piling works would be part of the material considerations and with regards to climate emergency, policy 40 of the current Local Plan has been taken into consideration. In relation to the delay in constructing the proposed development and lapsed permission from 2016, this was a decision of the developer.

Members further debated safeguarding the remaining public space from future development, proximity of the public space to the flats and likelihood of conflict, that it was now easier to comprehend the impact of the proposed development with other adjacent dwellings completed, whether a site visit was appropriate, and whether repositioning the flats within the plot would achieve a better result. Mr Whitty responded that a condition related to the open space and there was a s106 requirement, the NPPF had become more defined in terms of the obligation to establish well-designed places. With regards to the proximity of the flats to open space clarification could be obtained and a barrier such as railings could be installed to protect the flats.

Members further debated the loss of open space for play as particularly important due to the high density of dwellings, and the need to revise the original s106. Mr Whitty confirmed that a variation to the s106 agreement may be required. Members further discussed the control of litter and bonfires to ensure other residents were not impacted upon, and whether the proposed development would have resulted in the requirement for an increase in social housing numbers, had it been constructed at the same time as the adjacent dwellings. Mr Whitty confirmed there would have been the requirement for one further dwelling with regards to affordable housing, but it would not be reasonable to add that requirement at this stage, given that it was a separate and contained development. Mr Power also confirmed that the management of litter and the recycling of litter could be included as a condition.

Contrary to the recommendation of officers, permission was **Refused** for the following reasons;

1. The proposal would result in the introduction of an overly dominant form of development, and the loss of open space which makes a significant contribution to the spacious character of this part of the estate, which has now been built out. The scale, form and siting of the proposed building, together with the encroachment into and loss of open space, would be harmful to the character and appearance of the area. The proposal would subsequently result in a form of development out of character with the area, failing to take into account local distinctiveness and causing harm to the visual amenities of the streetscape. The proposal would therefore be contrary to Policies 33 and 54 of the Chichester Local Plan and paragraphs 127 and 130 of the National Planning Policy Framework
2. The development would result in the loss of open space, which would be harmful to the amenities of surrounding properties. Furthermore, the proximity of the development to the open space would result in overlooking to future occupiers and an unacceptable relationship between the open space and the proposed development, which would be harmful to their amenity. The proposal would result in unacceptable harm to the amenity of neighbouring properties and future occupiers, failing to comply with Policies 33 and 54 of the Chichester Local Plan 2014-2029.
3. *Informative: Since the previous application (16/00444/FUL) the site has been built out and the open space provided. The NPPF has also been revised and places a greater emphasis of achieving good design within development. There has therefore been a material change in both policy and circumstance since the granting of application 16/00444/FUL.*

42 **PS/19/00682/FUL - Crouchlands Farm, Rickmans Lane, Plaistow, RH14 0LE**

Mrs Stevens introduced the application.

Additional information was provided on the Update Agenda Sheet regarding an amended condition relating to the timescale for the removal of the portacabins.

During the discussion Members debated the necessity for facilities at the site, the retrospective nature of the application, and work required for the remediation of the land, and general recycling within the portacabins. Mr Whitty responded that the over-riding condition was the permitted timescale for portacabins to remain on the land and that removal could be enforced, and that he could not confirm that recycling was taking place within the portacabins.

Recommendation to **Permit** agreed.

The Committee took a 15 minute break.

43 **CC/19/02109/TPA - 41 Lyndhurst Road, Chichester, West Sussex, PO19 7PE**

Mrs Stevens introduced the application and Mr Whitby, the Council's Tree Officer.

The following members of the public addressed the Committee:

Mr Alan Carn – Objector
Ms Jenny Cole – Objector
Mr Colin Wood – Supporter
Mr J Summers – Supporter
Mrs Kathleen Spur – Applicant

The Chairman invited Mr Whitby to provide further information regarding the tree. Mr Whitby explained that the tree was a mature Holm Oak tree from the Mediterranean region, three metres in circumference, and had been pruned every eight years. The tree was an evergreen, with old foliage dropping in May, followed by new foliage and flowers forming, and was a healthy specimen.

During the discussion Members debated the Holm Oak on the other side of the street, whether the wall could be removed and a fence erected in its place, the risk to the footpath and applicant's garage, the amenity value of the tree, the replacement, the need to remove the element of risk, the reduction in flood risk by the tree's take up of water, that trees are part of a cycle, and a replacement tree being of a more appropriate variety or form for the location.

The Chairman advised that previously Planning Committees had refused to allow the felling of a tree and the resultant damage caused had required that the Council fund the cost of repairs, and also that the Committee should be aware that the Council would also be liable for any trips or falls caused by the tree.

Members further debated the definition of a Tree Preservation Order (TPO), whether the tree had to date caused any cracks in the adjacent garage wall, the impact of not removing roots if the tree was felled and how easily a replacement tree could be planted in the location.

Mr Whitty responded that permission could not be refused due to the climate emergency, and that the tree had a value within the street scene and was in good health but a balanced view was required. There was no current evidence that the tree was causing damage to the garage or the dwelling, although this may be a material consideration for the future. The Holm Oak on the other side of the street had not caused the same degree of issues, a fence would not retain the soil surrounding the root ball, and a reduction in the roots could cause the tree to become unstable. The area was in flood zone 2/3 only within a specific year event but Mr Whitty agreed the tree did take up excess water. The amenity of the footpath was also to be considered and required work to remediate the footpath, was likely to be on-going. Mr Whitty further advised that should the application be refused, from today forwards, should any damage occur to the applicant's property, the Council would be liable, and cited a similar situation in which costs had totalled over quarter of a million pounds. The highways authority had requested that the tree was felled, and therefore should this not take place and a pedestrian is injured as a result, the

Council would be liable. Mr Whitty concluded that a Holm Oak was not appropriate for the location and on removal, the root ball would be bored-out from the ground. Mr Whitby confirmed that a replacement tree could be included within the conditions and would be appropriate for the location. The roots were currently becoming detrimental to light-structures for example block paving, and the situation would not be improved by new boundary treatments. Members further debated the amount of footpath to be removed for the tree to be felled, whether the liability on the Council was quite limited, whether the block-paving could be replaced by gravel, whether further evidence of damage was required, and if the removed roots would leave voids underground. Mr Whitby explained that the applicant may not receive an insurance claim for any damage caused by the tree. Members commented they considered they were being forced into making a decision to fell the tree. Mr Whitty advised that the applicant was not required to provide evidence, and if the application was refused, the Council would be open to any compensation claims regardless of the amount of evidence provided.

Mr Whitty confirmed that the roots would be reduced and that the only impact from the remaining roots was that the area may drop by a small amount. Mr Whitty added that any replacement tree would be planted at ground-level, and that the recommendation from officers to agree for the tree to be felled had not been taken lightly.

Members further debated the importance of the appearance of the street scene, carbon reduction supported by the tree, the provision of a place for wildlife given by the tree, and when the damage to the wall had occurred.
Recommendation to **Permit** agreed.

44 **CC/19/01286/FUL - Abbas Combe Nursing Home, 93 And 94 Whyke Road, Chichester, West Sussex**

Miss Taylor introduced the application.

Additional information was provided on the Update Agenda Sheet regarding further comments from WSCC as the highways authority clarifying information in relation to the pedestrian infrastructure, that correspondence had been received from the agent agreeing to the pre-commencement conditions, that Longdale Avenue, should read Langdale Avenue, and an amendment to the Decided Plans Table.

The following members of the public addressed the Committee:

Mr Gary Abraham – Objector
Mrs Helen Dodd – Objector
Mr Adrian Kearley – On Applicant's Behalf

During the discussion Members debated whether the proposal would be an overdevelopment of the plot, which was confirmed by Miss Taylor to have been reduced in size during negotiations with officers. Members further discussed the description of the model of the operation of the home which seemed to be both a nursing home and also cater for residents who were cared for under the support of an elderly, mentally and infirm (EMI) establishment. Further matters debated

included limited sunlight into the building and outside areas, the potential for basement being lower than the water table and conditions for employees working in the basement. Mr Whitty explained the proposed use of the development would be classed as C2 in planning terms, and the operation of the home was not a planning matter and similarly any potential issues with the basement or working within the basement was not a planning matter. The current buildings had C2 use, and the new development would be an improvement upon the existing buildings. Officers also considered that the impact on neighbours of the replacement development would be reduced in comparison with the current buildings and the level of separation was acceptable. Mr Whitty also responded to the Chairman's request for clarification regarding overshadowing, confirming it would be reduced in the summer when the sun was higher and there would be a degree of overshadowing in the winter.

Members further debated the shortage of residential homes in the area, the size of the building, the relationship with neighbours and the design of the roof. Mr Whitty confirmed that officers' considered the relationship with neighbours would be improved as the new development would be further away from neighbouring properties in comparison with the current building, although there would clearly be some impact on the amenity of neighbouring gardens.

Members further debated parking standards associated with C2 use, the proximity to the A27, the ownership of the tree belt, potential impact of ventilation units on neighbours, and the financial viability of operating such a home related to the number of beds required for sustainability. Mr Whitty responded that the case being made by the applicant was related to the necessary size of the proposed home for financial sustainability. The tree belt was in the ownership of the highway authority, protection measures for the trees was required during construction, but the trees may be impacted upon depend on future A27 development, and the development was considered acceptable with or without the trees. A condition provided the requirements for the general ventilation, and the ventilation required during cooking activities, could be added to the conditions.

Members further discussed the mitigation of any noise generated, controls on the deliveries to the site and whether officers could provide a plan relating to the A27 and the existing trees. Mr Whitty confirmed that such a plan was not available, and there may or may not be impact on the trees, although it was acceptable for the trees to be removed.

Members further discussed traffic generated by the free-school, egress to and from the site, and whether bollards were required at the entrance to prevent motorcycles, and planting of two trees for each one which might be removed. Mr Whitty confirmed that with regards to deliveries, there was not evidence of harm that would support a restriction to be outside school delivery and collection times, and that it was more usual to condition the request not have deliveries during unsociable hours. The planting of two trees for one removed, was a minimum as appropriate and bollards would not be installed due concerns from neighbours to the north, and there was unlikely to be issues with motorcycles. Mr Whitty further confirmed that significant negotiation had taken place over a long period of time with the applicant.

Recommendation to **Permit** agreed with following new and amended conditions;

1. Amendment to condition 8 to include submission of details of the siting of and noise transference mitigation details of ventilation for cooking facilities and for attenuated mechanical ventilation of rooms due to the requirement to keep windows fixed shut.
2. New condition (30) requiring operational delivery times to be restricted (to ensure protection for neighbours during antisocial hours)

Mr McAra left the meeting.

45 **BI/19/02122/FUL - Broomer Farm, Lock Lane, Birdham, PO20 7AX**

Mrs Stevens introduced the application.

Additional information was provided on the agenda update sheet relating to an amended condition that there would be no external illumination permitted other than in accordance with a lighting scheme having been submitted and approved. A verbal update was provided stating a condition requiring no external storage and removal of existing containers is recommended.

The following member of the public addressed the Committee:

Mr Gordon Churchill – Parish Council

Members sought clarification regarding the area of the site, which Mrs Stevens confirmed as 0.2 hectares. Mrs Stevens confirmed that permitted development rights would be removed by condition to prevent conversion of the proposed building to a residential dwelling. Members sought further clarification regarding whether the land was of sufficient size for the keeping of horses, and Mrs Stevens responded that the land was of sufficient size for this purpose.

Recommendation to **Permit** agreed with an additional condition restricting external storage, and requiring removal of existing storage containers.

Mr McAra returned to the meeting.

46 **Parking Guidance Report**

Mr Whitty introduced the guidance document and also provided a map at the meeting, which illustrated the location of the five types of zone across the district.

Members sought clarification on whether division of a property into separate dwellings would require an increased number of parking spaces. Mr Whitty responded that an increased number would be required, but if for example a householder extended their property, the guidance would not apply.

Members commented that old ward boundaries were being used with the map and sought clarification as to how charging points for vehicles would be charged financially, which was confirmed would potentially be via a phone app. Mr Whitty added that with regards to charging points for public parking spaces on a

development, this matter would be overseen in accordance with a management plan.

Members sought further clarification regarding the map, and why there were different coloured zones within the city of Chichester. Mr Whitty responded that the map had been provided by West Sussex County Council, and the differing Chichester city zones may relate to the proximity to public transport, but he would need to seek further information. Council Members who were also County Council Members confirmed that the work on the guidance had been based upon the 2011 census car ownership figures and other historical evidence, which was less current, and with regards to larger developments the guidance may have to be revised. Mr Whitty commented that cars could be parked in the road and the Council could take a view on the impact on the amenity. With regards to the area within the National Park, Mr Whitty responded that he did not yet know what their reaction to the guidance had been. Mr Whitty further confirmed he would forward the link to the guidance on the County Council website for Members of the Committee.

The document was **Noted**.

47 **Chichester District Council, Schedule of Planning Appeals, Court and Policy Matters, Between 17-Oct-2019 and 19-Nov-2019**

Members of the Committee did not require any further information.

48 **South Downs National Park, Schedule of Planning Appeals, Court and Policy Matters, Between 17-Oct-2019 and 19-Nov-2019**

Members of the Committee did not require any further information.

49 **Consideration of any late items as follows:**

There were no late items.

50 **Exclusion of the Press and Public**

There was no requirement to exclude the press and public.

The meeting ended at 2.45 pm

CHAIRMAN

Date:

This page is intentionally left blank

Chichester District Council

Planning Committee

Wednesday 8 January 2020

Declarations of Interests

Details of members' personal interests arising from their membership of parish councils or West Sussex County Council or from their being Chichester District Council or West Sussex County Council appointees to outside organisations or members of outside bodies or from being employees of such organisations or bodies are set out in the attached agenda report.

The interests therein are disclosed by each member in respect of planning applications or other items in the agenda which require a decision where the council or outside body concerned has been consulted in respect of that particular planning application or item.

Declarations of disclosable pecuniary interests, personal interests, prejudicial interests or predetermination or bias are to be made by members of the Planning Committee or other members who are present in respect of matters on the agenda or this meeting.

Personal Interests - Membership of Parish Councils

The following members of the Planning Committee declare a personal interest by way of their membership of the parish councils stated below in respect of the items on the schedule of planning applications where their respective parish councils have been consulted:

- Mr H C Potter – Boxgrove Parish Council (BG)
- Mrs S M Sharp – Chichester City Council (CC)
- Rev J-H Bowden – Chichester City Council (CC)
- Mr P J H Wilding – Lurgashall Parish Council (LG)
- Mr G V McAra - Midhurst Town Council (MI)
- Mr S J Oakley – Tangmere Parish Council (TG)
- Mrs D F Johnson – Selsey Town Council (ST)
- Mrs L C Purnell – Selsey Town Council (ST)
- Mr R A Briscoe – Westbourne Parish Council (WB)

Personal Interests - Membership of West Sussex County Council

The following members of the Planning Committee declare a personal interest by way of their membership of West Sussex County Council in respect of the items on the schedule of planning applications where that local authority has been consulted:

- Mr S J Oakley - West Sussex County Council Member for the Chichester East Division
- Mrs L C Purnell – West Sussex County Council Member for the Selsey Division

Personal Interests - Chichester District Council Representatives on Outside Organisations and Membership of Public Bodies

The following members of the Planning Committee declare a personal interest as Chichester District Council appointees to the outside organisations or as members of the public bodies below in respect of those items on the schedule of planning applications where such organisations or bodies have been consulted:

- Mr G A F Barrett - Chichester Harbour Conservancy
- Mr H Potter – South Downs National Park Authority

Personal Interests – Chichester City Council Representatives on Outside Organisations and Membership of Public Bodies

The following member of the Planning Committee declares a personal interest as a Chichester City Council appointee to the outside organisations stated below in respect of those items on the schedule of planning applications where that organisation has been consulted:

NONE

Personal Interests – West Sussex County Council Representatives on Outside Organisations and Membership of Public Bodies

The following member of the Planning Committee declares a personal interest as a West Sussex County Council appointee to the outside organisation stated below in respect of those items on the schedule of planning applications where that organisation has been consulted:

Personal Interests – Other Membership of Public Bodies

The following member of the Planning Committee declares a personal interest as a member of the outside organisation stated below in respect of those items on the schedule of planning applications where that organisation has been consulted:

- Mrs L C Purnell – Manhood Peninsula Partnership (Chairman)

Parish: Chichester	Ward: Chichester East
-----------------------	--------------------------

CC/19/02337/FUL

Proposal	Refurbishment works to the existing residential unit		
Site	St Pancras Court, Flat 10 St Pancras Chichester PO19 7LU		
Map Ref	(E) 486623 (N) 104999		
Applicant	Kevin Williams	Agent	Mr Mark Gibbens

RECOMMENDATION TO PERMIT



	NOT TO SCALE	<p>Note: Do not scale from map. For information only. Reproduced from the Ordnance Survey Mapping with the permission of the controller of Her Majesty's Stationery Office, Crown Copyright. License No. 100018803</p>
--	---------------------	--

1.0 Reason for Committee Referral

1.1 City Objection - Officer recommends Permit

2.0 The Site and Surroundings

- 2.1 The application site (known as Flat 10, St Pancras Court) is located within the Chichester Settlement Boundary Area, on the eastern side of Alexandra Road.
- 2.2 The site forms a first floor flat constructed circa 1970s, situated above an entrance to a residential garage compound that is located east of the building. The existing flat is finished with hanging tiles, contains white uPVC fenestration and has a flat roof. The property is flanked by garages to the north and south and a number of mature trees subject to a Tree Protection Order are situated approximately 8 metres east of the building.
- 2.3 The site occupies a prominent position within the Chichester Conservation Area, overlooking Litten Gardens and New Park Recreation Ground to the west. The surrounding area is predominantly residential with the three-storey St Pancras Court situated to the south which is finished in a similar material palette to the application site.

3.0 The Proposal

- 3.1 The application seeks planning permission for refurbishment works and external alterations to the existing residential unit. This would comprise the cladding of the elevations in insulated corten steel and unstained Siberian larch timber cladding. It is proposed to replace the existing uPVC fenestration with slimline double glazing in dark aluminium frames.
- 3.2 The proposal includes the installation of metal gates and fencing approx. 2 metres in height to the front of the garage courtyard in order to provide secure parking. Both the gates and fence would be finished in RAL 7021 "Black Grey".
- 3.3 The scheme also proposes the introduction of a new flue for a log burner this would emerge from eastern side of the roof and would measure approx. 1 metre in height and approx. 0.15 metres in width. This would be conditioned to be finished in RAL 7021 "Black Grey".

4.0 History

18/03005/DINPP	PPR	Wood stove and chimney flue system.
19/00854/TPA	PER	Fell 5 no. Sycamore trees (quoted as T1-T3, T6 and T7) within Group, G1 subject to CC/13/00099/TPO.
19/01763/PREHH	PRE	Refurbishment works to the existing residential unit.

5.0 Constraints

Listed Building	NO
Conservation Area	CC
Countryside	NO
AONB	NO
Strategic Gap	NO
Tree Preservation Order	YES
EA Flood Zone	
- Flood Zone 2	YES
- Flood Zone 3	YES
Historic Parks and Gardens	NO

6.0 Representations and Consultations

6.1 Chichester City Council

Objection to the use of corten steel as this would have an unacceptable impact upon the conservation area. No objection should a suitable alternative be proposed. Objection to the woodburning stove due to impact on the environment.

6.2 CCAAC

The Committee has no objection to this Application. We welcome the proposal to improve this unattractive building and thus enhance this part of the Conservation Area.

6.3 Senior Historic Buildings Advisor

Further comments (02/12/2019) following details from agent regarding how the potential staining of cladding would be avoided and revised design for railings:

Revised railing design is simplified which should work better with the contemporary proposals for the building. In terms of the proposed lead work I think we need to be guided by the Architects. Ultimately the liability lies with them so if they are happy that the lead work will help alleviate the potential for staining by redirecting the water away I think we have to accept this. Given the owners are likely to be spending a considerable amount on the refurbishments to improve the buildings appearance I would hope if localised staining did occur that this would be addressed.

Further comments (15/11/2019) following the receipt of material samples and material specification:

The proposed materials are considered to be of good quality and are likely to result in visual enhancement of the property itself and the conservation area. Once weathered the combination of Siberian larch and Corten steel is likely to work well and compliment the material tones in the existing setting.

With Corten there is a risk during its initial patina formation that porous materials adjacent to the cladding can become discoloured this is potentially a risk here with the timber being located below the Corten. Should the larch become stained this would negatively impact the appearance of the building, consideration should be given to how this can be avoided in the short term to protect the longer term appearance of the building.

The proposed RAL colour of 7021 (dark grey) is considered acceptable for the windows and railings and is likely to work well with the other proposed materials. The proposed detailed drawings for the railings appear different than those shown on the proposed elevations. The detailed drawings show a more decorative design which is not as simplistic as the railings shown on the proposed elevations. It is considered that given the contemporary approach being taken to the external appearance of the building that the railings / gates in the detailed drawings would not be in keeping with the overall design and should be revised to reflect a more contemporary style.

Original comments 21/10/2019):

The existing flat and garages below it date from the 1970's. The proposed refurbishment works would create a very contemporary looking residential unit, which given the varied street scene and material palette in this location is not considered to be detrimental to the street scene. The existing building does not contribute positively towards the character of the conservation therefore its refurbishment using higher quality well considered materials is likely to result in an enhancement to both the building and the conservation area.

The introduction of gates in front of the garage courtyard is likely to be beneficial in terms of the street scene as it obscures views through to the courtyard which is not of particular design merit. The use of open metal gates and metal fences enables the views to the rear to be obscured but also retains a sense of the open space below the property retaining the legibility of the current 1970's form.

The use of Corten cladding has the potential to successfully integrate into the setting by referencing the use of orange/brown brick tones in the vicinity and within the site itself. The use of timber cladding is in principle also considered appropriate. In order to fully consider the proposed materials samples are required and should be provided either by condition or as part of the application. For the timber this should include information about whether it will be treated or left to weather naturally and if treatment is proposed the sample should reflect this. RAL colour or equivalent samples should be provided for the proposed window frames and metal gate/fence colours. Samples are not necessary however confirmation should also be sought regarding the finish of the log burner flue as this will be visible in the street scene.

In terms of design and the potential for enhancing the conservation area, subject to material samples being provided and approved, it is considered that the proposals should be supported.

6.4 Environmental Protection

Thank you for the information. The solid wall insulation is to be welcomed and will make the major contribution to reducing the carbon footprint of the building compared to present heating demand.

The wood burner is to be considered as a supplementary form of heating rather than a renewable heating system as the electric under floor system is the primary heating system. A wood burner will not add to the fossil fuel carbon emissions from the building so I am at a loss to why objections have been raised from a climate emergency point of view.

6.5 Environmental Health

Our comments with respect to the addition of a wood burner and flue are as follows:

The approximate flue location is located over 17m from the nearest property façade (flats to the south) and the flue appears to be at a height of around 7m above ground level. Ideally the flue should extend 1m above roof level and the wood burner should be installed by a HEATAS registered installer and in accordance with relevant Building Regulations.

The applicant is advised to ensure that all wood burnt is well seasoned to reduce smoke impacts from the appliance.

Given that it is stated that the wood burner is to be ancillary to the underfloor heating system we have no objections to its installation.

No further comments on the application.

6.6 Third Party Comments

1 letter of support has been received concerning:

- a) The striking and attractive modern design and materials would enhance the conservation area and would upgrade the existing drab 1960's design.

7.0 Planning Policy

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

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

Chichester Local Plan: Key Policies 2014-2029

Policy 1: Presumption in Favour of Sustainable Development

Policy 2: Development Strategy and Settlement Hierarchy

Policy 33: New Residential Development

Policy 40: Sustainable Design and Construction

Policy 47: Heritage

National Policy and Guidance

- 7.3 Government planning policy now comprises the National Planning Policy Framework, February 2019 (NPPF), paragraph 11 of which states:
At the heart of the NPPF is a presumption in favour of sustainable development,
For decision-taking this means:
- c) approving development proposals that accord with an up-to-date development plan without delay; or
 - d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 7.4 Consideration should also be given to section 12 (Achieving well-designed places) and section 16 (Conserving and enhancing the historic environment)

Other Local Policy and Guidance

- 7.5 The following documents are material to the determination of this planning application:
- Chichester Conservation Area Character Appraisal
- 7.6 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:
- Influence local policies in order to conserve and enhance the qualities and distinctiveness of our area

8.0 Planning Comments

- 8.1. The main issues arising from this proposal are:
- i. Principle of development
 - ii. Design and impact upon the character and appearance of the Conservation Area
 - iii. Sustainability and environmental impacts
 - iv. Impact upon amenity of neighbouring properties
 - v. Flood Risk

- i. Principle of development
- 8.2 Policy 2 of the Chichester Local Plan includes a presumption in favour of sustainable development within settlement boundaries. Therefore, as the application site falls within the Chichester Settlement Boundary Area and the proposals relate to an existing dwelling, the principle of development is considered acceptable, subject to compliance with the development plan and any other material considerations.
- ii. Design and impact upon the character and appearance of the Conservation Area
- 8.3 Section 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, requires that the Local Authority give special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Policy 47 of the Chichester Local Plan requires that proposals must conserve and enhance the special interest and setting of conservation areas.
- 8.4 The site occupies a prominent position within the Chichester Conservation Area, overlooking Litten Gardens and New Park Recreation Ground to the west. St Pancras Court is identified as an opportunity for enhancement within the Chichester Conservation Area Character Appraisal, and it is considered, as a result of the overly prominent white uPVC window frames and the tired appearance of the existing hanging tiles, the property at present does not contribute positively to the conservation area.
- 8.5 The proposal would give the existing building a contemporary appearance by virtue of introducing corten steel and Siberian larch cladding. The Chichester Conservation Area Character Appraisal states there will be sites where a well-designed modern building is likely to be acceptable. It is considered that the proposal falls into this category as the streetscene is varied with regard to form and material palate; whilst the property does not form the setting of any historic development or buildings of note. The use of corten cladding has the potential to successfully integrate into the setting by referencing the use of orange/brown brick tones in the vicinity and within the site itself. The use of timber cladding is in principle also considered appropriate. Samples of both materials have been reviewed by the case officer and Senior Historic Buildings Adviser, and it is considered they would provide a high quality finish.
- 8.6 The scheme also proposes the replacement of the existing inappropriate white uPVC windows with slimline aluminium windows finished in RAL colour 7021 (dark grey). This would accord with the design guidance contained within Appendix 2 of the Chichester Conservation Area Character Appraisal and would enhance the appearance of the property. A condition is recommended requiring the proposed flue to the wood burner to also be finished in RAL colour 7021 (dark grey) to ensure that it would not be overly prominent within the streetscene.
- 8.7 Following revisions, the proposed metal gates would be contemporary in style and finished in RAL colour 7021 (dark grey) which would ensure that it would relate well to the rest of the development. The introduction of gates is likely to be beneficial in terms of the street scene as it obscures views through to the courtyard which is not of particular design merit, whilst also allowing a sense of the open space to the rear and below the property to be retained.

8.8 The proposed use of corten introduces a risk during its initial patina formation that porous materials adjacent to the cladding could become discoloured, particularly as elements of the timber cladding are located below the corten. To address this concern it is proposed to introduce lead drips over the top of the cladding under the corten. This would alleviate concerns by re-directing water and therefore avoiding staining.

8.9 Overall, the proposal would introduce a high quality design and material palate to a site identified as an opportunity for enhancement within the Chichester Conservation Area. Whilst a contemporary approach to design is proposed, the materials would be entirely appropriate within the streetscene and would enhance Chichester Conservation Area as required by Section 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy 47 of the Chichester Local Plan.

iii. Sustainability and environmental impacts

8.10 Chichester City Council raised an objection, in part, on the basis of the environmental impact arising from the proposed wood burner.

8.11 The building is currently poorly insulated and the scheme proposes additional solid wall insulation which is anticipated to achieve a 'U' value of 0.23. This would make a significant contribution to reducing the carbon footprint of the building compared to the environmental impact that would result from the building's present heating demand.

8.12 The primary heating system at the property is an electric underfloor system and therefore the wood burner is considered to be a supplementary form of heating. The Council's Environment Officer has advised there is no objection in terms of the sustainability of the proposal. Although the burning of wood releases carbon stored within the tree, trees are considered to be a renewable source of energy because it is likely that replacement trees will be planted, and these would in turn take-up and store the carbon. Therefore the use of a wood burner is not considered to be harmful to the environment.

8.13 The impact upon air quality is not considered to be significant as the woodburner would not be the primary method of heating. It is notable that the flue would be located approx. 17 metres from the nearest property which is considered to be an appropriate distance to prevent unacceptable impact upon neighbouring amenity. An informative will be added advising that the applicant should ensure all wood is well seasoned to reduce smoke as requested by the Council's Environmental Protection Officer.

8.14 The proposals are fully supported by Officers with regard to environmental impact as the proposal would constitute a considerable improvement on the current situation. Additionally, it is not anticipated that the proposal would have a detrimental impact upon air quality.

iv. Impact upon amenity of neighbouring properties

8.15 The National Planning Policy Framework in paragraph 127 states that planning decisions should create places that offer a high standard of amenity for existing and future users. Additionally, Policy 33 of the Chichester Local Plan includes a requirement to protect the amenity of neighbouring properties.

8.16 The proposed cladding and works to the external envelope would not have any deleterious impact upon the amenity of neighbouring properties and the pattern of fenestration would remain unaltered. It is notable that the flue would be located approx. 17 metres from the nearest property which is considered to be an appropriate distance to prevent unacceptable impact upon neighbouring amenity with regard to air quality.

8.17 Overall, the proposed development would not have an unacceptable impact upon the amenities of the neighbouring properties in respect of their outlook, privacy or air quality. It is therefore judged acceptable in accordance with Policy 33 of the Chichester Local Plan.

v. Flood Risk

8.18 The site falls within Flood Zone 2 and 3. The proposal would not however result in the creation of additional habitable accommodation, nor would it change the living arrangements at the property. The property is located at first floor level and therefore the proposal is not considered to result in the increased risk of flooding occurring at the site or elsewhere. The proposal would therefore accord with Policy 42 of the Chichester Local Plan.

Conclusion

8.19 Based upon the above assessment the proposal would enhance the Chichester Conservation Area and would reduce the environmental impact of the building. The proposal would accord with Section 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, Section 12 and 16 of the NPPF 2019 and Chichester Local Plan Policies 1,2,33 and 47. The application is therefore recommended for approval.

Human Rights

8.20 In reaching this conclusion the Human Rights of the applicants and nearby occupiers have been taken into account 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 three years from the date of this permission.

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

2) The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Decided Plans"

Reason: For the avoidance of doubt and in the interests of proper planning.

3) The development hereby permitted shall not be constructed other than in accordance with the materials specified within the application form and plans, unless otherwise agreed in writing by the Local Planning Authority. The corten cladding and Siberian larch cladding hereby approved shall exactly match the samples received by the LPA on 07/11/2019.

Reason: To ensure a high quality finish that would enhance the Chichester Conservation Area

4) Notwithstanding any indication on the approved plans, the gates, windows and flue hereby permitted shall be finished in RAL colour 7021 (dark grey) and maintained as approved in perpetuity.

Reason: To ensure a high quality finish that would enhance the Chichester Conservation Area.

Decided Plans

The application has been assessed and the decision is made on the basis of the following plans and documents submitted:

Details	Reference	Version	Date Received	Status
PLAN - SITE AND LOCATION PLAN	PA-306-01			Approved
PLANS - Plans PLAN -	FT/001			Approved
PLANS - Plans PLAN -	PA-306-05			Approved
PLANS - Plans PLAN -	PA-306-06			Approved
PLANS - Plans PLAN -	PA-306-07			Approved

INFORMATIVES

1) The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

2) The onus is upon the applicant to ensure that the wood burner hereby approved should be installed by a HEATAS registered installer and in accordance with relevant Building Regulations.

3) The applicant is advised to ensure that all wood burnt is well seasoned to reduce smoke impacts from the appliance.

Reason: In the interests of air quality

For further information on this application please contact William Price on 01243 534734

To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PXNX9KERHQ900>

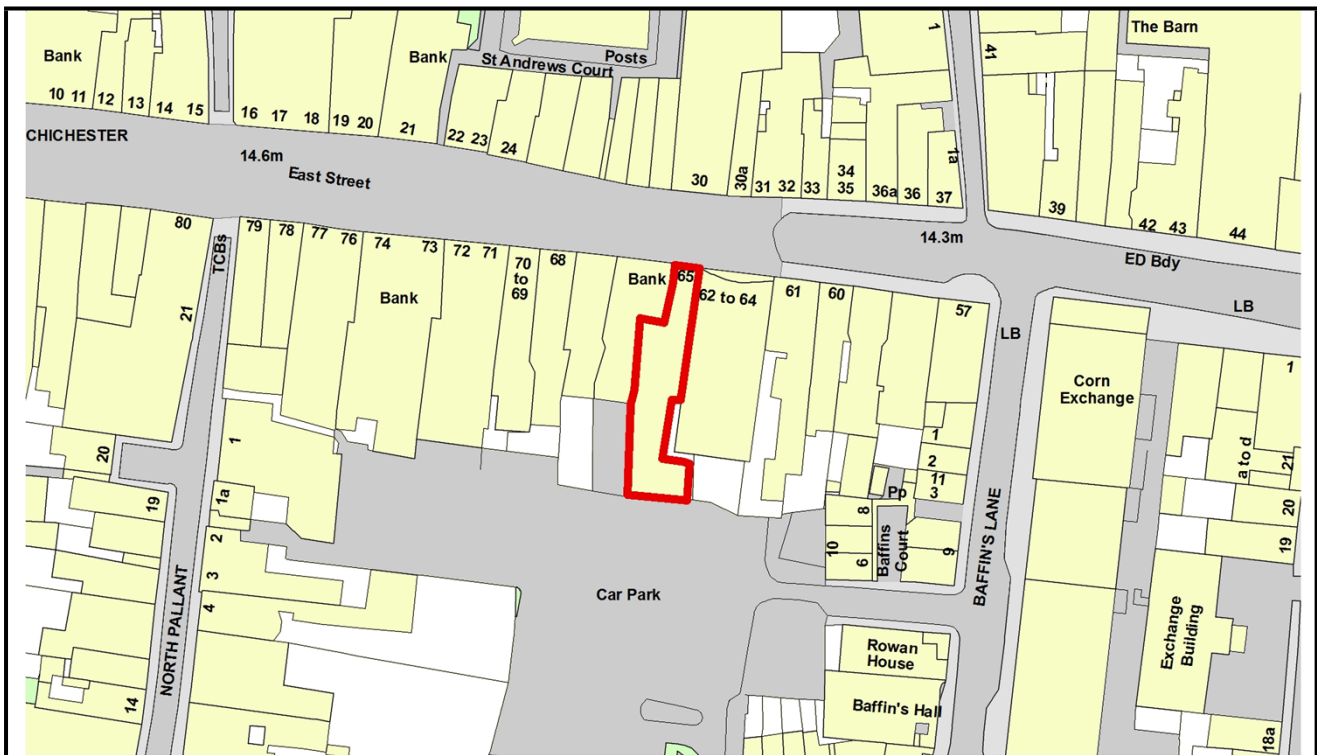
This page is intentionally left blank

Parish: Chichester	Ward: Chichester Central
-----------------------	-----------------------------

CC/19/02446/ADV & CC/19/02447/LBC

Proposal	CC/19/02446/ADV – 1 no. Fascia sign and 1 no. non illuminated perspex pod. CC/19/02447/LBC – Installation of new signage.		
Site	65 East Street Chichester PO19 1HL		
Map Ref	(E) 486239 (N) 104774		
Applicant	SOS	Agent	Mr Adrian Agnew

CC/19/02446/ADV: RECOMMENDATION TO PERMIT
CC/19/02447/LBC: RECOMMENDATION TO PERMIT



	NOT TO SCALE	<p>Note: Do not scale from map. For information only. Reproduced from the Ordnance Survey Mapping with the permission of the controller of Her Majesty's Stationery Office, Crown Copyright. License No. 100018803</p>
--	---------------------	--

1.0 Reason for Committee Referral

1.1 Parish Council objection - Officer recommends Permit.

2.0 The Site and Surroundings

- 2.1 The application site comprises a three-storey Grade II Listed building with a timber painted shopfront to the ground floor; situated on the southern side of East Street and within the Chichester Conservation Area. The unit, currently occupied by Specsavers, is within the commercial city centre and there is a variety of signage evident within the surrounding shops. Immediately to the west is another Grade II Listed shopfront/building currently occupied by a bank, and to the east is a non-listed larger and more modern shopfront recently occupied up by The Entertainer.
- 2.2 Although the shopfront is of a traditional design, the listing for the building notes that the shopfront is a modern addition to the building. The listing reads: *EAST STREET 1. 972 (South Side) No 65 SU 8604 NW 4/114 II GV 2. Early C19. 3 storeys. 1 window bay. Yellow brick with long and short stuccoed quoins. Panelled parapet. Windows in reveals in flat arches; moulded frames with cornices over. Sash window on 2nd floor; 3 light casement window on 1st floor. Modern bowed shop front canted inwards towards doorway; glazing bars to window. Nos 65 to 68 (consec) form a group."*

3.0 Proposal

- 3.1 The application seeks advertisement consent and listed building consent to replace the existing advertisements with an updated scheme including the company's new logo.
- 3.2 The fascia signage would read 'Opticians & Audiologist' in grey painted cut aluminium lettering secured flush to the green painted timber fascia. The fascia sign would measure 195mm high x 1959mm wide.
- 3.3 Additionally, the existing 'Specsavers' logo/pod is to be moved from the left to the right of the main sign. This sign would comprise two interlocking green acrylic ovals attached via studs to the fascia. It would measure 380mm high x 1007mm wide x 6mm thick, and would have an overall protrusion (sign thickness and gap to fascia) of approximately 7.5mm.
- 3.4 Since submission, the application has been amended to include a painted shop number within the right bottom corner of the fascia and clarification that the applied vynal lettering to the logo would be a satin finish.

4.0 History

04/03841/ADV	PER	1 no. fascia sign.
04/04414/ADV	APPRET	1 no. hand painted fascia sign.
06/05034/ADV	REF	Proposed non-illuminated hanging sign utilising existing bracket.
12/00608/ADV	PER	1 no. non illuminated fascia sign.
12/00609/LBC	PER	Erection of new non illuminated fascia signage and internal works.

5.0 Constraints

Listed Building	Grade II
Conservation Area	Chichester Conservation Area
Rural Area	No
AONB	No
Tree Preservation Order	No
EA Flood Zone	Flood Zone 1
Historic Parks and Gardens	No

6.0 Representations and Consultations

6.1 Chichester City Council

Objection as the proposal does not accord with the appropriate design guidance and would have a detrimental impact upon the character and appearance of the listed building and the conservation area. No objection should the proposal be amended to a painted timber fascia with painted lettering, however it is requested that the building number be included on the sign.

6.2 CCAAC

The Committee objects to this Application. The lettering and logo in raised Perspex with aluminium facing and the omission of the street number are in contravention of the CDC Guidance for shopfronts in the Conservation Area.

6.3 CDC Conservation Officer

The matt green painted fascia is considered acceptable. The fascia lettering is considered to be of an appropriate scale and has very limited projection from the fascia this aspect of the design is therefore considered acceptable. Whilst painted lettering would be preferable providing the metal is a satin or matt non-reflective finish the lettering can be considered acceptable. I am not clear from the description of the lettering what the finish of the metal is.

The scale of the fascia logo is considered appropriate. The logo is described as Perspex with the signage spec describing the green of the logo sign as being frosted, in this case therefore perspex can be considered acceptable as the finish should be non-reflective. It is not clear whether the vinyl lettering on the logo would be matt however the use of reflective lettering should be avoided as it is out of keeping in historic street scenes.

6.4 Third Party Representations

One third party comment has been received concerning;

- a) contravenes the Council's own Guidance on Shopfront Design in the City Conservation Area by proposing aluminium faced perspex lettering
- b) there is no street number
- c) requests the applicant be required at the very least to provide the street number on the fascia to assist their customers in finding the shop

7.0 Planning Policy

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

Chichester Local Plan: Key Policies 2014-2029

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 & Settlement Hierarchy
- Policy 10: Chichester City Development
- Policy 47: Heritage

National Policy and Guidance

7.3 Government planning policy now comprises the National Planning Policy Framework (NPPF) 2019, with the sections relevant to this application and considered being 2, 4, 12 & 16.

7.4 Section 2 (Achieving sustainable development), paragraphs 10 and 11 state:

"So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development..."

"...For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

7.5 Section 4 (Decision making), Section 12 (Achieving well designed places) and Section 16 (Conserving and enhancing the historic environment) should also be considered generally.

7.6 The following national policy and guidance is also relevant:

- Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)
- Sections 66 & 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)

Other Local Policy and Guidance

7.7 The following local policy and guidance is considered to be relevant:

CDC Shopfronts and Advertisements Guidance 2010

CDC Advice Note on External Alterations to Listed Buildings in Chichester District

Chichester Conservation Area Character Appraisal

7.8 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:

- Maintain low levels of unemployment in the district
- Support local businesses to grow and become engaged with local communities
- Influence local policies in order to conserve and enhance the qualities and distinctiveness of our area.

8.0 Planning Comments

8.1 The main considerations are as follows:

- i) Design and impact on amenity and heritage assets
- ii) Impact on public safety
- iii) Public comments and any other material considerations

i) Design and impact on amenity and heritage assets

8.2 Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 relate to development or works affecting listed buildings and within conservation area. Section 66 states that "In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses." Section 72 states that "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area". Local Plan Policy 47 relates to heritage and design and outlines that permission will only be granted where it can be demonstrated that the proposal conserves or enhances the special interest and settings of the designated heritage assets.

8.3 The scheme has been amended to include a painted on shop number in line with the Council's advertisement design guidance. In relation to projection, the Council's Shopfronts and Advertisements Guidance states that *"the application of cut out lettering to a painted timber fascia can be an acceptable alternative provided that the letters stand no more than 10mm away from the fascia. Lettering should still be of a suitable style and in proportion with the rest of the fascia"*. The proposed pod would stand only 7.5mm away from the fascia and is therefore in accordance with the guidance in this regard. Furthermore, the existing pod, although of broadly the same design, protrudes 30mm from the fascia and appears 'chunky'. The Specsavers pod logo proposed is therefore considered to be an improvement on the current permitted pod sign. The main fascia signage lettering is proposed to be flat cut aluminium attached flush against the fascia which would also represent an improvement in comparison to the existing 15mm protruding main sign.

8.4 With regard to materials, it is acknowledged that neither acrylic nor aluminium are traditional materials, or the preferred material for use within listed buildings and traditional shopfronts. However, the Shopfronts and Advertisements Guidance also states in relation to alternative fascia lettering that: *"Matt finish acrylic or metal is acceptable provided the typeface is traditional and well-detailed."* The lettering and logo are viewed as being of sympathetic style and would accord with the remainder of the fascia guidance in relation to proportions and size. It has now been confirmed that the applied lettering would be satin in finish.

8.5 Most significantly, given the existing signage comprises non-traditional material and a substantial protrusion, the proposed scheme is considered to be acceptable; being more appropriate than the existing. Surrounding shopfronts should also be taken into account, whereby a large number of fascia advertisements consist of protruding acrylic and aluminium signs. The neighbouring numbers 67 (Phase Eight) and 68 (Three.), which form part of the group listing with the application site, comprise protruding acrylic signs.

8.6 The Council's Conservation Officer has been consulted and raises no objection to the advertisement scheme, subject to conditioning the finish of the signage. Taking into account this, and for the reasons set out above, the signage is deemed to be of appropriate design and would not be to the detriment of the amenity of the area, but rather would preserve and enhance visual amenity and the special character and appearance of the listed building and conservation area; thus is in accordance with Policy 47 of the Local Plan, local guidance, and Sections 12 and 16 of the NPPF.

ii) Public Safety

8.7 There is no material change in the nature or positioning of the replacement signage in comparison to the previous, which is deemed to be acceptable. No illumination is proposed and there would not be any conflict with highway safety or public amenity. The proposal therefore poses no risk to pedestrians or public safety. The signage is sufficient distance from the public highway, and would not impact on highway users. Furthermore, the signage would not be likely to obscure or hinder the interpretation of any traffic sign or any other highway operations, and is considered acceptable in this regard.

iii) Other matters and material considerations

8.8 The comments received from the City Council and local bodies have been fully addressed within the above sections. There are not considered to be any other material considerations which would outweigh the recommendation.

9.0 Conclusion

9.1 The proposal is considered to be appropriate within the context of the listed building and its traditional shopfront, and the Chichester Conservation Area; being considered to preserve and enhance these designated heritage assets. The signage is of an appropriate scale and design, with materials and finish being acceptable, and is in accordance with local guidance and national advertisement regulations, in addition to local and national development plans and guidance; thus is therefore acceptable.

Human rights

9.2 In reaching this conclusion, the human rights of the applicants and nearby occupiers have been taken into account and it is deemed that the recommendation to permit is justified and proportionate.

CC/19/02446/ADV RECOMMENDATION

PERMIT subject to the following conditions and informatives:-

1) The works associated with the display of the advertisement(s) hereby permitted shall not be carried out other than in accordance with the plans listed below under the heading "Decided Plans".

Reason: For clarity and in the interest of proper planning.

2) The development hereby permitted shall not be constructed other than in accordance with the materials specified within the application form and plans, unless otherwise agreed in writing by the Local Planning Authority. Notwithstanding the approved documents, the finish of the main signage reading 'Opticians & Audiologist' shall be matt grey painted aluminium, and the pod/logo reading 'Specsavers' shall be finished in a satin appearance.

Reason: To ensure that a harmonious visual relationship is achieved between the new and the existing developments, and to preserve the special character and appearance of the listed building and conservation area.

3) Notwithstanding any indication on the approved plans or documents, the signage hereby approved shall not be in any way illuminated. The signage shall remain non-illuminated unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and highways safety, and to preserve the special character and appearance of the listed building and conservation area.

Decided Plans

The application has been assessed and the decision is made on the basis of the following plans and documents submitted:

Details	Reference	Version	Date Received	Status
PLAN - LOCATION PLAN	5514 : 004			Approved
PLAN -	5514 : 001		10.12.2019	Approved
PLAN -	5514 : 002	Rev B	10.12.2019	Approved
PLAN -	98566/3		10.12.2019	Approved

INFORMATIVES

1) The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, 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 Fjola Stevens on 01243 534734

To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PYC21CER18100>

CC/19/02447/LBC RECOMMENDATION

PERMIT subject to the following conditions and informatives:-

1) The works for which Listed Building Consent is hereby granted must be begun not later than the expiration of 3 years beginning with the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

2) The works hereby permitted shall be carried out in accordance with the plans listed below under the heading "Decided Plans".

Reason: To ensure the works comply with the listed building consent.

3) The development hereby permitted shall not be constructed other than in accordance with the materials specified within the application form and plans, unless otherwise agreed in writing by the Local Planning Authority. Notwithstanding the approved documents, the finish of the main signage reading 'Opticians & Audiologist' shall be matt grey painted aluminium, and the pod/logo reading 'Specsavers' shall be finished in a satin appearance.

Reason: To ensure that a harmonious visual relationship is achieved between the new and the existing developments, and to preserve the special character and appearance of the listed building and conservation area.

4) All other works including any painting, repairs and affixing of signage shall make good the surrounding affected area and the retained and new fabric shall be finished to match the adjacent work with regard to the methods used and to material, colour, texture, profile and style.

Reason: To safeguard the architectural and historic character of the Listed Building and to ensure the detailing and materials maintain the architectural interest of the building.

Decided Plans

The application has been assessed and the decision is made on the basis of the following plans and documents submitted:

Details	Reference	Version	Date Received	Status
PLAN - LOCATION PLAN	5514 : 004			Approved
PLANS - Plans PLAN -	5514 : 002	Rev B	10.12.2019	Approved
PLANS - Plans PLAN -	5514 : 001		10.12.2019	Approved
PLANS - Plans PLAN -	98566/3		10.12.2019	Approved

INFORMATIVES

1) The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, 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 Fjola Stevens on 01243 534734

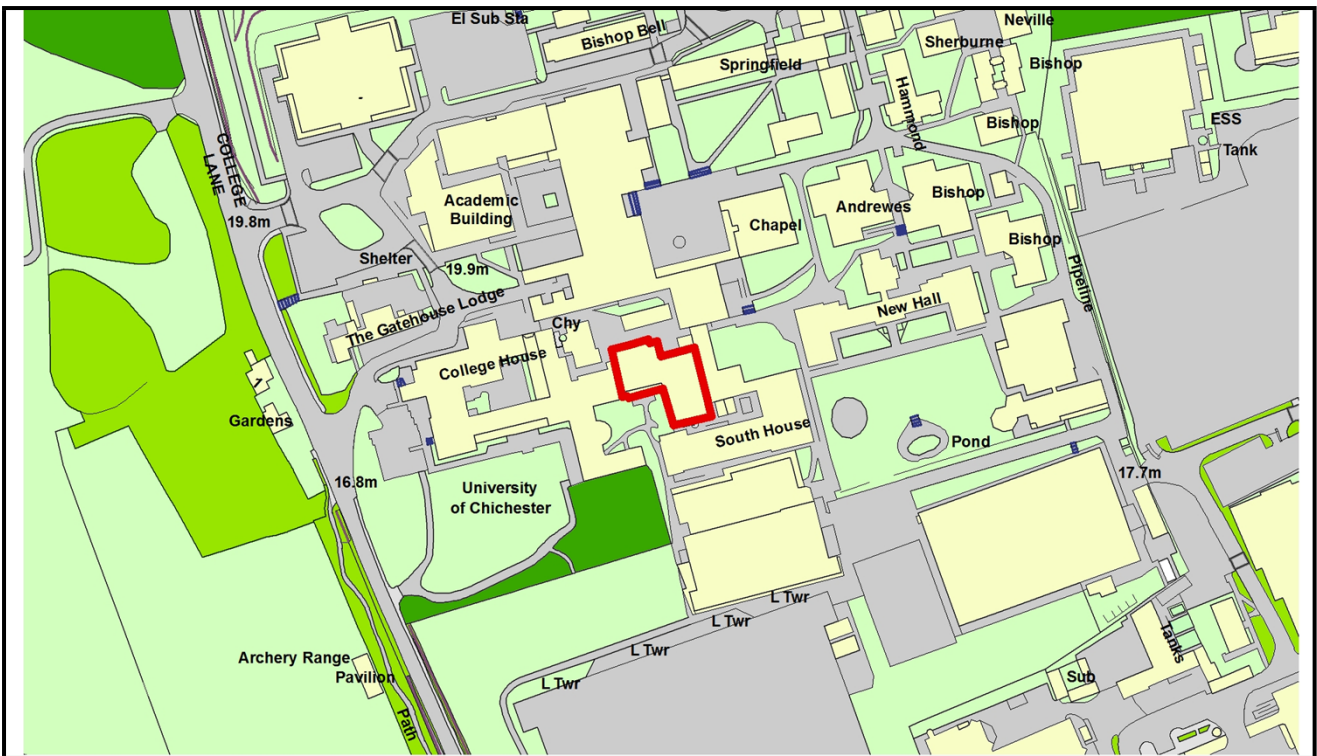
To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PYC3FZERI8500>

Parish: Chichester	Ward: Chichester Central
-----------------------	-----------------------------

CC/19/02462/ADV

Proposal	1 no. non-illuminated fascia sign.		
Site	72-73 South Street Chichester PO19 1EE		
Map Ref	(E) 486070 (N) 104788		
Applicant	Mr Nigel ODell	Agent	Mr Nigel ODell

RECOMMENDATION TO PERMIT



	NOT TO SCALE	<p>Note: Do not scale from map. For information only. Reproduced from the Ordnance Survey Mapping with the permission of the controller of Her Majesty's Stationery Office, Crown Copyright. License No. 100018803</p>
--	---------------------	--

1.0 Reason for Committee Referral

1.1 City Council objection - Officer recommends Permit.

2.0 The Site and Surroundings

2.1 The application building modern three-storey building with a traditional style shopfront at ground floor level; situated on the eastern side of South Street and within the Chichester Conservation Area. The property is not listed, but is between Grade II Listed buildings/shopfronts and close to the Market Cross. The site is within the commercial city centre and there is a variety of signage evident within the surrounding shops. Immediately to the north is 74 South Street, currently occupied by Vision Express, and to the south is a watchmakers and jewellery shop.

3.0 Proposal

3.1 The application seeks advertisement consent for the installation of new signage, following the shop unit's occupation by a new tenant.

3.2 The advertisement comprises a fascia sign reading 'CHARLES CLINKARD' in white painted MDF lettering, with '---EST. 1924---' in smaller lettering of the same material and finish underneath.

3.3 The lettering is applied to the existing wooden fascia and frame, which is to be painted matt grey, and would sit flush against the fascia board albeit protruding 9mm which is the thickness of the lettering. The shopfront is also painted the same matt grey colour and the shop number is proposed to be painted on to the right bottom corner of the fascia.

3.4 The application has been amended since submission, to replace the previous 'stand-off' lettering, which has been installed without consent, with flush lettering. Additionally, the shop number has been added.

4.0 History

09/01759/ADV	PER	Main fascia sign.
09/01765/FUL	PER	Decoration of shopfront, removal of window beds. Alteration to door so they open outwards. Removal of ground floor stockroom.
09/01770/LBC	WDN	Replacement of signage. Decoration of shopfront. Removal of window beds. Alteration to door so they open outwards. Removal of ground floor stockroom. Installation of new ceiling, lighting and display equipment.
13/00910/ADV	PER	Erection of new fascia sign
19/01323/FUL	REF	Change of use from A1 (retail) to flexible A3/A4 use (restaurant/drinking establishment).

5.0 Constraints

Listed Building	No
Conservation Area	Chichester Conservation Area
Rural Area	No
AONB	No
Tree Preservation Order	No
EA Flood Zone	Flood Zone 1
Historic Parks and Gardens	No

6.0 Representations and Consultations

6.1 Chichester City Council

Objection as the proposal does not accord with the appropriate design guidance and would have a detrimental impact upon the character and appearance of the conservation area. No objection should the proposal be amended to a painted timber fascia with painted lettering, however it is requested that the building number be included on the sign.

6.2 CCAAC

The Committee objects to this Application. The proposal for a grey aluminium facing to the fascia with raised lettering and omission of the street number are in contravention of the CDC Guidance for shopfronts in the Conservation Area.

6.3 CDC Conservation Officer

I have reviewed the proposed signage and consider that the proposals are in keeping with the historic street scene. The proposed use of dark grey matt paint for the shop frontage and fascia aligns with the relevant CDC guidance note and the proposed timber lettering is considered to be of an appropriate size and finish. I therefore considered the proposals to be acceptable.

6.4 Third Party Representations

One third party comments has been received concerning the following;

- a) the proposal is in contravention of the Council's guidance on shopfronts in the Conservation Area in that the painted timber fascia is to be faced with grey finish aluminium and raised lettering to be applied, also the street number should be provided on the fascia.
- b) requests changes be made to the proposal on which work is already started to comply with the CDC requirement for City Centre Shopfronts

7.0 Planning Policy

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

Chichester Local Plan: Key Policies 2014-2029

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 & Settlement Hierarchy
- Policy 10: Chichester City Development
- Policy 47: Heritage

National Policy and Guidance

7.3 Government planning policy now comprises the National Planning Policy Framework (NPPF) 2019, with the sections relevant to this application and considered being 2, 4, 12 & 16.

7.4 Section 2 (Achieving sustainable development), paragraphs 10 and 11 state:

"So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development..."

"...For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

7.5 Section 4 (Decision making), Section 12 (Achieving well designed places) and Section 16 (Conserving and enhancing the historic environment) should also be considered generally.

7.6 The following national policy and guidance is also relevant:

- Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)
- Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)

Other Local Policy and Guidance

7.7 The following local policy and guidance is considered to be relevant:

- CDC Shopfronts and Advertisements Guidance 2010
- Chichester Conservation Area Character Appraisal

7.8 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:

- Maintain low levels of unemployment in the district
- Support local businesses to grow and become engaged with local communities
- Influence local policies in order to conserve and enhance the qualities and distinctiveness of our area

8.0 Planning Comments

8.1 The main considerations are as follows:

- i) Design, amenity and impact upon the character of the conservation area
- ii) Impact on public safety
- iii) Public comments and any other material considerations

i) Design, amenity and impact upon the character of the conservation area

8.2 As submitted it was considered that the application presented an overly modern and bulky fascia sign that would be harmful to the character and appearance of the conservation area. The scheme has been amended to address the concerns of officers and those raised by third parties and consultees. Through these amendments, the proposal would now result in the application of painted cut-out timber lettering to the existing timber fascia and the addition of the shop number as requested. The City Council objection comment states they wish for the lettering to be painted on to the fascia rather than through cut-out lettering. However, the Council's Shopfronts and Advertisements Guidance states that *"the application of cut out lettering to a painted timber fascia can be an acceptable alternative provided that the letters stand no more than 10mm away from the fascia. Lettering should still be of a suitable style and in proportion with the rest of the fascia"*. The proposed lettering would stand only 9mm away from the fascia and is therefore in accordance with the guidance in this regard.

8.3 It is considered that due to the proposed use of timber, the size of the lettering in relation to the fascia, the colour and finish, and the proposed addition of the shop front number are fully compliant with the Council's guidance document. Furthermore, this scheme represents a significant improvement over the previous two approved advertisement consents which both included less sympathetic stand-off acrylic signs and an absence of shop number. For these reasons, the signage is deemed to be of appropriate design that would not be to the detriment of the amenity of the area; but rather would preserve and enhance visual amenity and the character of the conservation area; thus is in accordance with Policy 47 of the Local Plan and local guidance.

ii) Impact upon public safety

8.4 There is no material change in the nature or positioning of the replacement signage in comparison to the previous, which is deemed to be acceptable. No illumination is proposed and there would not be any conflict with highway safety or public amenity. The proposal therefore poses no risk to pedestrians or public safety. The signage is sufficient distance from the public highway, and would not impact on highway users. Furthermore, the signage would not be likely to obscure or hinder the interpretation of any traffic sign or any other highway operations, and is considered acceptable in this regard.

iii) Other matters and material considerations

8.5 The comments received from the City Council and local bodies have been fully addressed within the above sections. There are not considered to be any other material considerations which would outweigh the recommendation.

9.0 Conclusion

9.1 The proposal is considered to be appropriate within the context of the Chichester Conservation Area, nearby listed buildings and the site's traditional shopfront. The signage is of an appropriate scale, design and materials, and is in accordance with local guidance and national advertisement regulations, in addition to local and national development plans and guidance; and is therefore acceptable.

Human rights

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

RECOMMENDATION

PERMIT subject to the following conditions and informatives:-

1) The works associated with the display of the advertisement(s) hereby permitted shall not be carried out other than in accordance with the plans listed below under the heading "Decided Plans".

Reason: For clarity and in the interest of proper planning.

2) The advertisement hereby permitted shall not be constructed other than in accordance with the materials specified within the approved plans, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that a harmonious visual relationship is achieved between the new and the existing developments, and to preserve the special character of the conservation area.

3) Notwithstanding any indication on the approved plans or documents, the signage hereby approved shall not be in any way illuminated. The signage shall remain non-illuminated unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and highways safety, and to preserve the special character of the conservation area.

Decided Plans

The application has been assessed and the decision is made on the basis of the following plans and documents submitted:

Details	Reference	Version	Date Received	Status
PLAN - Location Plan (A4)	BLJT-00829773		26.09.2019	Approved
PLANS - Plans PLAN -	8792.05	Rev A	06.12.2019	Approved

INFORMATIVES

1) The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, 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 Fjola Stevens on 01243 534734

To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PYFHM5ERIAJ00>

This page is intentionally left blank

Parish: Chichester	Ward: Chichester North
-----------------------	---------------------------

CC/19/02609/LBC

Proposal	Replacement and refurbishment of existing degraded timber sash windows to match existing.		
Site	South House University Of Chichester Bishop Otter Campus College Lane Chichester West Sussex PO19 6PE		
Map Ref	(E) 486342 (N) 105691		
Applicant	Mr James Baird-Parker	Agent	Mr Ben Rumer

RECOMMENDATION TO REFUSE



	NOT TO SCALE	<p>Note: Do not scale from map. For information only. Reproduced from the Ordnance Survey Mapping with the permission of the controller of Her Majesty's Stationery Office, Crown Copyright. License No. 100018803</p>
--	---------------------	--

1.0 Reason for Committee Referral

- 1.1 Red Card: Cllr Plowman important information/opinion to raise in debate (The application raises interesting issues with regard to how we go forward in the future given the climate change emergency. It may also be useful to understand how to address this in the Chichester Neighbourhood plan for listed and conservation area buildings.)

2.0 The Site and Surroundings

- 2.1 The application site (known as South House) is situated to the western side of the Bishop Otter Campus, located adjacent to College Lane and within the Chichester Conservation Area. South House is a three storey building constructed in brick, with a tile roof. The building was constructed circa 1901 and the distinctive architectural features and detailing reflects the features of the Grade II Listed University House (constructed circa 1860) to which South House is attached. South House is therefore listed by virtue of its attachment to the Grade II Listed Building. University House and South House are visually read in tandem, forming the historic core of the University.
- 2.2 The southern elevation of South House forms a courtyard with a chapel built in 1860. The chapel forms part of the listing for University House. The courtyard forms a particularly important historic view and setting within the Bishop Otter campus and Chichester Conservation Area.

3.0 The Proposal

- 3.1 Listed building consent is sought for replacement and refurbishment of existing degraded timber sash windows and for the retention of a number of windows that have been previously installed without consent, as detailed below;
- The replacement of 39 no. timber framed single glazed sash windows with timber framed double glazed sash windows.
 - The retention and refurbishment of 2 no. staircase windows.
 - To regularise 16 no. windows that have already been replaced with double glazed units without Listed Building Consent.
 - To replace 2 no. unauthorised uPVC windows with double glazed units.
 - The retention of 4 no. double glazed windows installed to single storey glazed corridor to southern elevation

4.0 History

06/05480/FUL	REF	Demolition of single storey link building and the extension of college house to provide a three storey accessibility link.
06/05535/LBC	REF	Demolition of a single storey link building and the extension of College House to provide a three storey accessible link.
08/01272/FUL	PER	Replacement of existing glazed lean-to with new access corridor together with installation of 2 no. lifts to provide wheelchair access to existing teaching accommodation and refurbishment of existing lecture theatre.
08/01273/LBC	PER	Replacement of existing glazed lean-to to new access corridor together with installation of 2 no. lifts to provide wheelchair access to existing teaching accommodation and refurbishment of existing lecture theatre.
12/03366/LBC	WDN	External lift extension and flat roof laboratory adaptation to University House.
12/04788/FUL	PER	External lift extension and flat roof laboratory adaptation to University House.
12/04789/LBC	PER	External lift extension and flat roof laboratory adaptation to University House.
19/00031/FUL	PER	Replace suspended flooring in University House and remove the asbestos currently in the service duct.
19/00032/LBC	PER	Replace suspended flooring in University House and remove the asbestos currently in the service duct.
19/00215/LBC	WDN	The replacement of 37 no. windows in the south link corridor of University House.

5.0 Constraints

Listed Building	YES
Conservation Area	YES
Countryside	NO
AONB	NO
Tree Preservation Order	NO
EA Flood Zone	NO
Historic Parks and Gardens	NO

6.0 Representations and Consultations

6.1 Parish Council

None received. Any that are received will be reported at the committee meeting.

6.2 CCAAC

The Committee has no objection to this Application. We consider this to be a reasonable scheme given the present Climate Emergency Measures and we commend the replacement of the two uPVC windows. The issue of reflectivity from double-glazing is not of great importance in this particular location.

6.3 CDC Principal Conservation and Design Officer

Thank you for consulting design and conservation on the recent application at the above property. The former Bishop Otter Memorial College forms part of the University of Chichester. The main part of this section of university buildings is listed at Grade II and the whole site lies within the Chichester Conservation Area.

The main part of the listed building was constructed in 1848-50 and is a fine example of a typically eclectic Victorian collegiate style building with strong medieval revivalist characteristics. A later extension of 1901 leads to a 1920 extension known as South House which is the subject of this application. South House is listed on account of its attachment to the Grade II Listed University House. Local and national policy is clear that curtilage listed structures must be treated as listed buildings in all regards due to the close relationship they have with the specifically listed structures. This is especially evident in this instance as the later structures have a clear architectural and historic connection to the main listed building.

When appreciating the character of listed buildings the contribution of many small and subtle details help to build a picture of historic character. Brickwork, carved stonework, guttering, roofing materials and windows can seem relatively inconsequential in isolation but when combined form centrally important parts of a buildings historic character. Windows in particular by their very nature take up a large proportion of historic elevations and any changes to their appearance must be carefully considered. The positioning of window openings, the style and materials of the frames and the fine details of their construction are very often a carefully considered part of an architects overall vision for a particular building or elevation. In the case of South House it is clear that in common with many listed buildings its windows form a characterful and interesting part of the facades.

The drawings submitted show only an elevational view of the proposals and these do not accurately communicate the clearly thicker frames, heavier detailing, deeper frame reveals and the occupation of more of the window opening reveal. Double glazing requires timber frames to have this heavier detailing due to the weight of the extra glass. The cumulative effect of this visual change is especially noticeable from acute angles such as ground level, looking up at the upper floors of a tall building such as South House.

The effect of the replacement of the windows of South House with double glazed alternatives would cause less than substantial harm to the heritage asset. In line with Paragraph 196 of the NPPF the harm should be weighed against any public benefits of the scheme. The benefits identified by the applicant are primarily private benefits to the university itself which, whilst of some consequence, cannot be weighed against harm to a heritage asset.

There are however many alterations that can be made to a listed building that can secure significant improvements to thermal and energy efficiency. Having conducted a recent site visit to South House I am of the view that the following alterations could be made without significant harm to the listed building:

- Internal wall insulation
- Floor and ceiling insulation
- Secondary glazing
- Re-insulation of existing windows

These works could easily form part of a wide ranging and convincing effort to upgrade the efficiency of the buildings without the need for the harmful intervention of double glazing.

6.4 Third party representations

None received

7.0 **Planning Policy**

The Development Plan

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

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

Chichester Local Plan: Key Policies 2014-2029

Policy 1: Presumption in Favour of Sustainable Development

Policy 2: Development Strategy and Settlement Hierarchy

Policy 47: Heritage

National Policy and Guidance

7.3 Government planning policy now comprises the 2019 National Planning Policy Framework (NPPF), paragraph 11 of which states:

At the heart of the NPPF is a presumption in favour of sustainable development, For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

7.4 Consideration should also be given to section 16 (Conserving and enhancing the historic environment).

Other Local Policy and Guidance

7.5 The following documents are material to the determination of this planning application:

- Chichester Conservation Area Character Appraisal

7.6 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:

- Influence local policies in order to conserve and enhance the qualities and distinctiveness of our area

8.0 Planning Comments

8.1 The main issues arising from this proposal are:

- i. Impact of the proposed development on heritage assets
- ii. Other matters and material considerations

i. Impact of the proposed development on heritage assets

8.2 Section 66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, states that "In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses." Section 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, requires that the Local Authority give special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. In addition, policy 47 of the Chichester Local Plan states that permission will only be granted where it can be demonstrated that the proposal conserves or enhances the special interest and settings of the designated heritage assets.

8.3 Windows and doors are often among the most prominent features and an integral part of the design of traditional buildings and can be important indicators of when the building was constructed. The design, materials and construction of a fenestration detail are all important to the aesthetic, evidential and historic value of an individual building and this contributes to the significance of heritage assets. Windows are not only an important part of a building's history and form a key part of the architectural composition of a building but also in establishing the character of the area as a whole. In accordance with guidance issued by English Heritage, the Local Planning Authority's approach to double glazing relates to the integrity of protecting the historic significance of the building as much as the design and detail of the windows themselves. Even where double glazing can be accommodated in the apertures double glazing is inherently alien to the character of listed buildings. Whether seen from the exterior or by visitors within the building, the double glazed windows would detract from the special interest and character of South House and University House.

8.4 There are many reasons why the use of double glazing in this building would be detrimental to the historic character and appearance of the Listed Building. In this instance the depth of the double glazing has not been provided as part of the application, however should the units match the glazing installed to the southern glazed lean-to corridor, the units would be approx. 14-16mm in depth. This necessitates thicker frames and glazing bars than traditionally would have been the case if the windows were single glazed. In addition, double glazing appears visually different to a single pane of glass. This is due to the introduction of a perimeter seal between the edges of the two panes of glass and the changes to the framing to accommodate thicker glazing units. The more robust frame required would detrimentally change the relationship and proportions of frame to glass. This is particularly apparent when using a more traditional small pane window frame design, where the amount of glass per area of frame is materially less than for a single glazed design. Furthermore, double glazing tends to reflect light differently which attracts the eye. These factors would make the modern construction of the windows and the use of double glazing clearly obvious.

- 8.5 South House forms an historic extension (constructed early 20th century) to the earlier University House (mid-late 19th century). South House and University House are architecturally similar ensuring that they are visually read together, whilst they also form the historic core of the Bishop Otter Campus. As detailed within the Heritage Statement, South House is an institutional building constructed to provide additional teaching space to that already contained with University House. South House therefore makes a significant positive contribution to the visual and historical appreciation and understanding of University House as a heritage asset. On this basis the assessment within the applicant's Heritage statement that; 'South House is of a different character and is clearly distinguishable from University House' and that 'South House is not considered worthy of listed status in its own right', is not consistent with the important visual and historical contribution that South House makes to the designated heritage asset and underplays the heritage value of the building and its impact upon the setting of the listed University House.
- 8.6 The Heritage Statement details that replacement double-glazed units are sought in order to improve energy efficiency and improve the learning environment for the students of the university. This is a material consideration, emphasised by the District Council's declaration of a climate emergency. Historic England has undertaken research into the thermal upgrading of heritage assets. A number of these findings have been detailed within the Historic England (2014) publication Traditional windows: Their Care, Repair and Upgrading. This report concludes that the thermal efficiency of historic buildings can be greatly improved without replacing windows that contribute to their significance. These measures include the use of curtains, shutters, secondary glazing, and where the windows do not contain the original glass; replacement glass with a low-emissivity coating such as the 'HistoGlass Mono Range' may be acceptable.
- 8.7 The above measures would represent an acceptable compromise and would secure optimum viable use and significantly improve thermal performance without compromising the historic integrity, character and appearance of the heritage asset. The heritage statement does not assess any other alternative measures that could have been considered prior to the implementation of the harmful double glazing, and there is nothing to explain why other measures such as those detailed above could not achieve similar thermal performance, or better, as part of a 'whole building approach' without having a harmful impact upon the heritage asset.
- 8.8 Paragraph 184 of the NPPF states that 'heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of existing and future generations', whilst the Local Planning Authority has a statutory duty to have 'special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'. Paragraph 196 of the NPPF 2019 states 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.' The installation of double glazing would in this instance amount to less than substantial harm to the heritage asset.

However, as detailed above, alternative methods could be implemented as part of a 'whole building approach' that would provide a similar level of comfort to students and staff, whilst also providing similar or better thermal performance than the installation of double glazing. In addition, there is no indication that the building's overall viable use is seriously threatened. It is considered by officers that the proposal would be damaging to the significance, integrity and appearance of the heritage asset and therefore the limited increase in thermal performance would not provide a public benefit that would outweigh the clearly demonstrable harm.

8.9 The site is also situated within the Chichester Conservation Area. The character and appearance of Listed Buildings make an important contribution to the appearance and quality of the Chichester Conservation Area. As detailed above, the proposal would have a detrimental impact upon the Listed Building itself and therefore the proposal would also detract from the enjoyment and appreciation of South House and University House within the Chichester Conservation Area. On this basis, the proposal would fail to preserve or enhance the Chichester Conservation Area as required by S72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy 47 of the Chichester Local Plan.

iii. Other matters and material considerations

8.10 The Heritage Statement provided in support of the application states that the proportions and overall character of the proposed replacement windows are similar to those approved under 08/01272/FUL and 08/01273/LBC. The above applications granted consent for a glazed lean-to corridor along the southern elevation. Neither of the decision notices for the application or the approved plans or documents make any reference to the windows included within the link as being double glazed, and instead they are referred to only as "timber sliding sash" within the Design and Access Statement. It is therefore considered that consent has not been expressly granted for double glazed units. In addition, it is considered that the double glazed windows that were installed, are harmful to the integrity and appearance of the Listed Building.

8.11 The 2 no. existing uPVC windows are considered to be unlawful and therefore the desire to replace these is welcome in heritage terms. However, it remains that the double glazed windows now proposed would still result in harm and it is considered that the presence of the existing upvc window does not outweigh the identified harm.

8.12 In addition to the Listed Building Consent for the works proposed, the proposal likely requires full planning permission. In the event consent is granted, the applicant should be made aware by an informative that a further application would be required.

Conclusion

8.13 Overall, it is considered that the double glazing, both installed and proposed, would cause less than substantial harm to South House and University House which is a Grade II Listed Building. This harm would not be outweighed by any public benefit. Therefore such development would be contrary to S66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, NPPF 2019 and Policy 47 of the Chichester Local Plan. The proposal would also fail to preserve or enhance the Chichester Conservation Area as required by S72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, NPPF 2019 and Policy 47 of the Chichester Local

Plan. The existence of double glazed windows already is not determinative in the decision to resist further double glazing, particularly as these existing windows are deemed to be unlawful and detract from the special interest of the building. There are no public benefits or other material considerations that would outweigh the harm that would be caused by the proposed works.

Human Rights

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

RECOMMENDATION

REFUSE for the following reason:-

The proposed works to the windows would by reason of the use of double glazing and the resultant chunky design and proportions, increased reflectivity of the glass and introduction of a perimeter seal detract from the historic and architectural character of the listed building. The works would cause less than substantial harm to South House and University House which is a Grade II Listed Building. This harm would not be outweighed by any public benefit and there is no evidence that the building's overall viable use is seriously threatened. Such development would be contrary to S66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, paragraphs 184, 192, 193, 196 and 202 of the National Planning Policy Framework 2019, and Policy 47 of the Chichester Local Plan and there are no public benefits or other material considerations that would outweigh the harm that would be caused by the proposed works.

Decided Plans

The application has been assessed and the decision is made on the basis of the following plans and documents submitted:

19025-HNW-ZZ-00-DR-A-1001, 19025-HNW-ZZ-00-DR-A-1200, 19025-HNW-ZZ-00-DR-A-2200, 19025-HNW-ZZ-01-DR-A-1201, 19025-HNW-ZZ-01-DR-A-2201, 19025-HNW-ZZ-02-DR-A-1202, 19025-HNW-ZZ-02-DR-A-1300, 19025-HNW-ZZ-02-DR-A-1301, 19025-HNW-ZZ-02-DR-A-2202, 19025-HNW-ZZ-02-DR-A-2300, 19025-HNW-ZZ-02-DR-A-2301, 19025-HNW-ZZ-02-DR-A-2400, 19025-HNW-ZZ-ZZ-DR-A-1000

For further information on this application please contact William Price on 01243 534734

To view the application use the following link -

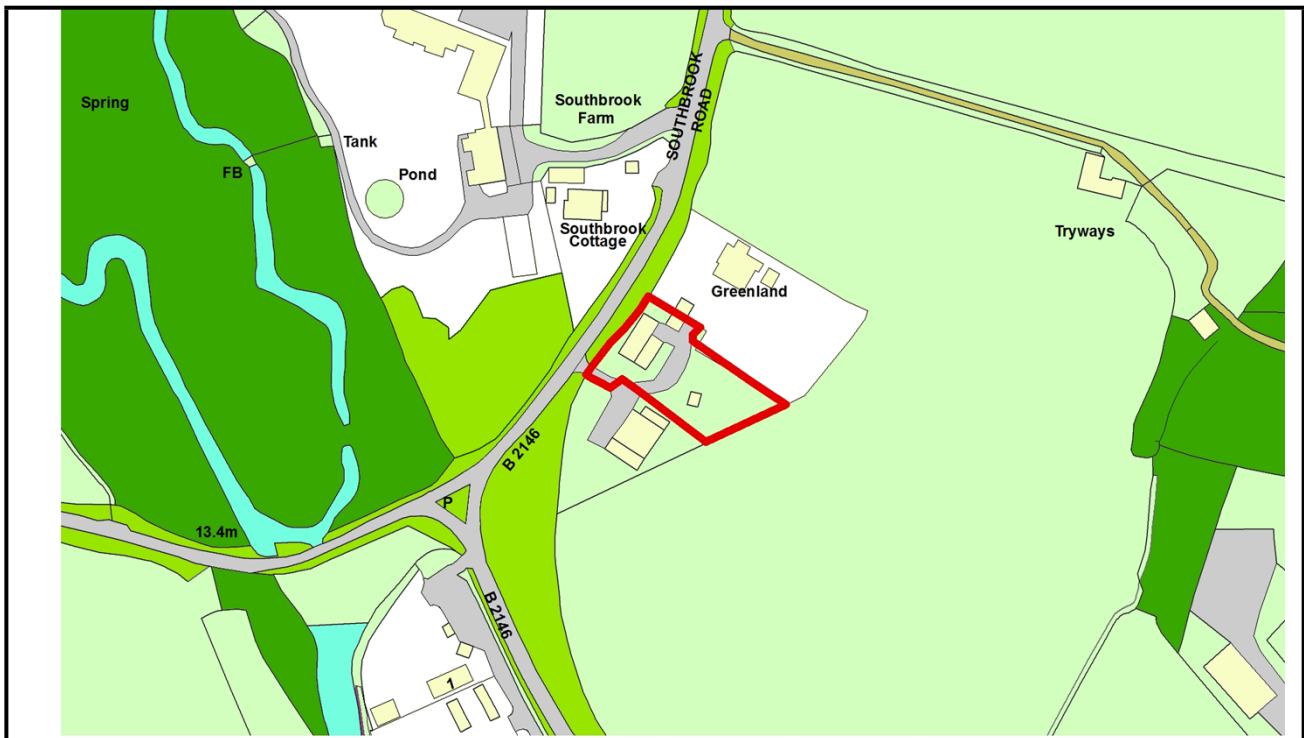
<https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PZ7XEEERIX400>

Parish: Funtington	Ward: Lavant
-----------------------	-----------------

FU/19/02514/FUL

Proposal	Demolition of existing store and ancillary office building and replacement with 3 bedroom bungalow with associated drive way, foul water treatment plant, PV Roof panels and Air Source Heating Unit.		
Site	Greenlands Farm Buildings On Land Adjacent To Greenlands House Southbrook Road West Ashling Chichester West Sussex PO18 8DN		
Map Ref	(E) 481087 (N) 106794		
Applicant	Mr & Mrs Nigel Ostler-Harris	Agent	Mr Philip Hamblin

RECOMMENDATION TO PERMIT



	NOT TO SCALE	<p>Note: Do not scale from map. For information only. Reproduced from the Ordnance Survey Mapping with the permission of the controller of Her Majesty's Stationery Office, Crown Copyright. License No. 100018803</p>
--	---------------------	--

1.0 Reason for Committee Referral

1.1 Parish Objection – Officer recommends Permit.

2.0 The Site and Surroundings

2.1 The application site is situated within the rural area to the eastern side of Southbrook Road and is surrounded by countryside and agricultural land. The land to the immediate west and north of the application site falls within the bounds of the South Downs National Park.

2.2 The current building on the application site is a single storey pitched roof structure of corrugated metal construction, which was used for the storage and distribution of concrete cutters and coring equipment for off-site operations. Adjoining this building is a single storey flat roof structure of brick construction, which was used as offices for purposes related to the storage and distribution facility. Prior approval to convert the building to a dwelling was permitted in 2017 and some of these works have been undertaken.

3.0 The Proposal

3.1 The application seeks planning permission for the demolition of the existing building and the construction of a single storey detached dwelling. The dwelling would be located further to the south east than the existing building, albeit partly on the existing footprint.

3.2 The proposal has been amended since its submission removing a window to the north east elevation and replacement of a single storey element with a pitched roof. The proposed dwelling would consist of two elements, the main being a single storey with a ridge height of 4.5 metres, an eaves height of 2.5 metre, a depth of 5.6 metres and a width of 15.5 metres. To the rear of this would be a rear projection of 5.2 metres, with an 'M' shaped roof with a ridge height of 4.3 metres and a width of 11.4 metres. To the south of this application site prior approval was permitted in 2017 for the conversion of a light industrial building (B1) to dwelling. In 2019 planning permission was granted for the replacement of the existing light industrial building and replacement with 1 no. 4 bedroom bungalow.

4.0 History

00/03007/DOM	PER	Two storey rear extension and demolish existing single storey rear extension.
01/02917/DOM	PER	New porch to replace the existing.
04/01868/DOM	PER	Single storey side extension and new pitched roof on existing flat roof garage.
06/03451/DOM	PER	Single storey kitchen extension
15/03096/DOM	PER	Second storey side extension, on top of existing single storey extension.

17/00795/PA3P	YESPAP	Part 3 Class P application for prior approval - Proposed change of use of B8 storage building to 1 no. dwelling.
17/03248/PA3O	YESPAP	Notification of Prior Approval for Change of Use from a single storey light industrial building (B1) to dwelling house (C3).
19/00961/FUL	PER106	Demolition of existing light industrial building and replacement with 1 no. 4 bedroom bungalow and detached open carport with associated driveway.

5.0 **Constraints**

Listed Building	NO
Conservation Area	NO
Rural Area	YES
AONB	NO
Strategic Gap	NO
Tree Preservation Order	NO
EA Flood Zone	NO
Historic Parks and Gardens	NO

5.0 **Representations and Consultations**

6.1 Parish Council

The Parish Council feel that the bungalow as proposed should not be moved away from the footprint of the existing building, the proposed moving of the bungalow back into the site, will have an impact on the amenities currently enjoyed by the neighbouring property (Greenlands House) and the moving of the proposed dwelling will result in unnecessary overlooking into this neighbouring property.

The design of the building is out of keeping with the local area, the building should be designed to be more 'barn like'. A more traditional approach would better suit the character of the area.

There should not be any large glazed openings in the proposed flat roof, as we understand that this development site is within an intrinsic zone of darkness, the external glazed areas should also be reduced so as not to cause excessive light pollution. There is a lot of bat activity in this area and the surrounding woodlands are a natural habitat for owls and bats, so light pollution should be avoided where possible.

6.2 WSCC Highways

Access and Visibility

The existing shared access will be utilised for this development and no alterations are proposed. Whilst visibility is somewhat restricted in this location, the LHA appreciates that this is an existing access that serves 2 sites. An inspection of collision data provided to WSCC by Sussex Police from a period of the last 5 years reveals no recorded injury accidents attributed to road layout within the vicinity of the site. Therefore there is no evidence to suggest the existing access is operating unsafely or that the proposal would exacerbate an existing safety concern. Additionally, the proposed dwelling is not anticipated to generate an intensification of material movements to or from the site when compared with the potential of the existing use.

The LHA was consulted on highway matters for Prior Approval at this site for change of use from light industrial building to C3 dwellinghouse under ref: 17/03248/PA30. The LHA raised no highway safety concerns to the proposal but did make the following comments which are still considered a valid consideration: 'Under previous prior approval at the site evidence was provided that this access has been made up and improved since 2011. Nevertheless it is not known whether this was done to specification and formal licence obtained from the WSCC Area Engineer. The LHA therefore advise that the applicant contact the Area Office regards obtaining a retrospective licence for these work.'

Parking and Turning

2 vehicular parking spaces with electric charging points are proposed for the new dwelling. The WSCC Car Parking Demand Calculator has indicated that a property of this size in this location would require 3 car parking spaces. There appears to be sufficient space on the proposed driveway to accommodate 3 car parking spaces that meet the minimum specifications of 2.4m x 4.8m. In the interests of sustainability and as result of the Government's 'Road to Zero' strategy for at least 50% of new car sales to be ultra-low emission by 2030, electric vehicle (EV) charging points should be provided for new homes. Based upon current EV sales rates within West Sussex, active charging points should be provided for a minimum of 20% of all proposed parking spaces. Ducting should be provided to the remaining 80% of parking spaces to provide 'passive' provision for these spaces to be upgraded in future. Due to the small scale nature of this proposal, the anticipated provision of active EV spaces for this development would be 1 space and should be provided in accordance with the above WSCC guidance and Chichester Local Plan policy.

There appears to be sufficient room for on-site turning to be achievable, allowing vehicles to exit the site onto Southbrook Road in a forward gear.

An existing structure is to be utilised for secure and covered cycle parking. The inclusion of cycle parking helps promote the use of sustainable alternative modes of transport to the private car.

Sustainability

The site is situated in a rural location that lacks access to some immediate amenities and services. Therefore, future residents may have a reliance on the private car. However, as mentioned above the applicant has demonstrated cycle parking which will help encourage the use of sustainable transport methods.

Conclusion

The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal. If the LPA are minded to approve the application, the LHA suggest a number of conditions.

6.3 Coast Protection & Land Drainage Officer

Flood Risk: The proposal is wholly within flood zone 1 (low risk), therefore we have no objection to the proposed use/scale subject to satisfactory surface water drainage.

Foul Drainage: The proposal is to install a package treatment plant, we have no comments on the acceptability of this approach. However we note that it will ultimately discharge into a local watercourse, which will require Ordinary Watercourse Consent.

We recommend an advisory be attached to any approval of the need to for this consent.

The following website provides further guidance and details on how to apply.

<https://www.westsussex.gov.uk/fire-emergencies-and-crime/dealing-with-extremeweather/flooding/flood-risk-management/ordinary-watercourse-land-drainage-consent/>

Surface Water Drainage: The proposal is to drain the development to a soakaway in the rear garden. This approach is acceptable in principle and should be designed and constructed to meet current building regulations.

6.4 CDC Environment Officer

Bats

The lighting scheme for the site will need to take into consideration the presence of bats in the local area and the scheme should minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding.

We require that a bat brick is integrated into the building onsite facing south/south westerly positioned 3-5m above ground. The hedgerows on site are used by bats for commuting and foraging and will need to be retained and enhanced for bats. This will include having a buffer strip around the hedgerows. Any gaps should also be filled in using native hedge species to improve connectivity. Conditions should be used to ensure this.

Reptiles

We are happy that a precautionary approach can be undertaken on the site for reptiles. This involves any removal of scrub, grassland or ruderal vegetation to be done sensitively and done with a two phased cut

Nesting Birds

Any works to the trees or vegetation clearance on the site should only be undertaken outside of the bird breeding season which takes place between 1st March 1st October. If works are required within this time an ecologist will need to check the site before any works take place (with 24 hours of any work).

We would like a bird box to be installed on the new building and or tree within the garden of the property.

Enhancements

We would like to see a number of enhancements incorporated within the scheme including;

- Any trees removed should be replace at a ratio of 2:1
- Filling any gaps in tree lines or hedgerows with native species
- Bat and bird boxes installed on the site (as detailed above)
- Grassland areas managed to benefit reptiles.
- We require that gaps are included at the bottom of the fences to allow movement of small mammals across the site.

Recreational Disturbance

For this application we are satisfied that the only HRA issue is recreational disturbance and as long as the applicant is willing to provide a contribution to the Bird Aware scheme, the standard HRA Screening Matrix and Appropriate Assessment Statement template can be used.

7.0 Planning Policy

The Development Plan

- 7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029 and all made neighbourhood plans. There is no neighbourhood plan for Funtington 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 3: The Economy and Employment Provision

Policy 4: Housing Provision

Policy 33: New Residential Development

Policy 39: Transport, Accessibility and Parking

Policy 40: Sustainable Design and Construction

Policy 45: Development in the Countryside

Policy 48: Natural Environment

Policy 49: Biodiversity

Chichester Local Plan Review Preferred Approach 2016 - 2035

7.3 Work on the review of the adopted Local Plan to consider the development needs of the Chichester Plan Area through to 2036 is now well underway. Consultation on a Preferred Approach Local Plan has taken place and following detailed consideration of all responses to the consultation, it is intended that the Council will publish a Submission Local Plan under Regulation 19 in March 2020. Following consultation, the Submission Local Plan will be submitted to the Secretary of State for independent examination. In accordance with the Local Development Scheme, it is anticipated that the new Plan will be adopted by the Council in 2021. However, at this stage, it is considered that very limited weight can be attached to the policies contained within the Local Plan Review.

National Policy and Guidance

7.4 Government planning policy now comprises the National Planning Policy Framework (NPPF), paragraph 11 of which states:

At the heart of the NPPF is a presumption in favour of sustainable development, For decision-taking this means:

a) approving development proposals that accord with an up-to-date development plan without delay; or

b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

7.5 Consideration should also be given to Sections 2 (Achieving Sustainable Development), Section 4 (Decision-Making), Section 5 (Delivering a Sufficient Supply of Homes, Section 9 (Promoting Sustainable Transport), Section 11 (Making Effective Use of Land), Section 12 (Achieving Well-Designed Places), Section 14 (Meeting the Challenge of Climate Change, Flooding and Coastal Change, Section 15 (Conserving and Enhancing the Natural Environment),

7.6 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:

- Support communities to meet their own housing needs
- Promote and increase sustainable, environmentally friendly initiatives in the district
- Influence local policies in order to conserve and enhance the qualities and distinctiveness of our area

8.0 Planning Comments

8.1 The main considerations are as follows:

- i) Principle of new residential development
- ii) Design, scale and impact upon the character of the surrounding countryside
- iii) Impact upon amenity of neighbouring properties and future occupiers
- iv) Highways and parking
- v) Biodiversity and Sustainability
- vi) Impact on the Chichester & Langstone Harbours Special Protecting Area (SPA)
- vii) Other matters and material considerations

Assessment

i. Principle of new residential development

8.2 The application site is located outside of any settlement boundary and is therefore within the countryside where unrestricted new dwellings are not normally permitted. However, the permitted prior approval application (17/00795/PA3P/PA3O) provides a fall-back position for residential use of the site, and this is a material consideration. A building Regulations Application has been submitted for the works and although some works have been undertaken the development has not been completed. The submitted Planning Statement recognises the current climate and the need to have ever more energy efficient homes and provide a system for renewable energy. The applicant states that a number of improvements can be made to the scheme, both visually and environmentally, over and above what the prior approval permitted and this forms part of the justification for the proposed new dwelling.

- 8.3 It is considered that the prior approval application can be considered as a fall-back position that carries significant weight because it appears the prior approval scheme is capable of being implemented. Given this, the principle of residential development has been established and, providing the replacement dwelling is within the parameters of the scale of the existing building, can be considered acceptable in principle; subject to assessment of other criteria and material considerations such as design, amenity and countryside impact.
- ii. Design, scale and impact upon the, character of the surrounding countryside
- 8.4 Policy 33 of the LP refers to new residential development and sets out that proposals must meet the highest standards of design and a high quality living environment in keeping with the character to the surrounding area and its setting in the landscape; in addition that its scale, form, massing and siting, height and design respects and enhances the character of the surrounding area and site.
- 8.5 The proposal has been amended since its submission; a window to the north east elevation has been removed and the single storey element has a pitched roof. The proposed dwelling would have a similar footprint to the permitted prior approval and would be of a similar massing and scale. While the proposed building is sited further to the east than the existing, it is broadly in a similar position.
- 8.6 The garden area for the proposed dwelling is larger than what was permitted under the prior approval. This would normally be unacceptable; however neighbouring dwellings have gardens that project to the length that is proposed under this application. There is an existing clear boundary created because of the neighbouring dwellings, and it is therefore considered that the enlarged garden area would not be harmful to the openness of the countryside.
- 8.7 The proposal can therefore be considered as being within the existing scale parameters and would not be materially larger or, as a result, have a materially different impact on the surrounding countryside that the approved prior approval scheme. The design utilises elements of typical residential, industrial and rural buildings, which is considered to be appropriate given its physical and historical context and would provide a building of improved appearance in comparison to the existing. The proposal is therefore deemed to be acceptable in terms of scale, form and design, and would be in-keeping with the surrounding area and countryside; therefore complying with Local Plan Policies 33, 45, 47 and 48.
- iii. Impact upon amenity of neighbouring properties and future occupiers
- 8.8 The NPPF states in paragraph 127 that planning should ensure a good quality of amenity for all existing and future occupiers of land and buildings, and policy 33 of the CLP include requirements to protect the amenities of neighbouring properties.

8.9 The application has been amended since its submission, removing a window to the north east elevation. The proposed dwelling would be located 10 metres from the boundary with the property to the north east, which would be 28 metres from the proposed dwelling. Given the distance to neighbouring properties and the scale of the proposed dwelling it is not considered the proposal would have a harmful impact to neighbouring amenity in the form of overlooking or overbearing.

8.10 In terms of providing an adequate level of amenity for future occupiers of the site, the proposal is considered to be an improvement in this regard, given the proposal would provide a more regular and purpose built residential home rather than conversion of a non-residential building. A condition can be attached in relation to unexpected contamination; to ensure that appropriate remediation measures are put into place should it be found the land is contaminated during the construction process.

iv. Highways and parking

8.11 The application proposes to utilise the existing access to the site and would provide internal parking provision for at least two cars in addition to adequate turning arrangements; allowing cars to both enter and leave the site in a forward gear. The County Highways Authority has been consulted and raised no objections subject to condition. The proposal therefore accords with Local Plan Policy 39 and is acceptable in terms of highway safety and parking provision.

v. Biodiversity and Sustainability

8.12 The applicant has commissioned and submitted a Phase 1 Ecological Survey which concluded that the site was of limited ecological value and there was no evidence of protected bats within the building or other protected species within the site. The building is of a modern design and industrial nature, and therefore the habitat potential for roosting bats is limited. Nevertheless, the Ecological Report suggests mitigation and enhancement measures such as grassland management and provision of a bat/bird boxes to provide biodiversity enhancements on site; in-line with Local Plan Policy 49. The Council's Ecology Officer raises no objections subject to an appropriate condition. It can therefore be reasonably concluded that the proposal would not harm protected species and would enhance biodiversity across the site subject to the recommended condition requiring the proposed mitigation and enhancements to be implemented.

8.13 The construction of a new dwelling rather than the conversion of the existing would allow for an improvement of the sustainability of the building. The application proposes to incorporate solar panels to the roof, includes an air source heat pump and electric car charging for the parking spaces. Policy 40 of the Chichester Local Plan states that proposal should minimise the impact of the development upon climate change. It is recommended to attach a condition requiring a strategy outlining details of the sustainable design and construction to be submitted to ensure that the requirements of policy 40 are met.

vi. Impact on the Chichester & Langstone Harbours SPA

- 8.14 The site lies within the 5.6km 'Zone of Influence' of the Chichester and Langstone Harbours Special Protection Area (SPA), where new residential development is likely to have significant environmental impacts on this internationally important designation. Local Plan Policy 50 relates to development and disturbance of birds within this internationally designated Special Protection Area. Effective mitigation, against potential recreational impact arising from new residential properties, needs to be provided. In accordance with Policy 50, the Recreational Disturbance of Birds in SPAs Guidance 2019, and as recommended by Natural England, a financial contribution to the established joint mitigation scheme is appropriate in this instance.
- 8.15 The most up-to-date fees are set-out within the Council's Recreational Disturbance of Birds in SPAs Guidance 2019. For residential development within the Chichester and Langstone Harbours SPA buffer zone, fees are based on the number of bedrooms. In this case the fee is based on a three-bedroom house, minus the fee paid for the previous scheme, in addition to the flat rate £100 monitoring fee; totalling £687. The applicant has paid the fee and signed a Unilateral Undertaking. The proposal is therefore considered to provide appropriate mitigation against impacts on the SPA, and therefore would not be detrimental to the SPA in accordance with Local Plan Policy 50 and local and national guidance. An appropriate assessment has been carried out and the mitigation proposed is acceptable.

Conclusion

- 8.16 Based on the above it is considered the proposal would be of an appropriate design that not detract from the rural character of the surrounding area, would not have a significant adverse impact upon the amenities of neighbours and would be acceptable in all other respect. The proposal therefore complies with the relevant local and national development plan policies and guidance and, accordingly, the application is recommended for approval, subset to conditions.

Human rights

- 8.17 In reaching this conclusion, the Human Rights of the applicants and nearby occupiers have been taken into account and it is deemed 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 three years from the date of this permission.

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

- 2) The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Decided Plans"

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3) Notwithstanding any details submitted no works shall be carried out above slab level until a full schedule of all materials and finishes and samples of such materials and finishes to be used for external walls and roofs of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved schedule of materials and finishes unless otherwise agreed in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail in the interest of amenity and to ensure a development of visual quality.

- 4) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. The development shall not be first occupied until:

- i) an investigation and risk assessment has been undertaken in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority, and
- ii) where remediation is necessary a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. Any remediation shall be fully implemented in accordance with the approved scheme before the development is brought into use, and
- iii) a verification report for the remediation shall be submitted in writing to the Local Planning Authority before the development is first brought into use.

Reason: In the interests of amenity and to protect the health of future occupiers of the site from any possible effects of contaminated land in accordance with local and national planning policy.

- 5) No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development.

- 6) No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

- 7) Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) no building, structure or other alteration permitted by Classes A and E; of Part 1 Schedule 2 shall be erected or made on the application site without a grant of planning permission.

Reason: In the interests of protecting the amenity of the surrounding area and countryside, and to prevent overdevelopment of the site.

- 8) All planting, seeding or turfing hereby approved shall be carried out in accordance with the submitted Landscape Proposals and the Soft Landscape Specification. A phasing plan, including a timetable for implementation and a programme of maintenance of the open space area, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development and any trees or plants, including any existing trees or hedgerows indicated as being retained in the approved scheme, which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

- 9) Prior to first occupation of the dwellings hereby permitted boundary treatments shall be provided in accordance with a scheme that shall first be submitted to and approved in writing by the Local Planning Authority. The scheme shall include;
- (a) a scaled site plan showing the location and lengths of the boundary treatments and scaled elevations,
 - (b) details of the materials and finishes, and
 - (c) gaps at the bottom of the fences to allow movement of small mammals across the site.

Thereafter the boundary treatments shall be maintained as approved in perpetuity.

Reason: In the interests of protecting the amenity of neighbouring properties and protecting biodiversity.

- 10) Prior to the occupation of the dwellings hereby permitted the proposed hardstanding and driveway shall be constructed of porous materials and shall be retained in that condition in perpetuity.

Reason: To protect the environment, restrict the amount of additional run off water and to reduce the risk of surface water flooding.

11) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015, as amended, there shall be no external illumination on the development hereby permitted other than in accordance with a lighting scheme that shall first have been submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall include details of the proposed location, design, level of luminance and any measures to avoid light spillage. The lighting scheme shall thereafter be maintained in accordance with the approved details in perpetuity.

Reason: In the interests of protecting the environment and local residents from light pollution and in the interests of preserving the nature conservation interests of the area.

12) No development or demolition shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The measures approved within the CMS shall thereafter be fully adhered to during the demolition and construction process. The CMS should provide for the following:

- a) hours of construction (including demolition) and delivery
- b) details and method of demolition
- c) provision for parking of vehicles
- d) provision for storing of equipment, materials and waste
- e) details for the erection and maintenance of any security hoarding
- f) measures to control emission of dust and noise
- g) provision of road sweepers and/or wheel washing facilities
- h) details of proposed external lighting to be used during construction, which should be restricted
- i) waste management and litter control, including prohibiting burning of materials/waste
- k) details of the disposal of waste including measures to prevent litter, encourage recycling and prevent bonfires on the site.

Reason: These details are necessary pre-commencement to ensure the development proceeds in the interests of highway safety and in the interests of protecting nearby residents from nuisance during all stages of development and to ensure the use of the site does not have a harmful environmental effect.

13) **No part of the development hereby permitted shall be occupied** until refuse and recycling storage facilities have been provided in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority. Thereafter the refuse and recycling storage facilities shall be maintained as approved and kept available for their approved purposes in perpetuity.

Reason: To ensure the adequate provision of onsite facilities in the interests of general amenity and encouraging sustainable management of waste.

14) No development shall commence until a strategy outlining details of the sustainable design and construction for all new buildings, including water use, building for life standards, sustainable building techniques and technology, energy consumption maximising renewable resources, and how a reduction in the impacts associated with traffic or pollution will be achieved including but not limited to charging electric vehicles, has been submitted to and approved in writing by the Local Planning Authority. This strategy shall reflect the objectives in Policy 40 of the Chichester Local Plan: Key Policies 2014-2029. The approved strategy shall be implemented as approved prior to first occupation unless any variation is agreed in writing by the Local Planning Authority.

Reason: To minimise the impact of the development upon climate change. These details need to be agreed prior to the construction of the development and thus go to the heart of the planning permission.

Decided Plans

The application has been assessed and the decision is made on the basis of the following plans and documents submitted:

Details	Reference	Version	Date Received	Status
PLAN - Existing and prior approval plans with location	PL OS501		02.10.2019	Approved
PLAN - SUBSTITUTE PLAN 06/12/19 - PROPOSED FLOOR PLANS AND ELEVATIONS (A1)	PL OS503	REV B	06.12.2019	Approved
PLAN - SUBSTITUTE PLAN 06/12/19 - PROPOSED SITE PLAN (A1)	PL OS502	REV A	06.12.2019	Approved

INFORMATIVES

- 1) The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
- 2) The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted.

For further information on this application please contact Daniel Power on 01243 534734

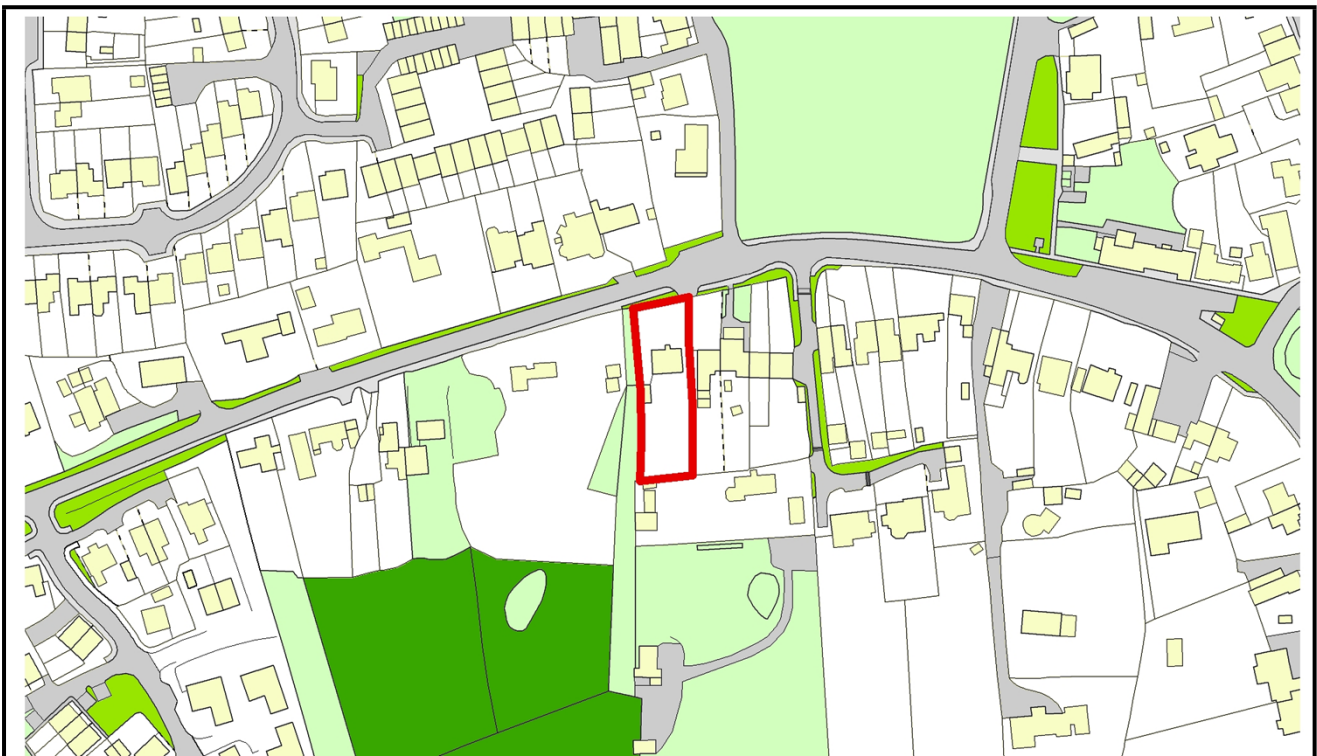
To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PYQT9HERIJ200>

Parish: Wisborough Green	Ward: Loxwood
-----------------------------	------------------

WR/19/02701/LBC & WR/19/02700/DOM

Proposal	Construction of single storey side/rear extension.		
Site	Albion House Petworth Road Wisborough Green RH14 0BH		
Map Ref	(E) 504854 (N) 125887		
Applicant	Mr Jonathan Stern	Agent	Mr Ewan Stoddart

RECOMMENDATION TO PERMIT



	NOT TO SCALE	<p>Note: Do not scale from map. For information only. Reproduced from the Ordnance Survey Mapping with the permission of the controller of Her Majesty's Stationery Office, Crown Copyright. License No. 100018803</p>
--	---------------------	--

1.0 Reason for Committee Referral

1.1 Parish Objection - Officer recommends Permit

2.0 The Site and Surroundings

- 2.1 The application site (known as Albion House) is located on the southern side of the A272 in a prominent position within the Wisborough Green Conservation Area, situated south of the village green. The property is situated within the historic core of the settlement; with a number of listed buildings situated in close proximity, including the Grade II Listed Jasmine Cottage immediately east of the application site.
- 2.2 The application site comprises an early C19 Georgian property, two storeys in height, constructed from red brick to the principle elevation and chequer board brickwork to the rear elevation. The property contains a number of prominent chimneys. The rear elevation contains a number of original sash windows, with some later Victorian additions as identified by the larger window panes and fewer glazing bars. The front of the site contains a carriage driveway. The rear of the site contains amenity space and it is understood that approximately 20 years ago the rear of the property contained a conservatory. The property was given Grade II Listed status on 22nd May 1985 and the listing description is as follows:

TQ 0425 WISBOROUGH GREEN PETWORTH ROAD

House. Early C19. Two storeys. Three windows. Red brick. Modillion eaves cornice. Tiled roof. Glazing bars intact. Wide porch with pediment containing round-headed doorway with semi-circular fanlight and door of six fielded panels.

Listing NGR: TQ0485725888

3.0 The Proposal

- 3.1 Listed Building Consent (19/02701/LBC) is sought for the following works:
- Single storey rear and side extension
 - Removal of ground floor window and increased opening between main house and proposed extension
 - Removal of plaster board walls in area of present WC/larder to create increased kitchen.
- 3.2 Planning permission (19/02700/DOM) is sought for the following works:
- Single storey rear and side extension
- 3.3 The proposed extension would measure approximately @m x @m x @m.

4.0 History

17/03457/DOM	REF	Construction of single storey side and rear extension.
17/03458/LBC	REF	Construction of single storey side and rear extension.
19/02255/LBAOS	PCO	Proposed single storey rear extension and internal alterations.
18/00028/REF	DISMIS	Construction of single storey side and rear extension.
18/00069/REF	DISMIS	Construction of single storey side and rear extension.

5.0 Constraints

Listed Building	Grade II Listed
Conservation Area	YES
Countryside	NO
AONB	NO
Strategic Gap	NO
Tree Preservation Order	NO
EA Flood Zone	NO
Historic Parks and Gardens	NO

6.0 Representations and Consultations

6.1 Parish Council

The Parish Council OBJECTS to the application. It is contrary to Neighbourhood Plan Policy DS3: Housing Extensions Style and Vernacular page 51. Any proposed extension adjacent to a Listed building or buildings of historic interest and/or open space should be sensitively designed to conserve the setting, form and character of the building and/or space.

The Parish Council also notes the roof lights. In view of its support of dark sky policies and initiatives, if the Planning Authority is minded to permit the application, the Parish Council would request that blinds or glazing film be installed on the roof lights to prevent the egress of light at night.

6.2 CDC Environmental Health

Our department would have no objection from an Environmental Health perspective.

6.3 CDC Principle Conservation and Design Officer

The most recent proposals for Albion House follow a rigorous period of pre application negotiation with officers following the refusal at appeal of a previous scheme. It is radically smaller in footprint, lower in height and does not have a side extension element in the manner of the refused scheme. It has been redesigned in a stripped back palette of low profile contemporary detailing which markedly reduces its impact.

The inspector previously objected to the asymmetrical effect of the bulky side element of the previous proposals and this has been removed. The slight extension to the side at the rear is around 5m further back and does not extend beyond the rear elevation towards the front. The profile that would be visible is around 500mm narrower than previously and obscured by the existing chimney breast.

I am of the view that the inspectors previous objections have been overcome by this significantly revised scheme and that it is in accordance with the NPPF and relevant local policy.

6.4 Third party representations

One third Party letters of support has been received concerning:

a) Neighbouring property to the west supports the design of the 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 and all made neighbourhood plans. The Wisborough Green Neighbourhood Plan was made March 2016 and forms part of the Development Plan against which applications must be considered.

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

Chichester Local Plan: Key Policies 2014-2029

Policy 1: Presumption in Favour of Sustainable Development

Policy 2: Development Strategy and Settlement Hierarchy

Policy 33: New Residential Development

Policy 47: Heritage

Wisborough Green Neighbourhood Plan 2014-2029

Policy DS3: Housing Extensions - Style and Vernacular

National Policy and Guidance

- 7.3 Government planning policy now comprises the 2019 National Planning Policy Framework (NPPF), paragraph 11 of which states:
At the heart of the NPPF is a presumption in favour of sustainable development, For decision-taking this means:
- c) approving development proposals that accord with an up-to-date development plan without delay; or
 - d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 7.4 Consideration should also be given to section 16 (Conserving and enhancing the historic environment).

Other Local Policy and Guidance

- 7.5 The following documents are also material to the determination of this planning application:

Wisborough Green Conservation Area Appraisal and Management Proposals

- 7.6 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:
- Influence local policies in order to conserve and enhance the qualities and distinctiveness of our area

8.0 Planning Comments

- 8.1 The main issues arising from this proposal are:
- i. Principle of development
 - ii. Impact upon heritage assets
 - iii. Impact upon amenity of neighbouring properties
 - iv. Other matters

Assessment

- i. Principle of development

- 8.2 Policy 2 of the Chichester Local Plan includes a presumption in favour of sustainable development within settlement boundaries. Therefore, as the application site falls within the Wisborough Green Settlement Boundary Area, the principle of an extension or other alteration to the property is acceptable subject to compliance with the development plan and other material considerations.

ii. Impact upon Heritage assets

- 8.3 Section 66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, which states that "In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses." Section 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, requires that the Local Authority give special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. Policy 47 of the Chichester Local Plan states that permission will only be granted where it can be demonstrated that the proposal conserves or enhances the special interest and settings of the designated heritage assets. Policy DS3: Housing Extensions- Style and Vernacular states that Any proposed extension adjacent to a Listed building or buildings of historic interest and/or open space should be sensitively designed to conserve the setting, form and character of the building and/or space.
- 8.4 This application follows a previously refused scheme at the site (17/03457/DOM & 17/03458/LBC). Following this refusal pre-application advice was sought from the CDC Principle Conservation Officer and the scheme as submitted clearly reflects and benefits from these discussions.

Single storey rear and side extensions

- 8.5 The proposed extension would be heavily glazed, giving the impression of a light weight structure that would clearly be read a high quality contemporary addition to the listed building. The contrast in architectural styles between the proposed contemporary extension and historic rear elevation of the existing house ensures a distinct visual break between the existing listed building and the proposed addition. In this instance, it is considered that this differentiation would ensure the historic Georgian façade is clearly identifiable allowing the extension to be acknowledged as a latter addition. This approach would be superior to a pastiche architectural approach in which the differentiation would be less apparent.
- 8.6 The proposed materials would comprise Flemish bond brick work to match existing, a standing seam zinc roof and slender profile aluminium framed windows. These proposed materials are entirely appropriate and would ensure a high quality building and finish. A condition is recommended requiring the agents to submit a sample of the bricks for approval by Officer's to ensure that they match as closely as possible the texture and finish of the existing brickwork. It is notable that double glazing is considered appropriate to the extension in this instance as it is clearly read as a heavily glazed contemporary extension that does not try to emulate the architectural style of the listed building.
- 8.7 The extension has been positioned to the south-eastern side of the property and this would ensure that the original Georgian windows to the rear of the property remain unaffected by the proposal. The windows and fabric lost would comprise latter Victorian additions that dilute the uniformity of the Georgian façade.

8.8 The scheme includes a single storey side extension. The inspector comments on the previously refused scheme (17/02457/DOM & 17/02458/LBC) regarding the importance of the uniform appearance and symmetry of Albion House have been given the appropriate weight and consideration. The side projection has been significantly reduced in both northwards and eastwards projection from the previous scheme and it is considered that views of the extension would be limited within the street scene as a result of the positioning of an oil tank in front of the eastern elevation. Additionally, the limited projection of the side extension towards the north of the house would ensure that the extension would be clearly viewed as subservient to the uniformity and prominence of the historic principle elevation, thus ensuring that the symmetry and uniformity of the heritage asset is retained. Officers consider that the high quality contemporary nature of the design would outweigh the very limited harm to the symmetry of the building in this instance and therefore can be considered to be acceptable.

Removal of ground floor window and increased opening between main house and proposed extension

8.9 The scheme also proposes to remove a Victorian crittall window to allow for an increased internal opening from the existing kitchen into the proposed dining room. This is considered acceptable as the window to be removed is non-original, whilst the legibility of the historic plan form would be retained.

Removal of plaster board walls in area of present WC/larder to create increased kitchen.

8.10 The removal of a plaster board wall in the area of the present WC/larder to create an enlarged kitchen is also proposed. This wall is not of historic merit, whilst the inclusion of prominent structural beams in the location of the previous kitchen wall would retain the legibility of the historic plan form. The proposed insertion of 2 no. beams would ensure that the scheme would not have an adverse impact upon the structural stability of the property whilst the wall to be removed is not identified as being load bearing.

Summary

8.11 The significance and special interest of the listed building is largely derived from its age, form, fabric and architectural features, whilst the historic streetscape in which it is positioned enhances the overall significance of the heritage asset. The proposed contemporary design would be entirely appropriate and would preserve the appearance of the historic rear elevation, whilst the proposed side extension is not considered harmful to the symmetry of the Georgian façade to the principle elevation. The proposal is therefore considered acceptable and would preserve the architectural interest and historic significance of the Grade II Listed property and the Wisborough Green Conservation Area.

Impact upon the amenity of neighbouring properties

8.12 The National Planning Policy Framework in paragraph 127 states that planning decisions should create places that offer a high standard of amenity for existing and future users. Additionally, Policy 33 of the Chichester Local Plan includes a requirement to protect the amenities of neighbouring properties.

- 8.13 The proposal would be of single storey height and would extend up to the eastern boundary wall. The boundary wall measures approx. 1.8-2 metres in height with vegetation on top. The proposed zinc roof would ensure a relatively low maximum height of approx. 3.15 metres. It is therefore not considered that the proposal would result in unneighbourly massing or loss of light to the neighbouring property to the east as a result of the above factors.
- 8.14 The presence of the eastern boundary wall and the single storey nature of the proposal would prevent any loss of privacy with regard to the arrangement of fenestration on the property.
- 8.15 Overall, the scheme is not considered to be harmful to neighbouring amenity and can be considered acceptable.

Other Matters

- 8.16 The Parish Council have requested blinds be installed to the rooflights to support dark skies policies of the adjacent South Downs National Park. This has been raised with the agent and the applicant has agreed to fit working blinds as per email dated 18/12/2019. A condition is recommended to ensure that this takes place.

Conclusion

- 8.17 Based on the above, the proposed single storey rear and side extension of contemporary design would be entirely appropriate and would preserve the appearance of the historic rear elevation, whilst the proposed side extension is not considered harmful to the symmetry of the Georgian façade to the principle elevation. The proposal is therefore considered acceptable and would preserve the architectural interest and historic significance of the Grade II Listed property and Wisborough Green Conservation Area. Whilst this would conflict with Policy DS3 of the Wisborough Green Neighbourhood Plan which requires extensions to follow the style and vernacular of the original building, it is considered that it would accord with the overall objective of the policy which states that extensions should be sensitively designed to conserve the setting, form and character of the building. The proposal would accord with Policy 47 of the Chichester Local Plan, S66 & S72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 and the contents of the NPPF 2019.

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 works for which Listed Building Consent is hereby granted must be begun not later than the expiration of three years beginning with the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) The works hereby permitted shall be carried out in accordance with the plans listed below under the heading "Decided Plans".

Reason: To ensure the works comply with the listed building consent.

3) Prior to the construction of the extension hereby permitted full details of the brick finish, including the manufacturer specification and colour, and a sample of the material, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works shall be carried out in full accordance with the approved details and the development shall be maintained as approved in perpetuity.

Reason: To ensure appropriate design and appearance in the interests of protecting the visual amenity/character of the heritage asset and surrounding area.

4) Prior to the first occupation of the extension hereby approved, all rooflights shall have working blinds installed that shall be closed between dawn and dusk daily and shall be retained and maintained to an operational manner in perpetuity.

Reason: In accordance with dark skies policy of the adjacent South Downs National Plan

5) The development hereby permitted shall not be constructed other than in accordance with the materials specified within the application form, plans and the details of the glazing as specified within an email dated 09/12/2019 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that a harmonious visual relationship is achieved between the new and the existing developments.

6) All new works and making good of the retained fabric whether internal or external, shall be finished to match the adjacent work with regard to the methods used and to material, colour, texture, profile and style.

Reason: To safeguard the architectural and historic character of the Listed Building or to ensure the detailing and materials maintain the architectural interest of the building

Decided Plans

The application has been assessed and the decision is made on the basis of the following plans and documents submitted:

Details	Reference	Version	Date Received	Status
PLAN - SITE PLAN	001			Approved
PLAN - FLOOR PLANS PROPOSED	110			Approved
PLAN - ELEVATIONS PROPOSED	210			Approved
PLAN - SECTIONS PROPOSED	310			Approved

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 William Price on 01243 534734

To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q02RMVERJHS00>

Chichester District Council

Planning Committee

8 January 2020

Tangmere Masterplan

1. Contacts

Report Author - Mike Bleakley – Planning Officer (Majors and Business)

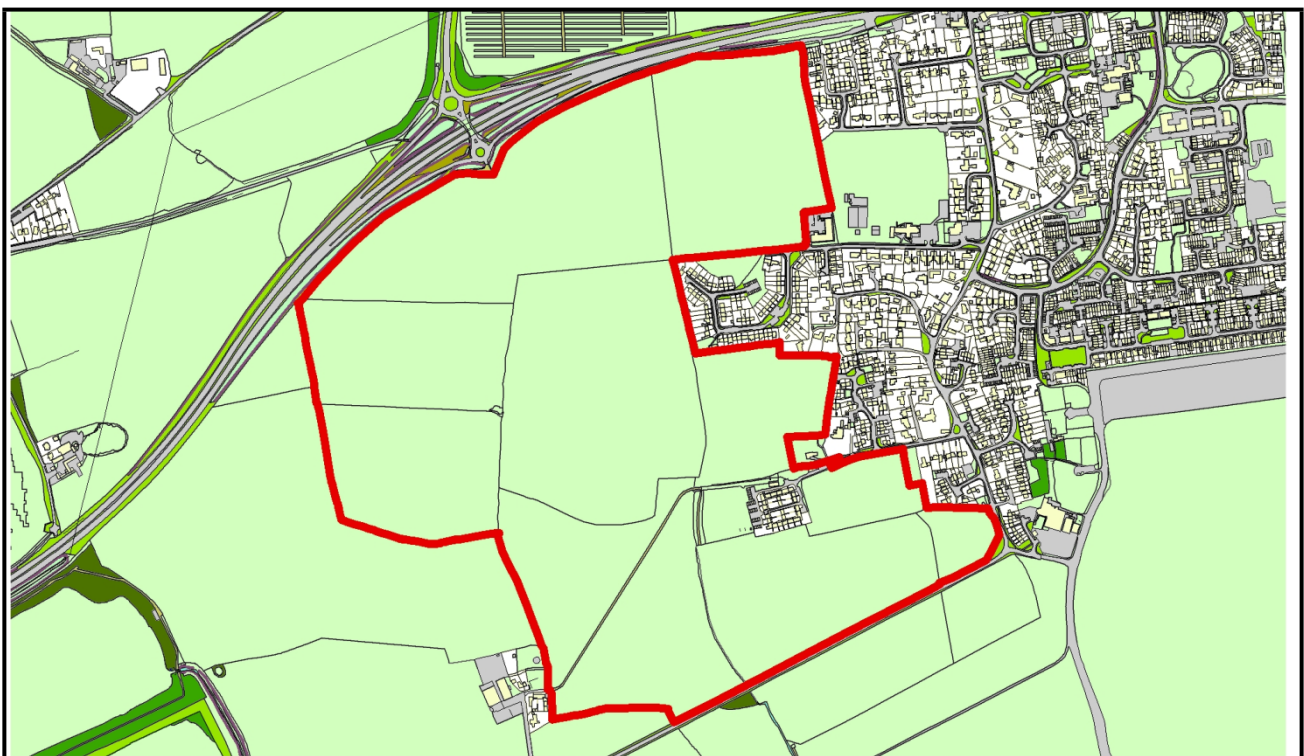
Telephone: 01243 534563 E-mail: mbleakley@chichester.gov.uk

2. Recommendation

2.1 That the Planning Committee endorses the broad approach proposed for the development of the Tangmere Strategic Development Location (SDL) as set out in the draft Masterplan dated November 2019.

3. Background

3.1 The site is located in West Sussex to the west of the village of Tangmere, which itself lies to the east of Chichester City. The site is approximately 76.0 hectares in area and is located within the Council’s administrative boundary. The site is shown below.



**NOT TO
SCALE**

Note: Do not scale from map. For information only. Reproduced from the Ordnance Survey Mapping with the permission of the controller of Her Majesty's Stationery Office, Crown Copyright. License No. 100018803

- 3.2 The A27 Arundel Road runs along the northern boundary of the site and is a Trunk Road. It provides a strategic route between Southampton to the west (via the M27) and Eastbourne to the east, linking the settlements (from west to east) of Portsmouth, Chichester, Worthing and Brighton. The site's eastern boundary wraps around the western edge of Tangmere village, from the A27 in the north, past St Andrew's Church and as far as Tangmere Road in the south east, adjacent to the Tangmere Military Aviation Museum. The southern boundary follows the hedgerow on the northern edge of Tangmere Road to the west, as far as Copse Farm. Tangmere Road links to the A27 (T) at Oving to the west and Tangmere Village to the east, where it joins the A27 via a left in/left out junction. The western boundary comprises existing hedgerows, which follow the land north west of Copse Farm, before re-joining the A27.
- 3.3 The nearest Site of Special Scientific Interest (SSSI), designated for its biological interest, is Halnaker Chalk Pit Site of Special Scientific Interest. This is located 2.7km to the north-east, designated because it supports a large population of the nationally rare plant species. A number of European designations are located within the wider surrounds of the site, including Chichester and Langstone Harbour Special Protection Area (SPA)/Ramsar Site and Solent Maritime Special Area of Conservation (SAC). These are located 5.7km to the west and Pagham Harbour SPA/Ramsar Site is located 6.3km to the south-west.
- 3.4 In terms of public transport, Tangmere is served by Stagecoach Bus Service 55, which terminates in the village at the Aviation Museum and connects the village with Chichester City Centre via Boxgrove, Westhampnett, St Richard's Hospital and Chichester Bus Station. There are a number of bus stops within the village, which are in close proximity to the site. These are located both on Tangmere Road to the south and on Meadow Way.
- 3.5 There are no railway services located within walking distance of the site. Chichester Railway Station is directly served by the 55 bus service. Railway services can also be accessed at Barnham Rail Station, which lies approximately 7.5km to the southeast of Tangmere and provides an element of commuter car parking. The existing footway network around the site provides a direct connection at Malcolm Road through Tangmere Village, connecting to all local facilities.
- 3.6 There is a single Public Right of Way (PRoW Footpath 282) within the site, which runs along the boundary between St Andrew's Church at Church Lane and Chestnut Walk to the north. There is also a dedicated cycle link within the vicinity of the site, which can be accessed from Tangmere Road at its junction with the A27, or alternatively from the access at the existing grade separated junction on the northern boundary of the site. This route connects the site with Chichester City Centre, via a network of on-street and traffic-free cycle routes.

4. Policy context

Adopted Chichester Local Plan

- 4.1 **Policy 18** - Development at the Tangmere SDL has been planned for a number of years. It has been promoted through the Local Plan process and the site is allocated for residential and associated development under Policy 18 of the adopted Chichester Local Plan – Key Policies 2014-2029.

- 4.2 **Policy 7** – This adopted policy is also relevant and sets out the criteria against which Masterplans should be considered, in order to help ensure that SDL’s achieve high quality development. It also requires the development of Masterplans to involve the active participation and input of all relevant stakeholders - and for their development to be undertaken prior to the submission of a planning application. The Masterplan is considered against Policy 7 in this report.

Chichester Local Plan Review

- 4.3 The current Local Plan was adopted in July 2015. At that time, the Government Inspector advised that there was a need for the Council to review it within five years, so as to make sure that sufficient housing was planned to meet the needs of the area. Stage One of the review process was carried out in June 2017 with an Issues and Options consultation, in which there was consultation on the overall development strategy and possible development locations. The responses received were used to help prepare the Preferred Approach Plan.
- 4.4 The second stage of the Local Plan Review was the Preferred Approach. This sets out the proposed development strategy and policies for the area to meet future needs. Consultation took place between December 2018 and February 2019. The responses have been reviewed and are being used to help draft a revised version of the Plan.
- 4.5 Policy **AL14** is an emerging policy in the Local Plan – Preferred Approach and relates to the Tangmere SDL. Because the Local Plan Review is not yet adopted, Policy AL14 carries less weight than adopted Policy 18. Nevertheless, Member’s attention is specifically drawn to the increased number of dwellings from 1,000 dwellings in the adopted Local Plan, to “a minimum of 1,300 dwellings” in the Local Plan Review.

The Tangmere Neighbourhood Plan

- 4.6 There is a “made” Neighbourhood Plan for Tangmere – the Council resolved to “make” the Plan on 19 July 2016. A number of Neighbourhood Plan policies are relevant. These are Policies 2,4,6,7,8,9 and 10. Policy 2 of the Neighbourhood Plan is relevant because it refers specifically to the development promoted in the Masterplan. Compliance against Policy 2 is assessed in detail in Appendix 2 to this report. Compliance against other Neighbourhood Plan policies is assessed in Section 8 of this report.
- 4.7 The principle of strategic housing and associated development within the Tangmere Masterplan area is, as a result of the above policies, well established in planning policy terms, when considered against both the adopted and the emerging Local Plans and the “made” Tangmere Neighbourhood Plan.
- 4.8 However, the Masterplan also needs to be considered in more detail against the existing Local Plan policies, emerging policy in the Chichester Local Plan Review and the relevant policies in the “made” Tangmere Neighbourhood Plan. The responses that the Council has received from consultees in relation to the Masterplan proposals also need to be considered. Before this assessment is undertaken, a brief outline of the Masterplan is provided below.

5. General proposals within the Tangmere Masterplan.

- 5.1 The Masterplan for Tangmere has been prepared on behalf of Countryside Properties (UK) Ltd. Countryside is the Council's development partner for helping to take forward the strategic development proposed for Tangmere. Members are advised that a separate compulsory purchase order (CPO) process is being progressed. Formal action has not yet been authorised, but it is anticipated that the Council's Cabinet and the full Council will consider this matter in March 2020. It is important to note that this is a separate process to the consideration of any forthcoming planning application, which must be determined upon its own merits.
- 5.2 The aim of the Masterplan is to explain and illustrate the essential place-making principles that will deliver a well-connected, lively, distinctive, sustainable and attractive environment for the new and existing community of Tangmere. The purpose is to outline how the Strategic Development Location (SDL) can be brought forward and comprehensively developed for:-
- Up to 1,300 new homes (including 30% affordable housing).
 - An expanded village centre (comprising units suited to A1, A2, A3, A4, A5 and B1 uses).
 - Community facilities
 - Education facilities
 - Open space and green infrastructure
- 5.3 The Masterplan sets out a broad approach for the future development of Tangmere and explains how this approach has evolved, following extensive engagement with the District Council, Tangmere Parish Council, the local community and other key stakeholders.
- 5.4 The Masterplan is broken down into four sections. Section 1 explains the planning policy context and the engagement process undertaken so far. Section 2 summarises Countryside's analysis of the existing site and its surroundings. Section 3 presents Countryside's vision for the proposed development. Finally, Section 4 explains how the site will be delivered comprehensively and outlines the next proposed steps in the process.

Section 1 - Policy context and consultation undertaken

- 5.5 Section 1 explains that the Tangmere SDL is located immediately to the west of the village of Tangmere and has an area of approximately 76.0 hectares. The Masterplan recognises the relevance and importance of the Tangmere Neighbourhood Plan and particularly the required "One Village" approach. It then includes information about Countryside Properties as a developer and provides examples of other developments that it has undertaken. This is followed by a Statement of Engagement that sets out the level of engagement that has been undertaken since April 2019. This includes three workshops with Tangmere Parish Council, three local community consultation events and other direct community consultation.

Section 2 - The existing site in context

5.6 Section 2 examines the environmental context of the site and includes references to the landscape, cultural heritage, natural heritage and biodiversity, trees and hedgerows, transport and connectivity, and geotechnical issues and utilities. It then demonstrates a combined summary of site constraints.

Section 3 - The Masterplan

5.7 Section 3 sets out Countryside's vision for the Tangmere SDL, the principles and key components of the Masterplan and seeks to demonstrate how the design and consultation process has responded to the attributes of the site and its wider setting. It focuses upon the aim of delivering a **comprehensively planned expansion of the village**, which includes the provision of a range of community facilities and amenities that are designed to foster the integration of the new and existing communities. This focus is very much on the "One Village" vision.

5.8 This is an important part of the Masterplan, because it is designed to provide a framework within which any future outline planning application will be prepared. It sets out the spatial arrangement of built development, together with associated "green and blue" infrastructure and will guide the evolution of future proposals. It clarifies that proposals will also be subject to further refinement, through consultation and testing (as it has been already).

5.9 In terms of detailed provision, the Masterplan will deliver:-

- Up to 1,300 mixed tenure homes of varying size and type, including 30% affordable housing. There are four theme areas proposed which include the Village Centre, the Historic Setting, the Spine Road and the Countryside Edge.
- A mixed-use Village Centre on a site of 0.5 hectares, which includes a new parade of shops and other potential suitable uses, fronting onto a new Village Square.
- Options for the precise location of enhanced community facilities as it is not yet settled as to whether this might be delivered through an expansion of the existing community halls or new provision elsewhere. However, facilities might include community rooms a café and indoor sports facilities. Library provision will also be a feature of the enhanced community facilities.
- A 2-form entry primary school, including early year's provision. The proposed school site, which totals 3.0 hectares, will include additional adjacent land to the north to be safeguarded for future expansion to 3-form entry, should this be required.
- Access to and from Tangmere Road to the south of the site, via a new roundabout and multi-modal access to and from the Temple Bar A27 grade-separated junction, to the north of the site.

- Multi-functional public open space, which includes 25.6 hectares of amenity and open space and natural and semi-natural green space, 5.0 hectares of parks, sport and recreation ground, 2.9 hectares of allotments and a community orchard. The open spaces include four distinctive areas, as follows:-
 1. The **Saxon Meadows** open space which, in 5.0 hectares, will incorporate parks, open space and sport and recreation grounds around the Conservation Area and St Peters Church), as well as 2.9 hectares of new allotments and a community orchard.
 2. **Roman Fields**, which would incorporate a significant new central park at the heart of the development and important archaeological features. It will also preserve views of important local landmarks such as Chichester Cathedral, Halnaker Windmill and church towers in Tangmere and Oving.
 3. **Green Corridors**, which would be a series of semi-natural corridors, providing a network of green pedestrian and cycle routes, linking primary green spaces to existing settlements and to the countryside beyond. They will also provide opportunities for a series of smaller open spaces to support play, community gardens and other active pursuits.
 4. The **Countryside Edge**, which will provide a natural buffer around three sides of the site, designed to provide a soft and attractive edge to the development.
 - A network of pedestrian and cycle links, including off-site cycleway improvements, including three potential options for improved links to and from Chichester.
 - Drainage infrastructure which is designed to incorporate a sustainable approach through measures such as Sustainable Drainage Systems (SUDS), to minimise any risk of flooding and to retain and enhance or restore existing ponds and ditches. It is also proposed to enhance the main watercourses and to introduce natural features which are typical of chalk streams.
- 5.10 An illustrative layout is included, showing how the area might appear in the future. Issues specifically considered in this context include movement, primary uses of the site, the form and character of development, the approach to density layout and to green infrastructure and biodiversity. The plan can be found at the end of this report.
- 5.11 The Masterplan also sets out the strategic approach to sustainability, including sustainable travel, sustainable drainage, water consumption, waste management, energy and carbon and proposed design measures to encourage more sustainable future living.

Section 4 - Delivery and next steps.

- 5.12 Section 4 emphasises the importance of development coming forward comprehensively, so as to provide certainty over the delivery of the infrastructure that will be needed to support the proposed development. Such an approach and appropriate phasing are required by planning policy. This section clarifies that it is proposed that the scheme will be delivered through a single outline planning application, rather than on a piecemeal basis. A comprehensive approach to this development is essential.
- 5.13 Upon endorsement of the Masterplan by the Council, Countryside Properties propose to prepare and submit an outline planning application, which will be supported by a full Environmental Impact Analysis (EIA) and a number of detailed technical assessments. This is expected to be submitted soon after Easter 2020. If the outline planning application is subsequently approved, the Tangmere SDL will then be constructed in phases, each requiring detailed reserved matters applications to be submitted and approved by the Council. The first reserved matters application is likely to relate to the key strategic infrastructure, including the North-South link road, principal areas of public open space and strategic landscaping.
- 5.14 In terms of general timing, site preparation works associated with the development will be phased, with initial works anticipated to commence in 2022. This will enable infrastructure and initial construction to commence later that year. Development is anticipated to be constructed over a period of between 10 and 12 years (2022 to 2034), subject to market conditions.
- 5.15 Countryside expects the first homes to be completed within 12 to 18 months of a start on site. It is anticipated that the North-South link road would be delivered at an early stage, with the exact timing and triggers for the delivery of all key strategic infrastructure (such as the school and principal open spaces) to be determined as part of any future Section 106 legal agreement, which would be linked to any grant of outline planning permission.

6. Consultation on the Tangmere Masterplan

- 6.1 No consultation with residents has been undertaken by the Council on this Masterplan, as this will be undertaken at a future planning application stage. Countryside did, however, present the Masterplan to a public Tangmere Parish Council meeting on 3 December 2019. Consultation has been undertaken by the Council with statutory and other consultees and a number of responses have been received. A summary of the consultation responses received so far on the Masterplan are set out below. The full responses are set out in Appendix 1.
- 6.2 **Tangmere Parish Council** - Tangmere Parish Council has been involved in the development of the Masterplan and received a presentation from Countryside Properties at a well-attended public Parish Council meeting on Wednesday 4 December 2019.

The Parish Council met on 10th December 2019 to formally consider the Masterplan. Its formal consultation response is, as follows:-

"In response to the bulk of the Masterplan, the Parish Council broadly supports the direction of travel but there remain points where the PC would require additional work to be done. The Parish Council believes that the resolution to the east-west access along Malcolm Road should be resolved as part of the Masterplan as it is fundamental to "access" and the "One Village" concept. With this in mind the Parish Council would require a Transport Assessment of both options as proposed by the Neighbourhood Plan inspector (point 17 of his comments) the options being 1) a through road for vehicular traffic and 2) no-through road for vehicular traffic. Secondly the Parish Council would welcome the opportunity to be involved in the discussion of cycle routes and I attach a document that reflects our thinking on this matter".

Highway Matters

- 6.3 **Highways England** - Highways England does not object to the proposed Masterplan, provided that a robust and detailed Transport Assessment is submitted to cover a number of relevant matters and provided that there is no adverse impact on the Strategic Road Network.
- 6.4 **West Sussex County Council (Highway Authority)** - Formal comments are awaited and Members will be updated at the meeting.

Flood risk and Drainage

- 6.5 **Southern Water** – Southern Water raises no objection in principle but has provided advice about a number of matters that will require future consideration.
- 6.6 **Environment Agency** – The Environment Agency has no objection to the proposal as submitted, subject to appropriate consideration of detailed matters, in due course.
- 6.7 **West Sussex County Council (Flood Risk)** - Current surface water mapping shows that the majority of proposed site is at low risk from surface water flooding. This risk is based on modelled data only and should not be taken as meaning that the site will or will not definitely flood in these events. Any existing surface water flow paths across the site should be maintained and mitigation measures proposed for areas at high risk.
- 6.8 **CDC Drainage and Flood Risk Engineer.** - The Masterplan is very high level and so we have limited comments to make on it. We do, however, support restoration of the existing ponds and proposals to enhance the main watercourse, to introduce naturalistic features typical of chalk streams and provision of new wetland habitats that will provide a range of opportunities for wildlife (integrated with the proposed Sustainable Urban Drainage Systems (SUDS)). The Masterplan identifies the watercourses which traverse the site and the layout appears to accommodate their retention. A range of Sustainable Drainage Systems will be implemented that minimise the risk of flooding, and include an allowance for climate change. It is essential the site is sustainably drained with no increase in flood risk on or off site. The details of how this will be achieved are expected at a later stage.

It is understood that foul drainage from this site is to connect to the new pipeline to be constructed by Southern Water. Providing this is the case we have no further comments relating to foul drainage provision.

CDC Environmental Protection

- 6.9 **Noise and lighting** – The principle for development has been established for the site and it is noted that it is the intention to provide a suite of technical reports, as part of the outline planning application, in Spring 2020. We have agreed a scope for the noise assessment methodology and the suitability of areas of the site, for residential development will be assessed in accordance with appropriate guidance. The methodology for the assessment of lighting has also been agreed.

Of primary importance, it shall have to be evident that the findings of the suite of technical reports have been used and considered when drafting and designing the Master Plan. There shall have to be communication and consideration across disciplines and evidence of well thought out sustainable design.

- 6.10 **Land Contamination** – Previous advice is relevant to the master plan document. Depending on the outcome of the desk based phase 1 study and the ground investigation being undertaken at the site, remediation and verification may be required. Conditions should be applied in due course, so as to ensure the site is investigated and remediated as necessary.
- 6.11 **Air Quality** - An air quality assessment (AQA) should be undertaken, which includes an assessment of the air quality impacts of the proposed development on the surrounding area (in particular neighbouring residential areas) and assessment of the impact of existing sources of air pollution on future residents and other on-site sensitive receptors. The assessment of impact of the proposed development should include construction phase impacts and operational phase impacts (e.g. traffic generated emissions and emissions from fixed plant such as heating/ventilation plant). Consideration of cumulative emissions from other developments with planning permission should form part of the assessment. Mitigation measures should be put forward as part of the AQA.

CDC Environmental Strategy

- 6.12 **Biodiversity** - Due to the scale of the development, extensive ecological surveys will need to be undertaken by suitably trained ecologists to determine the presence of protected species within the site and the impact a development would have on the surrounding protected species, sites and habitats as part of the EIA. Following the initial survey work any further surveys recommended will need to be undertaken and any mitigation required will need to be considered and included within the planning application.
- 6.13 **Recreational Disturbance** - Due to the proposal falling just outside the 5.6km catchment zone of the existing Bird Aware Solent Recreation Mitigation Strategy, the large scale of this development has a potential to have a likely significant effect as a result of this recreational disturbance. Due to this mitigation measures will need to be assessed and included as part of a HRA for recreational disturbance

- 6.14 **Sustainability** - Due to the requirements within Local Plan Policy 40, Sustainable Construction and Design, we will require that a sustainability statement is submitted for this proposal. The statement will need to demonstrate how the requirements of policy 40 will be met.

Housing

- 6.15 **CDC Housing Advice** - There is little specific to housing on which to comment at this stage. In general terms however, while I would support the idea of different densities and character areas over this large strategic site, this must include a range of units, including affordable housing.

This must be roughly in line with the current policy, i.e. the Strategic Housing Market Assessment. 30% of the total units are to be affordable, of which 40% are to be intermediate tenure in line with the neighbourhood plan. Enclaves of a single tenure are to be avoided. As further details are refined, I will make further comments.

Habitats and Environmental considerations

- 6.16 **Natural England** – Natural England raises no objection, subject to appropriate mitigation being secured.

Landscape Impact

- 6.17 **CDC Landscape Advisor** – The proposals seem to be acceptable, in principle, but there are some details to resolve.

Culture and Heritage

- 6.18 **CDC Archaeologist** – A preliminary archaeological assessment and evaluation has demonstrated that this site contains evidence of a later Iron Age and Roman settlement. It is appropriate that the Master Plan proposes that a good part of it should be preserved in-situ beneath a central community park and associated green corridors. It is also appropriate that the proposed surrounding development should to some extent reflect the form of the ancient settlement.

Those parts of the settlement that are not to be preserved in-situ will need to be fully archaeologically investigated in order that their significance might be preserved through recording and proper dissemination, including appropriate interpretation on site. The potential of the rest of the site to contain archaeological interest will need to be evaluated and similar processes of preservation may be necessary. The other likely archaeological interest arises from the location of the medieval church, which was probably the focus for settlement from the later Anglo-Saxon period onwards. This should be protected through the preservation of the open setting of the church.

- 6.19 **CDC Heritage and Design Advice** - The development site lies adjacent to the Grade 1 listed medieval church St Andrews. In addition to the church, there are a number of listed buildings within Tangmere. Church Farm House is a Grade 2 listed building in close proximity to St Andrew Church and the boundary of the development site. This therefore also has the potential to be impacted by the development.

The safeguarding zone proposed around St Andrew's Church, enabling the retention of green space adjacent to the church, is welcomed. Locating an orchard within the area of the site which falls with the boundary of the conservation area is also welcomed. The placement of allotments, park land and sports pitches to enable the reuse and retention of green spaces is likely to be less detrimental than the development of dwellings in this location.

Due consideration will be needed in terms of external lighting and any associated infrastructure and the impact of this on the setting of the listed buildings and conservation area. The site is bordered to the East by Tangmere Conservation Area. Due consideration will be required particularly where built forms are to be proposed immediately adjacent to the boundary and existing dwellings.

The development site and other parts of Tangmere currently benefit from views of the spires of St Andrew's church Tangmere, St Andrews Church Oving and of Chichester Cathedral. Halnaker windmill is also visible. These vistas are important to the setting and the loss of these will be resisted. As the scheme develops with built forms it must be demonstrated how key public views are to be maintained. Within the current masterplan document it is clear consideration is being given to this as the proposals develop.

The retention of the field boundaries where existing mature hedgerows are already in existence is supported and is likely to assist with the integration of the new development into its setting whilst preserving historic field patterns. Where new pathways are to be introduced, consideration must be given to the appropriateness of any new street furniture and surfacing materials in order to protect the setting. The previously provided desk based heritage statement provided a good level of detail regarding the sites history. As the scheme develops this must include an assessment of the potential impacts of the proposals on the heritage assets and the Tangmere Conservation Area.

- 6.20 **Historic England** raises no objection in principle, given that the site is allocated in the Local Plan for development. However, it has also set out some areas of concern around heritage and related areas and draws attention to the need for the proposals to pay due regard to relevant parts of the national planning guidance in the NPPF.

Other Consultees

- 6.21 **South Downs National Park Authority (SDNPA)** – The SDNPA advises that the Masterplan appears to respond well to the Neighbourhood Plan and Tangmere Masterplan Briefing Report, but questions remain about the extent to which the setting of the SDNP has been taken into account. The need to provide a sensitive approach both to the edges around the church and archaeological remains in what might otherwise have been the centre of the extended Tangmere village is fully supported by the SDNPA.

However, this has led the Masterplan to conclude that the remainder of the development site (an arc to the west and an area on the northern edge) might be capable of accommodating higher densities/building heights. When viewed from higher ground, this may result in an overall scheme that does not reflect the traditional evolution of a village form. The SDNPA is not necessarily opposed to a higher number of units being delivered than that set out in the original allocation, but

only if this can be delivered sensitively with regard to the site's setting. This would need to be evidenced - such as via verified wire-frame photomontages - in order to confirm that these areas could accommodate higher densities/building heights. It is suggested that, subject to the conclusions provided by such evidence, general parameters for building heights should be set at this early stage.

The SDNPA also offers detailed advice in relation to ecology, dark skies and access and recreation.

6.22 **Chichester Contract Services** – No objection is raised in principle and detailed advice on future service provision has been supplied.

6.23 **Sussex Police** – No objection in principle but detailed advice has been provided in relation to potential crime and disorder considerations and further advice will be offered in relation to any future planning application.

6.24 One **Tangmere resident** has submitted a representation, which states that

“I understand many will be against this, but without new homes being built, I couldn't have moved to Tangmere in the first place, so I would welcome additional homes and services being provided to bring more to Tangmere. With a well thought out plan for traffic, schooling & amenities, this could be a real benefit to the village”.

7 Masterplan Assessment - Issues raised in Masterplan consultee responses

7.1 At this stage, no new or unknown issues have been identified in any of the consultee responses that have been received. The Masterplan is a strategic document, which has been prepared in advance of any future outline planning application. Much of the more detailed data and information that consultees will wish to carefully consider, assess and respond to in relation to this proposed development, will be received at the next (outline planning application) stage of the process. However, a number of detailed comments have been made.

7.2 For example a number of consultees have recommended that planning conditions or other requirements be applied to the Masterplan This advice has all been noted and will be further considered, in due course. However, the Masterplan is not a planning application and the Council is not required to (and cannot) formally approve or refuse it. Consequently, planning conditions cannot be imposed. However, this will be possible and appropriate if and when any future outline planning application is submitted and considered.

7.3 **Tangmere Parish Council** generally supports the approach proposed in the Masterplan, but has asked that the appropriate traffic approach for Malcolm Road be resolved as part of the Masterplan, because it is fundamental to “access” and the “One Village” concept. The Parish Council requires a Transport Assessment of both options, as proposed by the Neighbourhood Plan inspector, with the options to be assessed being Malcolm Road operating as a “through route” for vehicular traffic and for Malcolm Road being made a “no-through route” for vehicular traffic.

- 7.4 This is an issue that has featured extensively in discussions between the Parish Council and Countryside, since June last year. There are different views on the most appropriate approach, although at the most recent Parish Council public meeting on 3 December 2019, there appeared to be a preference from residents for Malcolm Road not being a through route to traffic. The Masterplan is not specific on this matter, but the “no-through traffic” option is the developer’s preferred approach.
- 7.5 In response to the consultation response from Tangmere Parish Council, Countryside has explained that there has been a clear process of design development in arriving at the preferred option for Malcolm Road, which has been presented to both the Parish Council and the wider Tangmere Community. This process has taken its lead from a requirement to consider the principles of place-making, and actively seek to prioritise travel by sustainable modes over the use of the private car. Engineering constraints and the availability of land has also formed part of their considerations.
- 7.6 Furthermore, they conclude that there is a clear conflict between the requirement to create a new sustainable village centre, including a large primary school, community facilities and retail/commercial premises, and at the same time allowing the uncontrolled movement of through traffic between the SDL site and the remainder of Tangmere, taking account of the existing characteristics of Malcolm Road beyond the SDL boundary. It is the outcome of these considerations which led to the preferred option being presented that Malcolm Road would not form a new all-vehicles through-route.
- 7.7 During a more recent Masterplan public consultation event in September 2019, the preferred option for Malcolm Road was presented to Tangmere residents, as well as an illustration of Malcolm Road as a through route. A list of ‘pros’ and ‘cons’ was provided for both arrangements to convey the main considerations which the Countryside team took into account. There was clear and strong support for Malcolm Road to be provided as a no-through route option, with a new Village Centre which supports sustainable travel only, but still provides for access by car. The feedback received from the consultation event indicated that 83% of people supported the preferred option. This view was further confirmed at the recent Parish Council presentation on the 3 December 2019, where a show of hands indicated a strong preference for Malcolm Road being delivered as a no-through route.
- 7.8 Countryside also explains that a Transport Assessment is not the correct place to consider place-making issues such as those which have informed the proposed layout of the new village centre. This is because it is a review of transportation demand, impact and mitigation. The process which the Countryside team went through to arrive at a preferred approach to the village centre, concluded that Malcolm Road should not form a new vehicular access route to the SDL. The outcome is that Malcolm Road should not be a “through route” to vehicular traffic. This conclusion, which officers do not disagree with, has been conveyed back to Tangmere Parish Council and Members will be updated if any further response is received.
- 7.9 The Parish Council would also welcome the opportunity to be involved in the discussions on cycle routes and has submitted a document that reflects its thinking on this matter. Discussions are underway to help to develop the best approach, with the objective of assessing how the Tangmere development might help to deliver improvements to existing cycle routes into Chichester. In addition, it may well also be

able to contribute to possible new cycle route options, including additional routes into the city, as well as the provision of links east to Barnham. Local Plan Policy 18 makes reference to both the improvement of and additional cycle routes to link Tangmere to Chichester. The Masterplan makes reference to these objectives and more detailed options and proposals are likely to be submitted and considered as part of any future outline planning application.

- 7.10 The **South Downs National Park Authority** advises that the Masterplan appears to respond well to the Neighbourhood Plan and the Tangmere Masterplan Briefing Report. It supports the need to provide a sensitive approach both to the edges around the church and archaeological remains, in what might otherwise have been the centre of the extended Tangmere village.
- 7.11 It is concerned, however, that the remainder of the development site might be capable of accommodating higher densities/building heights and when viewed from higher ground, this may result in an overall scheme that does not reflect the traditional evolution of a village form. It concludes that it needs to be evidenced that these areas can satisfactorily accommodate higher densities and/or building heights.
- 7.12 The majority of development on the site is not proposed to exceed two storeys in height. Limited three storey development is only suggested in the “Village Centre” or along the Spine Road. With sensitive design and appropriate building orientation, potential impacts from the SDNP can be limited. However, this is a more detailed matter that will need to be carefully considered as part of any future outline planning application. Officers are, consequently, arranging for this matter to be discussed between all relevant parties, so that it can be fully and properly considered as part of any future outline planning application. For the Masterplan, this matter does not need to be resolved.
- 7.13 Overall, subject to the above detailed issues being taken forward as part of any future outline planning application, no consultee responses have been received which raise any substantial issues. In relation to consultation responses, there is no reason, therefore, why the Masterplan should not be endorsed.

8 Assessment of Masterplan against relevant policies in the Chichester Local Plan and the Tangmere Neighbourhood Plan

Local Plan Policy 18

- 8.1 Policy 18 of the adopted Local Plan is essentially the starting point for assessing this proposed development. This policy allocates the Masterplan site for mixed use development, comprising 1,000 homes, community facilities and open space and green infrastructure. It requires development to be master-planned in accordance with Policy 7, taking into account the site-specific requirements.
- 8.2 Proposals for the site should accord with the detailed requirements of Policy 18. A detailed assessment of the extent to which the Masterplan addresses the requirements of Policy 18 is set out in Appendix 2 to this report.

- 8.3 Notwithstanding Local Plan Policy 18, the Masterplan proposes up to 1,300 new homes, which is up to 30% higher than is provided for in Policy 18. The reason for this higher number is that the Council has more recently published the Chichester Local Plan Review which, under Policy AP14, proposes “a minimum of 1300 dwellings” on the site.
- 8.4 In other regards, following careful and detailed consideration in relation to all of the detailed provisions of Chichester Local Plan Policy 18, it is concluded that the Masterplan is generally compliant with Policy 18. Furthermore, based on the evaluation set out in Appendix 2, it is also concluded that the Masterplan is generally compliant with all of the more detailed requirements of Policy 18.

Local Plan Policy 7

- 8.5 This Policy requires Strategic Development Locations (SDL) identified in the Local Plan to be planned through a comprehensive master-planning process. Its preparation should involve the active participation and input from all relevant stakeholders, including the Council, landowners, developers, the local community, service providers and other interested parties. A Masterplan should be developed before the submission of a planning application. This has been complied with.
- 8.6 The Masterplan has been prepared after giving very careful attention to the requirements of Policy 7. It includes an appendix (A), which sets out the necessary policy requirements, the design response and the stage at which relevant information will be provided. Each of the 15 requirements and the design responses are set out in Appendix 2 to the Masterplan.
- 8.7 As with Policy 18, the Masterplan should accord with the detailed requirements of Policy 7. A detailed assessment of the extent to which the Masterplan addresses the requirements of Policy 7 is also fully set out in Appendix 2 to this report. Based on that evaluation, it is concluded that the Masterplan is generally compliant with all of the more detailed requirements

Chichester Local Plan Review - Emerging Policy AL14

- 8.8 Policy AL14 carries only limited weight in any current planning evaluation. This is because the Local Plan review is still at a relatively early stage of the overall process. Although it has been subject to quite recent consultation, it has not, at this stage, been formally tested through any examination process. In very general terms, however, the policy content is quite similar to adopted Policy 18, although it differs in one particularly significant way.
- 8.9 The Policy follows the general and established approach that identifies and promotes Tangmere as a Strategic Development Location (SDL). However, where the adopted Local Plan Policy 18 provides for 1,000 new homes within the Tangmere area, the more recent (but unadopted) Policy AL14 increases this to “a minimum of 1,300 dwellings”. This Masterplan proposes up to 1,300 dwellings and this approach is considered to accord with Policy AL14.

Tangmere Neighbourhood Plan.

- 8.10 There is a “made” Neighbourhood Plan for Tangmere and this is an important and material consideration for relevant future planning decisions. The principal policy for considering this Masterplan is Policy 2.
- 8.11 The Masterplan has been carefully evaluated against Neighbourhood Plan Policy 2 and this evaluation is fully set out in Appendix 2. The conclusion from this exercise is that, insofar as it is able to do so at this stage, the Masterplan is generally compliant with Neighbourhood Plan Policy 2.
- 8.12 As well as Neighbourhood Plan Policy 2, there are also a number of other Neighbourhood Plan policies that require consideration in relation to the Masterplan. These are Policies, 4,6,7,8,9 and 10.
- 8.13 Policy 4 - Neighbourhood Plan Policy 4 relates to the potential redevelopment of the existing Tangmere Primary School Academy. The policy supports its possible redevelopment, subject to compliance with a number of criteria, including a requirement that any replacements facility is operational before planning permission is granted for redevelopment. The Tangmere Masterplan cannot proactively promote the redevelopment of the Tangmere Academy, but it does provide a suitable alternative site, adjacent to the proposed new primary school, should the existing Academy choose to do so, in the longer term. A site of 0.6 hectares is safeguarded to facilitate this. This would be sufficient to enable the school to expand from a 2 to a 3 form entry school.
- 8.14 Policy 6 - Policy 6 is concerned with the Tangmere Military Aviation Museum. It supports an extension to the museum, provided that the existing allotments are relocated to an alternative and convenient community location. The Masterplan makes provision for the relocation of these allotments, together with the provision of new allotments on a 2.9 hectare site. In the longer term, could help facilitate the relocation of the allotments and the museum’s future expansion.
- 8.15 Policy 7 - Policy 7 is concerned with land to the west of Malcolm Road. It supports the development of land to the west of Malcolm Road, provided that it makes a positive contribution to the provision of a village Main Street and to the Tangmere Sustainable Movement Network. It also states that the site should not just be developed for housing. This is because additional land uses will help to create a more varied and sustainable village centre.
- 8.16 The Masterplan makes provision for possible compliance with this Policy, by suggesting that this land might form part of an expanded future village centre. However, this area of land actually falls outside the Masterplan area and while this might help its future development, it is not within the scope of the Masterplan to require this land to be developed.
- 8.17 Policy 8 – Policy 8 proposes the establishment of a Green Infrastructure Network, both around and within the existing village, as well as for the provision of extensions into existing networks outside the village. The policy also requires this network to include a variety of features and for proposed development to make a contribution towards its establishment. For the reasons previously explained in this report, the Masterplan makes provision for future development to comply with this requirement.

- 8.18 Policy 9 - Policy 9 is concerned with the provision of a Sustainable Movement Network for Tangmere. This is proposed as part of the Neighbourhood Plan and an indicative network is shown on plan G, which forms part of the Neighbourhood Plan. The policy requires new development to align to the suggested layout and also for Green Travel plans to pay due regard to its provisions. Again, it is considered that the Masterplan proposals generally accord with what is expected by this policy. A more detailed assessment will be possible at any future outline planning application stage.
- 8.19 Policy 10 - Policy 10 requires high standard of design within the village and seeks to ensure that new development properly reflects the village character in relation to matters such as scale, density, massing, height, landscape design, layout and materials. It also requires public views of nearby church spires, the Chichester Cathedral spire and Halnaker Windmill to be protected. These requirements and considerations have been addressed in the Masterplan and it is considered that this Policy is generally complied with. It is anticipated that a Design Strategy will be developed, in due course, which will further embrace the Neighbourhood Plan Policy 10 requirements.
- 8.20 Overall, it is considered that, where it is able to do so, the relevant requirements in the Tangmere Neighbourhood Plan have generally been addressed in the Masterplan. This conclusion is reinforced by the fact that the Parish Council on 10 December 2019 resolved to broadly support the general direction of travel of the Masterplan, subject to two provisos that have been considered in Section 7 of this report.
- 8.21 It is acknowledged that there is the issue of future options for traffic along Malcolm Road that might require some further consideration. This has been explained in paragraphs 7.3 to 7.8 above. The Parish Council also wishes to be involved in the evaluation of future cycle routes, which has been explained in Section 7 and is agreed.
- 8.22 Overall, therefore, it is considered that there is no reason why the Council should not endorse the Tangmere Masterplan when assessed against the detailed requirements of the Tangmere Neighbourhood Plan.

9 Conclusion

- 9.1 This Masterplan for Tangmere has been prepared by Countryside and its agents, following extensive consultation with the community, including with Tangmere Parish Council, Council officers and the local Tangmere community. It is apparent to officers that Countryside has carefully considered the outcomes from these exercises and has then developed and shaped the Masterplan accordingly. This demonstrates a good example of local community consultation and engagement and subsequent consequential responses.
- 9.2 It is also clear that Countryside has given appropriate and proper consideration to both the Chichester Local Plan and the Tangmere Neighbourhood Plan. The Masterplan proposals consequently generally comply with existing and emerging Local Plan policies and with the more detailed provisions and policies in the “made” Tangmere Neighbourhood Plan. The detailed assessment set out in Appendix 2 has sought to demonstrate the extent of compliance with all relevant policies.

- 9.3 On 3 December 2019, Countryside presented the Masterplan to a well-attended public meeting of Tangmere Parish Council. As might be expected, a number of different topics were discussed and different participants raised various issues and concerns. However, it was apparent that the majority of attendees recognised that their views had been listened to and considered and that, more importantly, the proposals have evolved to help deliver the “One-Village” vision for Tangmere, as set out in the Neighbourhood Plan.
- 9.4 This conclusion is supported by the fact that at its meeting on 10 December 2019, Tangmere Parish Council resolved to generally support the approach that is set out in the Tangmere Masterplan, subject to further consideration of two matters. Taking all matters into consideration, therefore, officers recommend that the Planning Committee considers the Masterplan and endorses its general approach.

Appendices

- Appendix 1 - Detailed consultation responses received
- Appendix 2 – Analysis of Masterplan compliance against relevant Local Plan and Neighbourhood Plan policies.

Background Papers

- Tangmere SDL Masterplan Document – November 2019 (Terence O’Rourke)
- Chichester Local Plan: Key Policies 2014-2029 – July 2015 (Chichester District Council)
- Chichester Local Plan Review – 2018 (Chichester District Council)
- Tangmere Neighbourhood Plan – July 2016 (Tangmere Parish Council)
- Consultee Responses on the Tangmere Masterplan (November/ December 2019) – (Various)
- Pre-application advice – 19/01963/PRELM – October 2019 (Chichester DC)

Appendix One – Tangmere Masterplan Consultation Responses

This appendix sets out the full consultee responses that have been received in connection with the Masterplan for Tangmere, as of 20 December 2019. Members will be updated on any further responses received at the Planning Committee on 8 January 2020.

Tangmere Parish Council

Tangmere Parish Council then met on 10th December 2019 to formally consider the Masterplan. Its formal consultation response is as follows:-

“In response to the bulk of the Masterplan, the Parish Council broadly supports the direction of travel but there remain points where the PC would require additional work to be done.

The Parish Council believes that the resolution to the east-west access along Malcolm Road should be resolved as part of the Masterplan as it is fundamental to “access” and the “One Village” concept. With this in mind the Parish Council would require a Transport Assessment of both options as proposed by the Neighbourhood Plan inspector (point 17 of his comments) the options being 1) a through road for vehicular traffic and 2) no-through road for vehicular traffic.

Secondly the Parish Council would welcome the opportunity to be involved in the discussion of cycle routes and I attach a document that reflects our thinking on this matter”.

Highway and Transport

Highways England

Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity. Highways England will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN. In the case of this proposal, our interest relates to potential impacts upon the A27.

Highways England has already provided feedback on the EIA scoping opinion (TG/19/01913/EIA) and pre-application (TG/19/01963/PRELM) consultations (see attached responses), and therefore these should be considered alongside this response.

In principal, Highways England does not object to the proposed Masterplan, provided that the following are considered as part of the outline planning application.

A robust and detailed Transport Assessment, which as a minimum considers, but is not be limited to, the following

The tests set out in DfT Circular 2/13, particularly paras 9 & 10, and DCLG NPPF, particularly para 109;

The proposed site access from the southern roundabout at the A27/A285 interchange will need to be designed in accordance with the Design Manual for Roads and Bridges (DMRB) and be supported by junction modelling, while a Stage 1 Road Safety Audit (RSA) and Walking, Cycling and Horse Riding Assessment & Review (WCHAR) will be required once Highways England has agreed the modelling and is satisfied that the design is acceptable;

Assessment of the traffic impacts of the proposed development on the Strategic Road Network using the latest Chichester Area Transport Modelling (CATM) with identification of necessary mitigation measures and/or a financial contribution towards A27 improvements in accordance with Chichester's adopted SPD, or successor document at time of approval, as well as what the associated trigger point should be.

- Details of the proposed cycle link to Chichester through the A27/A285 interchange Construction impact.
- that there is no adverse impact on the Strategic Road Network in regard to other matters, including drainage, lighting and Geotechnical/Structural (the latter in relation to the noise barrier).

West Sussex County Council (Highway matters) - Awaited

Drainage and Flood Risk

Southern Water

Please find attached a plan of the sewer records showing the approximate position of a public foul rising main within the site. The exact position of the public rising main must be determined on site by the applicant before the layout of the proposed development is finalised.

Please note:

- No development or tree planting should be carried out within 3 metres of the external edge of the public foul rising main without consent from Southern Water.
- No soakaway, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public sewer.
- All existing infrastructure should be protected during the course of construction works.

In order to protect drainage apparatus, Southern Water requests that if consent is granted, a condition is attached to the planning permission. For example, "*The*

developer must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to protect the public sewers, prior to the commencement of the development.”

We have restrictions on the proposed tree planting adjacent to Southern Water sewers, rising mains or water mains and any such proposed assets in the vicinity of existing planting. Reference should be made to Southern Water's publication “A Guide to Tree Planting near water Mains and Sewers” and Sewers for Adoption with regards to any landscaping proposals and our restrictions and maintenance of tree planting adjacent to sewers and rising mains and water mains.

Furthermore, it is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

Southern Water has undertaken a desk study of the impact that the additional foul sewerage flows from the proposed development will have on the existing public sewer network. This initial study indicates that there is an increased risk of flooding unless any required network reinforcement is provided by Southern Water.

Any such network reinforcement will be part funded through the New Infrastructure Charge with the remainder funded through Southern Water's Capital Works programme. Southern Water and the Developer will need to work together in order to review if the delivery of our network reinforcement aligns with the proposed occupation of the development, as it will take time to design and deliver any such reinforcement.

Southern Water hence requests the following condition to be applied:

“Occupation of the development is to be phased and implemented to align with the delivery by Southern Water of any sewerage network reinforcement required to ensure that adequate waste water network capacity is available to adequately drain the development”.

It may be possible for some initial dwellings to connect pending network reinforcement. Southern Water will review and advise on this following consideration of the development program and the extent of network reinforcement required. Southern Water will carry out detailed network modelling as part of this review which may require existing flows to be monitored. This will enable us to establish the extent of works required (If any) and to design such works in the most economic manner to satisfy the needs of existing and future customers. Our assessment of the timescales needed to deliver network reinforcement will consider an allowance for the following:

- Initial feasibility, detail modelling and preliminary estimates
- Flow monitoring (If required)
- Detail design, including land negotiations
- Construction

The overall time required depends on the complexity of any scheme needed to provide network reinforcement.

Southern Water will seek however to limit the timescales to a maximum of 24 months from a firm commitment by the developer to commence construction on site and provided that Planning approval has been granted. The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SUDS).

Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long-term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation of the SUDS scheme.
- Specify a timetable for implementation.
- Provide a management and maintenance plan for the lifetime of the development.

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. The Council's technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse. Due to the vibration, noise and potential odour generated by sewage pumping stations, no habitable rooms should be located closer than 15 metres to the boundary of a proposed pumping station site.

The applicant should be advised that a wastewater grease trap should be provided on the kitchen waste pipe or drain installed and maintained by the owner or operator of the premises.

We request that should this application receive planning approval, the following condition is attached to the consent: *“Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.”*

This initial assessment does not prejudice any future assessment or commit to any adoption agreements under Section 104 of the Water Industry Act 1991. Please note that non-compliance with Sewers for Adoption standards will preclude future adoption of the foul and surface water sewerage network on site. The design of drainage should ensure that no groundwater or land drainage is to enter public sewers.

Environment Agency

We have no objection to the proposal as submitted. The following comments, made in respect of Groundwater and Contaminated Land, Water Quality and Water Efficiency will ensure development is as sustainable as possible.

Groundwater and Contaminated Land

This geology beneath this site is Superficial Deposits overlying the Lambeth Group which in turns site on the Chalk. The far north of the proposed development lies within the Source Protection Zone 2 for Portsmouth Waters Public Water Supply at Aldingbourne. The Chalk is designated a Principal Aquifer as groundwater in these deposits is capable of providing water supplies at a strategic level and needs to be protected. The Superficial Deposits and the Lambeth Group are designated Secondary Aquifers and these provide water supplies on a smaller scale and also to local river flows. Shallow groundwater may be present beneath this site and this should be considered in the investigation and design stages.

The vulnerability of groundwater to pollution is determined by the physical, chemical and biological properties of the soil and rocks, which control the ease with which an unprotected hazard can affect groundwater.

Groundwater Source Protection Zones (SPZs) indicate the risk to groundwater supplies from potentially polluting activities and accidental releases of pollutants. Designated to protect individual groundwater sources, these zones show the risk of contamination from any activities that might cause pollution in the area. In this context they are used to inform pollution prevention measures in areas which are at a higher risk and to monitor the activities of potential polluting activities nearby.

We categorise groundwater source catchment into three zones. SPZs are identified depending on how the groundwater behaves in that area, what constructions there are to get the water into the public water supply and the process for doing this.

SPZ2 Outer protection zone – 400 day travel time from a point below the water table. This zone has a minimum radius of 250 or 500 metres around the source depending on the size of the abstraction.

Due to the sensitivity of groundwater beneath this site we would expect developers to submit a preliminary risk assessment to identify and deal with the risks associated with historic contamination that may be present. A site investigation, remediation strategy and verification plan may be required if historic contamination is identified. In addition a piling risk assessment may be required to ensure any penetrative works do not mobilise contamination and present a risk to the underlying aquifer.

Foul and Surface Water

Surface water drainage should be designed to incorporate appropriate mitigation measures to ensure the protection of groundwater and the Ciria SuDs manual C753 has industry best practice. It provides information and guidance on risk assessment and the likely level of treatment. <http://www.susdrain.org/>.

A scheme for the disposal of foul water needs to be submitted for review and if applicable, evidence provided that the mains sewerage system has the capacity to meet the additional demand.

Water Efficiency

We feel that it is important to promote the higher standard of 110 litres per person per day not only from a water resource perspective but also because of the links with water quality and the disposal of foul water. The Environment Agency and Natural Resources Wales published updated classifications of areas of water stress in England and Wales in July 2013

<https://www.gov.uk/government/publications/water-stressed-areas-2013-classification>

Simple demand management measures, particularly those which reduce the amount of hot water used in the home, have huge potential not only to promote water and energy efficiency but also to reduce the carbon footprint

Para 99 of the National Planning Policy Framework is clear that *'Local Plans should take account of climate change over the longer term, including factors such as ... water supply. New development should be planned to avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures....'*

We therefore think it would be appropriate for your plan to include the higher standard that is equivalent to the old code for sustainable homes level 3.

The advantage of opting for a standard of 110 l/h/d is a substantial saving in water consumption for a negligible outlay at the time of construction. With the increase of water metering, there is also an added benefit for house buyers due to reduced water costs. For a family of four this cost saving could be in the order of £200 per year.

Achieving the water efficiency standard of 110 l/h/d within new dwellings can be accomplished at very little extra cost. The Cost of building to the Code for sustainable homes – updated costs review (2011) estimates that it would cost between £150 and £200 per dwelling to attain such a rate. This would typically involve low/dual-flush toilets, low-flow/aerated taps and showerheads and efficient domestic appliances. More costly greywater or rainwater technologies would not be required.

Water use in the home also has an impact on carbon and greenhouse gas emissions. Domestic water heating is responsible for 5% of UK CO₂ emissions, and from 10-25% of the household energy bill (Waterwise).

There are also real long-term benefits in keeping down the capital costs of new water supply and waste water infrastructure; in reducing power costs in heating water for water and energy customers; reducing carbon footprints of water and energy

companies; maintaining ecosystem services for people and business; protecting landscapes and environment.

Reducing the amount of water entering the treatment works is also a key way of helping mitigate issues around the capacity of waste water works and receiving environments.

West Sussex County Council (Flood Risk)

Flood Risk Summary

Current surface water mapping shows that the majority of proposed site is at low risk from surface water flooding. This risk is based on modelled data only and should not be taken as meaning that the site will/will not definitely flood in these events. Any existing surface water flow paths across the site should be maintained and mitigation measures proposed for areas at high risk.

Modelled groundwater flood hazard classification.

The area of the proposed development is shown to be at high risk from groundwater flooding based on current mapping. This risk is based on modelled data only and should not be taken as meaning that the site will/will not suffer groundwater flooding.

Ground water contamination and Source Protection Zones.

The potential for ground water contamination within a source protection zone has not been co Current Ordnance Survey mapping shows ordinary watercourses running across/adjacent the site. Local or field boundary ditches, not shown on Ordnance Survey mapping, may exist around or across the site. If present these should be maintained and highlighted on future plans. Works affecting the flow of an ordinary watercourse will require ordinary watercourse consent and an appropriate development-free buffer zone should be incorporated into the design of the development considered by the LLFA. The LPA should consult with the EA if this is considered as risk.

Current Ordnance Survey mapping shows ordinary watercourses running across/adjacent the site. Local or field boundary ditches, not shown on Ordnance Survey mapping, may exist around or across the site. If present these should be maintained and highlighted on future plans.

Works affecting the flow of an ordinary watercourse will require ordinary watercourse consent and an appropriate development-free buffer zone should be incorporated into the design of the development.

We do not have any records of historic flooding within the confines of the proposed site. This should not be taken that this site has never suffered from flooding, only that it has never been reported to the LLFA.

Future development - Sustainable Drainage Systems (SuDS)

We support the general principles contained within the Masterplan, especially with regards to Sustainable Drainage, restoration of the existing ponds and enhancement

of the sites main watercourse. When considering the detailed drainage design of the site, please refer to the West Sussex LLFA Policy for the Management of Surface Water

Please note that Schedule 3 of the Flood and Water Management Act 2010 has not yet been implemented and WSCC does not currently expect to act as the SuDS Approval Body (SAB) in this matter.

CDC Drainage and Flood Risk Engineer.

We have reviewed the Masterplan layout and document. The plan is very high level and so we have limited comments to make on it. We do, however, support the following two statements in the Masterplan.

"Restoration of the existing ponds is proposed"

"Enhance the Sites main watercourse to introduce naturalistic features typical of chalk streams and provision of new wetland habitats that will provide a range of opportunities for wildlife (integrated with the proposed Sustainable Urban Drainage Systems (SUDS))."

The Masterplan identifies the watercourses which traverse the site, and the layout appears to accommodate their retention with strategic "informal open spaces". We also support the statement below:-

"A range of Sustainable Drainage Systems will be implemented that minimise the risk of flooding, and include an allowance for climate change." It is essential the site is sustainably drained with no increase in flood risk on or off site. The details of how this will be achieved are expected at a later stage.

CDC Environmental Protection

Noise and lighting

It is acknowledged that the principle for development has been established for the site. Consideration has been given to the "Tangmere Strategic Development Location, Masterplan Document" (November 2019). It is noted that it is the intention to provide a suite of technical reports, as part of the outline planning application, in Spring 2020.

Our department has agreed a scope for the noise assessment methodology, in relation to the document from Peter Brett Associates (Technical Noise Ref: 44372/P005 20th March 2019).

Of particular note, the suitability of areas of the site, for residential development shall be assessed in accordance with ProPG: Planning and Noise – New Residential Development (May 2017). As such, when assessing the impact of transportation noise an Acoustic Design Statement shall be provided. A Good Acoustic Design (GAD) process shall be followed to achieve appropriate internal and external acoustic conditions.

Good Acoustic Design follows a hierarchy of noise control. Maximising spatial separation between source and receiver; incorporating acoustic barriers; layout of scheme; orientation of buildings and placement of sensitive rooms should always be fully explored prior to relying on building envelope design to mitigate noise to acceptable levels. Where there is a reliance on windows to be closed to achieve acceptable internal sound levels, then adequate ventilation shall be specified. The reliance on closed windows to provide acceptable internal sound levels shall be kept to a practicable minimum through Good Acoustic Design.

It is stated, in the Masterplan Document, that the design of new homes will be adaptable for the future and incorporate smart energy systems to facilitate energy efficient use. The design shall therefore consider the provision of adequate thermal comfort. Regard should be given to draft guidance by Acoustic and Noise Consultants and CIBSE TM59 Design Methodology for the Assessment of Overheating Risk in Homes.

The methodology for the assessment of lighting has been agreed as per the attached to Peter Brett Associates 25th April 2019.

Of primary importance, it shall have to be evident that the findings of the suite of technical reports have been used and considered when drafting and designing the Master Plan. There shall have to be communication and consideration across disciplines and evidence of well thought out sustainable design.

Land Contamination

The previous comments are relevant to the master plan document. Depending on the outcome of the desk based phase 1 study and the ground investigation being undertaken at the site, remediation and verification may be required. Conditions PC20, PC21, PC22 and PO14 should be applied to ensure the site is investigated and remediated as necessary.

Air Quality

An air quality assessment (AQA) should be undertaken which includes an assessment of the air quality impacts of the proposed development on the surrounding area (in particular neighbouring residential areas) and assessment of the impact of existing sources of air pollution on future residents and other on-site sensitive receptors. The assessment of impact of the proposed development should include construction phase impacts and operational phase impacts (e.g. traffic generated emissions and emissions from fixed plant such as heating/ventilation plant). Consideration of cumulative emissions from other developments with planning permission should form part of the assessment. Mitigation measures should be put forward as part of the AQA and the following should be considered:

- Cycle storage – condition PO10 should be applied.
- Cycle routes – there is an existing cycle route to the north of the proposed development parallel to the A27 – links to this route should be provided within the development to enable occupants to access this cycle route. In addition

cycle routes towards the centre of Tangmere should also be put in place to encourage occupants to make short journeys by bike.

- EV charging points – cabling should be installed to enable electric vehicle charging points to be put in place at each dwelling in line with the revised WSCC Parking Standards.
- Car club/car sharing provisions – these measures should be considered at the site to help reduce car usage.

During the construction stage it is anticipated that a dust management plan would be required. The DMP could form part of a site wide Construction Environmental Management Plan (CEMP). The AQA should be secured via condition.

Foul drainage

It is understood that foul drainage from this site is to connect to the new pipeline to be constructed by Southern Water. Providing this is the case we have no further comments relating to foul drainage provision.

These comments should be read in conjunction with those made by my colleague dated 3 Dec 2019.

CDC Environmental Strategy

Biodiversity

Due to the scale of the development we will expect extensive ecological surveys to be undertaken on the site by suitably trained ecologists to determine the presence of protected species within the site and the impact a development would have on the surrounding protected species, sites and habitats as part of the EIA. Following the initial survey work any further surveys recommended will need to be undertaken and any mitigation required will need to be considered and included within the planning application. The key components the EIA and ecological surveys will need to include;

- Full ecological surveys for the site including, phase one habitat surveys and subsequent protected species surveys
- Full mitigation strategies for any species found onsite
- Consideration and safeguarding of green infrastructure and connectivity across the site (hedgerow and tree connectivity)
- Habitat enhancements onsite
- Assessment of the direct and indirect impacts on protected sites
- Impacts from climate change and planning for the future.

Recreational Disturbance

As included within Natural England's Discretionary Advice letter (19th July 2019), due to the proposal falling just outside the 5.6km catchment zone of the existing Bird Aware Solent Recreation Mitigation Strategy the large scale of this development has a potential to have a likely significant effect as a result of this recreational

disturbance. Due to this mitigation measures will need to be assessed and included as part of a HRA for recreational disturbance

Policy 40

Due to the requirements within Local Plan Policy 40: Sustainable Construction and Design, we will require that a sustainability statement is submitted for this proposal. The statement will need to demonstrate how the requirements of policy 40 will be met. This includes how the site will;

- Protect and enhance the environment
- Achieve a maximum consumption of 110l of water per day per person
- Complies with building for life standards or equivalent replacement
- Sustainable design including the use of re-used or recycled materials
- Minimise energy consumption through renewable resources
- Adapt to climate change
- Historic and built environment protected and enhanced
- Improvements to biodiversity and green infrastructure
- Maintain tranquillity and local character
- Provision of electric vehicle charging points

Housing

CDC Housing Advice.

There is little specific to housing on which to comment at this stage. In general terms however, while I would support the idea of different densities and character areas over this large strategic site, this must include a range of units, including affordable housing.

This must be roughly in line with the current policy, i.e. the Strategic Housing Market Assessment. 30% of the total units are to be affordable, of which 40% are to be intermediate tenure in line with the neighbourhood plan. Enclaves of a single tenure are to be avoided. As further details are refined, I will make further comments.

Habitats and Environmental considerations

Natural England

SUMMARY OF NATURAL ENGLAND'S ADVICE - NO OBJECTION, SUBJECT TO APPROPRIATE MITIGATION BEING SECURED.

We consider that without appropriate mitigation the application may:

- have an adverse effect on the integrity of Chichester and Langstone Harbours Special Protection Area (SPA) and Ramsar site

<https://designatedsites.naturalengland.org.uk/>

- damage or destroy the interest features for which Chichester Harbour and Langstone Harbour Site of Special Scientific Interest (SSSI) has been notified. In order to mitigate these adverse effects and make the development acceptable, the

following mitigation measures are required / or the following mitigation options should be secured, if Chichester District Council, as the competent authority deems it necessary:

- an appropriate financial contribution to the existing strategic solution or implementation of bespoke measures to mitigate the increased impacts of recreational disturbance

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures. Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out below.

Landscape Impact

CDC landscape Advisor - Awaited

Culture and Heritage

CDC Archaeologist

Preliminary archaeological assessment and evaluation have demonstrated that this site contains evidence of a later Iron Age and Roman settlement, and it is appropriate that the Master Plan proposes that a good part of it should be preserved in-situ beneath a central community park and associated green corridors. It is also appropriate that the proposed surrounding development should to some extent reflect the form of the ancient settlement.

Those parts of the settlement that are not to be preserved in-situ will need to be fully archaeologically investigated in order that their significance might be preserved through recording and proper dissemination, including appropriate interpretation on site. The potential of the rest of the site to contain archaeological interest will need to be evaluated and similar processes of preservation may be necessary.

The other likely archaeological interest arises from the location of the medieval church, which was probably the focus for settlement from the later Anglo-Saxon period onwards. This should be protected through the preservation of the open setting of the church.

CDC Heritage and Design Advice

The development site lies adjacent to the Grade 1 listed medieval church St Andrews. In addition to the church, there are a number of listed buildings within Tangmere. Church Farm House is a Grade 2 listed building in close proximity to St Andrew Church and the boundary of the development site. This therefore also has the potential to be impacted by the development.

The safeguarding zone proposed around St Andrew's Church enabling the retention of green space adjacent to the church is welcomed. This is likely to reduce the detrimental impacts of the development on both the listed buildings and their setting.

Locating an orchard within the area of the site which falls with the boundary of the conservation area is welcomed and in keeping with the history of the surrounding land. The placement of allotments, park land and sports pitches to enable the reuse and retention of green spaces is likely to be less detrimental than the development of dwellings in this location. However, due consideration will be needed in terms of external lighting and any associated infrastructure and the impact of this on the setting of the listed buildings and conservation area.

The site is bordered to the East by Tangmere Conservation Area. Due consideration will be required particularly where built forms are to be proposed immediately adjacent to the boundary and existing dwellings. The scheme is at an early stage however materials, density, massing, scale and height are all going to be particularly important, even more so at the boundary of the conservation area.

The development site and other parts of Tangmere currently benefit from views of the spires of St Andrew's church Tangmere, St Andrews Church Oving and of Chichester Cathedral. Halnaker windmill is also visible. These vistas are important to the setting and the loss of these will be resisted. As the scheme develops with built forms it must be demonstrated how key public views are to be maintained. Within the current masterplan document it is clear consideration is being given to this as the proposals develop.

The retention of the field boundaries where existing mature hedgerows are already in existence is supported and is likely to assist with the integration of the new development into its setting whilst preserving historic field patterns. Where new pathways are to be introduced consideration must be given to the appropriateness of any new street furniture and surfacing materials in order to protect the setting.

The previously provided desk based heritage statement provided a good level of detail regarding the sites history. As the scheme develops this must include an assessment of the potential impacts of the proposals on the heritage assets and the Tangmere Conservation Area.

CDC Landscape Advisor

For the most part the Outline master plan seems to be developing in a way that is sensitive to its landscape setting, but there are a few specific comments, pertaining to landscape and urban design, made against the Masterplan Document and Plan as follows:

The Existing Site in Context

- 1) It is great to see the importance of the landscape setting highlighted early in the document but page 12 concerning landscape would benefit from a little more detail on landscape characteristics of the Chichester to Yapton Coastal Plain¹, as this would help in setting the tone for the approach taken to the landscape design and built form characteristics.

1

- 2) Agree with the principals described in the Design Brief for Cultural Heritage (pg13), in terms of impact on landscape character and highlighting locally distinctive features, **except** another key view to an historic landmark should be included. The key view being from the roundabout exit where the proposed new spine road will enter the site, from the A27, looking over the site towards St. Andrews Church in Tangmere.
- 3) Agree with the approach described in the Design Briefs for Natural Heritage and Biodiversity and Trees and Hedgerows (Pages 15 and 16), **except to add**, that to ensure that this approach is taken through to implementation and successful establishment, a Landscape and Ecological Management Plan (to cover a period of 20 years, post practical completion), should be established at an early stage, to ensure it is integrated with the development proposals, and can be clearly managed with the potential for future land being in various different ownerships or management e.g. Highways verges, Public Parks, private owner/occupiers.
- 4) Tend to agree with the approach taken for Transport and Connectivity, except that it may be valuable to consider a segregated rather than shared pedestrian/cycle path along the new spine road.
- 5) Minor point on accuracy of the description on topography, the site falls 15m from North to South, with short sharp level changes along the Northern boundary of the site, otherwise the main body of the site is broadly level. (page 19)
- 6) Regarding the 'Combined Site Constraints' plan *(page 21). Another view towards an historic landmark should be added to the plan, namely the view from the A27 roundabout where the new spine road is proposed to enter the site, looking over the site, towards St. Andrews Church.

The Framework Masterplan

- 7) The Outline Masterplan Page 27-28. The movement network and legibility of the Mixed-use Village Centre lacks clarity. On plan, the continuation of the existing mature tree/ hedge line, whilst it is a valuable feature, it seems to break up the connection between the centre and the new development to the west, separating the new development from the existing settlement of Tangmere. Does this chime with the Tangmere 'One Village' concept? This is obviously a key area, and still requires some detailed work to clarify proposals.

Ideally it would have been preferable see the primary school located within the street block in the northern part of the site, so that there would be housing facing on to the existing recreation ground, rather than a blank side boundary of the school, but there may be specific reasons for the proposed location, of which we are unaware.

- 8) On Movement and Primary Uses:

Movement Plan (page 29) would benefit from a key, to clearly describe which are Primary, Secondary and Tertiary streets, to tie in with adjacent street images. Also

ped-shed analysis with walking distances would be valuable, in order to determine which parts of the development are within 5 and 10min walking distances from the amenities in the Village Centre and the proposed primary school.

- 9) On Form and Character: There are four proposed character areas, and we tend to agree with emergence of: 1) the 'Village Centre' character area, in the northern quarter of the site; 2) the 'Historic Setting' area on the eastern edge adjacent to the Conservation area, focussed on St. Andrew's Church, and 3) western/southern edges as 'Countryside Edge'. But, is it worth reconsidering if the character area 4) 'Spine road' may have the potential to feel like a corridor with its own uniform character along it, whereas it may be more appealing for the spine road to pass through different character areas, i.e. the other character areas come up to meet the spine road.
- 10) On the approach to Density, (in a similar vein to Form and Character above): sensitive edges with lower densities at the interface between development and the adjacent countryside and historic core seem appropriate, but is a higher density corridor along the spine road a little simplistic, could more detail be put into providing focal points for higher and lower density along the road, so that there is a more interesting building rhythm, to be experienced by users moving along the road.

As well as density mapping a building heights plan should also be produced.

- 11) The Green Infrastructure (GI) and Biodiversity proposals seem appropriate at this level of framework development.

On matters not described in the Masterplan documentation:

- 12) Attention needs to be paid to Night Skies policy for the SDNP. It would be valuable to consider the impact of lighting within the wider landscape, with a view to keeping light pollution to a minimum. Consider need for street lighting in local access roads, with a view to reducing lighting where ever possible. Night time lighting solutions should be an integral part of the sustainability of the site and have a relationship biodiversity (e.g. bat movement).
- 13) We expect a Landscape and Visual Impact Assessment to be produced and look forward to viewing that in due course.

Conclusion

The proposals seem to be acceptable in principal, but there are some details to resolve.

Historic England

This is a master plan application for a mixed use development of up to 1,300 homes, a village centre, community facilities, a school, and open space and green infrastructure, which is a precursor to a future outline planning application. The development lies immediately to the west of St Andrew's church which is a grade I listed medieval church that sits on the western edge of Tangmere. The building is significant for its historic and evidential value as an outstanding example of a

medieval church with later alterations set within an open rural landscape. It comprises of a 13th century chancel, 17th century nave and broached shingled spire, all of which are relatively unaltered and little restored.

Records indicate that the current site of St Andrew's Parish Church has been dedicated to St Andrew since c.680 AD. It is thought that the medieval village developed around the church with fields to the west and south providing pasture indicative of a manorial arrangement with agricultural landscape at the centre of the village.

The later medieval and post-medieval development of Tangmere shifted to the northeast of the church where modern development is found today. This has allowed the retention of open countryside to the northwest, west and south of the grade I listed church, which today make up its setting. The predominantly flat landscape surrounding the church affords significant long distance views to Chichester Cathedral and St Andrew's, Oving and contributes to the site's strong open rural character.

St Andrew's church sits within the Tangmere Conservation Area. The Tangmere Conservation Area Character Appraisal and Management Proposals (approved December 2014) describes St Andrew's Church as the most important building within the Conservation Area, contributing to the conservation area's special architectural and historic interest, the character and appearance of which it is desirable to preserve and enhance.

We note that the proposal is based on a site allocation in the Local Plan and we do not object in principle to appropriate development here. We do however have some concerns and we explained these to the advisers to the proposer as part of some pre-application engagement in July 2019. We note that the master plan makes only limited mention of the historic environment and the constraints pertaining to it. It is not clear what detailed heritage assessments have now been undertaken and hence underpin the proposal, both for effects upon built heritage and archaeology. We strongly encourage that if the development is to constitute sustainable development it must follow the advice of your Local Plan and the NPPF. This requires that the proposal is based upon an understanding of the historic significance of the surrounding area and heritage assets, both below and above ground, and a demonstration that a planning application to be based on the master plan can avoid unacceptable levels of harm to designated heritage or buried archaeological remains. Opportunities to enhance or reveal the historic significance of individual heritage assets and of the conservation area should also be sought.

We can see that some regard to the historic environment has been taken insofar as the master plan allows for long views out into the wider landscape from open spaces and green viewing corridors, including how the views from St Andrew's Tangmere to Chichester Cathedral and St Andrews Oving, as well as towards Halnaker windmill are incorporated into the design. It is also encouraging that the design principles state that design, size and configuration of the central community park will preserve part of the former Roman settlement in-situ, and that the historic use of the site will

be threaded through the design, for example by reflecting ancient trackways where possible.

However, the significance of historic environment and the impact on it needs to be fully and appropriately assessed within the context of the proposed development so that the proposal complies with the terms of the NPPF, particularly chapter 16. Our advice note *Statements of Heritage Significance: Analysing Significance in Heritage Assets* (<https://historicengland.org.uk/images-books/publications/statements-heritage-significance-advice-note-12/heag279-statements-heritage-significance/>) and *The Setting of Heritage Assets Historic Environment Good Practice Advice in Planning Note 3* (<https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/heag180-gpa3-setting-heritage-assets/>) are relevant here.

We note that the master plan indicates green space adjacent to the church. This has the potential to minimise potential impact on the setting and consequently the significance of the church to a certain extent. However, we think that there will be a degree of harm as these areas will likely become manicured green spaces if used for sports activities, which do not retain their agricultural character. Ensuring that the area allocated to parkland remains as informal an area as possible which references the wider agricultural landscape would be a way of minimising harm. We also note that a sports pavilion is planned for this area although the ultimate precise site has not been decided. In terms of this and any proposed pitches, it will be necessary to carefully manage their location to ensure that any buildings or lighting does not have an adverse impact on the church.

The master plan indicates that the housing closest to the church and fronting the open countryside will be lower density and feathered to minimise their harm to the church and wider area. We welcome this approach and suggest that the quantum and design of the housing references the existing nearby built form. We think that these liminal areas require careful consideration when at the detailed planning stage, so that the rural, tranquil character of the church is maintained. This would likely require visualisations from key viewpoints both from the green areas and new housing, as well as from the church and churchyard towards the new development to fully understand the impacts of the proposals. We also think that a more detailed landscape plan will need to be drawn up which should seek to draw influence from the surrounding historic environment.

Paragraph 189 of the NPPF requires that the applicant to describe the significance of heritage assets affected, including any contribution made by their setting so that it is possible to understand the potential impact of the proposal on their significance.

Currently, the master plan documentation seen by us does not describe how heritage significance has been assessed. References to design responses made suggest to us that some such assessments have been made. Since the master plan will be highly influential as to what comes forward as an outline planning permission we think you should satisfy yourselves that historic significance has been understood and appropriate design responses made at this stage. The NPPF advises local authorities to look for ways to avoid or minimise harm to heritage assets when

assessing proposals (paragraph 190). Furthermore, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets, and the desirability of new development making a positive contribution to local character and distinctiveness (paragraph 192).

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation (and the more important the asset, the greater that weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance (paragraph 193). Any harm to, or loss of, the significance of a designated heritage asset (including from development within its setting) should require clear and convincing justification (paragraph 194). If your council is satisfied that the harm has been sufficiently minimised and that any remaining harm can be justified, then this harm should be weighed against the public benefits of the proposal (paragraph 196).

An agreed master plan, even if indicative, is a significant step towards full planning permission for this development, and therefore we think that your Council needs to be satisfied that the heritage impacts have been appropriately assessed and that the development is sustainable when measured against the NPPF and Local Plan policies. Additionally, given the known archaeological potential of the development site we advise that you engage with Chichester District Council Archaeology Officer James Kenny in order to ensure that NPPF advice regarding archaeology and specifically footnote 63 and paragraphs 197 and 199 can be complied with under the master plan proposal. It is not clear if the archaeological potential of the land has been evaluated at this stage. If field evaluation results (by geophysical survey or trial trenching) are not now available to help inform the master plan this creates a risk that the design shown may require subsequent amendment. For example, should significant archaeological remains of national importance be identified the presumption would be that this should be preserved in situ. If sufficient clarity of these issues is not yet available it will be essential that the master plan has sufficient flexibility for amendments to be agreed so as to if necessary preserve archaeological remains. If elements of it must be fixed now then the archaeological impacts of these should be established first. We defer to your archaeological adviser on these important matters but if it is demonstrated that there are archaeological remains of national importance to be considered, we would be pleased to advise further.

While we do not object in principle to the development, we have some concerns regarding this master plan. We think that assessments of the affected heritage assets are required, both below and above ground to fully understand the impacts of the proposals. We also have some concerns regarding the design of the green spaces closest to the church and the layout of the housing adjacent to this. We think that the design of these will need careful consideration to minimise the (less than substantial) harm to the significance of the church. We will be a statutory consultee for a planning application affecting the setting of the high grade listed church and for major development within the conservation area. For the overall impact of the proposal upon the entire historic environment we would expect your in house

conservation and design advice to be the lead but if there are specific concerns relevant to our statutory role we would be pleased to be asked for further advice.

In working up an agreed master plan to become a planning application we will be available to the applicant to provide our pre-application advice and we encourage them to consider how and when we can best assist them.

Recommendation

Historic England has some concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 189, 190, 192, 193, 194 and 196 of the NPPF.

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

South Downs National Park Authority (SDNPA)

The SDNPA has previously provided detailed comments at an earlier stage, and this response is intended to focus those comments for the purposes of the current masterplan consultation.

Landscape and visual impacts

The Masterplan appears to respond well to the Neighbourhood Plan and Tangmere Masterplan Briefing Report but questions remain about the extent to which the setting of the SDNP has been taken into account. The need to provide a sensitive approach both to the edges around the church and archaeological remains in what might otherwise have been the centre of the extended Tangmere village is fully supported by the SDNPA. However, this has led the Masterplan to conclude that the remainder of the development site (an arc to the west and an area on the northern edge) might be capable of accommodating higher densities/building heights. When viewed from higher ground, this may result in an overall scheme that does not reflect the traditional evolution of a village form. The SDNPA is not necessarily opposed to a higher number of units being delivered than that set out in the original allocation, but only if this can be delivered sensitively with regard to the site's setting. This would need to be evidenced - such as via verified wire-frame photomontages - in order to confirm that these areas could accommodate higher densities/building heights. It is suggested that, subject to the conclusions provided by such evidence, general parameters for building heights should be set at this early stage.

The SDNPA has previously commented on the "planned" appearance of the green links into the centre of the site, and would welcome further details about their potential for a multifunctional role (including protecting/enhancing views from the church), and how this has led or been incorporated into the design.

Ecology

The site is in close proximity to a number of International sites and the SDNPA has previously highlighted the need to identify harm, and where possible avoid, reduce or offset that harm as part of the design process. We have also previously commented that the proposal should seek to result in net biodiversity gain. The extent of proposed Green Infrastructure provision is good, but it must be multifunctional and the design should be informed by these functions. This GI should also protect and link with/contribute towards the enhancement of CDC's proposed wildlife corridor to the west of the site, which links with the SDNP.

The area contains identified potential bat network routes and the SDNPA welcomes the intention stated in the Masterplan for the retention and augmentation of existing hedgerows. Whilst the removal of "poor or defunct" hedgerows is noted, the Masterplan does also include an intention to seek a net gain in hedgerow/trees. However, the physical retention/replacement of hedges may not be sufficient and any further mitigation/compensation as advised by your ecology consultees should be sought.

Dark night skies

The Masterplan document makes no reference to lighting. However, the applicants are aware of the South Downs Dark Night Skies Reserve and are engaging in discussion with the SDNPA with regard to the detail to be contained within the lighting chapter of the Environmental Statement. At this stage the SDNPA would wish to highlight the need in particular to focus on the effects of street-lighting - including that it is pointed downward, of a colour temperature of 3000k (warm white) and that bollards should be the preference over conventional street lighting for the more minor residential roads. The masterplan indicates a central area for sport and recreation, including a potential pavilion. We understand that there is not currently an intention for floodlighting at this facility, but if this is proposed at a later stage, the SDNPA would wish to provide comments on the matter.

Access and Recreation

The SDNPA supports the inclusion of / enhancement to infrastructure for cycling and walking across the A285 bridge over the A27, which could connect straight into the old Arundel Road to Maudlin (and from there on branch off into the SDNP). Such a route should complement (rather than be provided instead of) other locally supported routes such as direct links to Chichester - the development (including the spine road) should be designed to encourage both non car-based commuting routes and recreational access to the SDNP. Where the Masterplan states on p38 that bus travel will be subsidised for the first year it is unclear whether a subsidy is proposed for the bus service operator or whether residents are being offered discounted travel. In either event, the bus service, which might be an addition to an existing route such as the 55, should come into operation as soon as the first houses are occupied.

Other consultees and responses

Chichester Contract Services

Provision of Bins -Individual properties would require one waste and one recycling bin. These come in two different sizes 140 litre or 240 litres, the general rule is for up to two persons in a household we would recommend 140 litre bins for up to four person 240 litre bins.

In the instances of communal apartments there are two options available, either individual bins as above or bulk communal bins. If bulk communal bins are preferred then the number of bins required depends on how many apartments they serve. Generally bulk bins have a capacity of 1100 litres, the number of bins required can be calculated by taking the numbers of apartments in the block and multiplying it by 240 (litres), then divide is by 1100 (litres). Other bin sizes are available (see attached requirements) and the above calculation can be adjusted to reflect this.

Site Layout - Firstly please refer to our refuse freighter dimensions detailed in the waste storage and collection service guide, Appendix A, page 14. I would ask that attention is paid to the size, weight and turning circle of our freighters. Our freighter should not have to reverse over excessive distances and all turning areas should be sufficient in size to cater for our large refuse freighters. This is especially important in areas where the refuse freighter is required to service a small mews/dead end road. If there is insufficient room for a turning area to be incorporated into a mews/dead end road we would require a communal collection point for bins at the entrance to the road.

All road surfaces should be constructed in a material suitably strong enough to take the weight of a 26 tonne vehicle. I would discourage the use of concrete block paving unless it is of a highway standard, as these tend to move under the weight of our vehicles. To prevent access issues please may I insist that either parking restrictions are put in place or adequate visitor parking is provided to prevent visitors from parking at the side of the road? Failure to address this issue at this stage may result in our refuse crew not being able to carry out their collections.

Bin Collection Points - Generally the collection point should be outside the front of the property just inside the property boundary, at the closest point to the public highway. However in the instances of shared driveways the bins would be required to be presented at the entrance of the driveway. All communal bin storage areas should be sufficient in size to enable our collection crews to manoeuvre the bins out for emptying without the need to move other bins first. Further guidance is available in our standard waste requirements.

I appreciate this is at an early planning stage and will be happy to comment further on the receipt of more detailed plans.

Sussex Police

Thank you for your correspondence of 15th November 2019, advising me of a 'Master Plan for Tangmere, for which you seek advice from a crime prevention viewpoint.

I have had the opportunity to examine the detail within the application and in an attempt to reduce the opportunity for crime and the fear of crime, I offer the following comments from a Secured by Design (SBD) perspective. SBD is owned by the UK Police service and supported by the Home Office that recommends a minimum standard of security using proven, tested and accredited products.

The National Planning Policy Framework demonstrates the government's aim to achieve healthy, inclusive and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion. With the level of crime and anti-social behaviour in Chichester district being below average when compared with the rest of Sussex, I have no major concerns with the (initial) proposals, however, additional measures to mitigate against any identified local crime trends and site specific requirements should be considered as the development progresses.

The application will involve various different requirements for residential dwellings, retail shops, restaurants and offices, Communal and educational facilities. To assist the applicant regarding inclusive crime prevention matters within all phases, I direct them to the following three Secured by Design documents.

1. (Homes 2019 document) which provides recommendations for the layout of new developments including communal areas, roads, boundaries, footpaths, vehicle parking and lighting and dwellings specifications.

2. (Commercial Developments 2015) provides recommendations and specifications for shops, offices, communal buildings commercial & industrial buildings.

3. (New Schools 2014) documents found at www.SecuredbyDesign.com

Which provides recommendations regarding a secure teaching environment with advice and recommendations relating to the buildings and infrastructure of schools. The documents will assist in incorporating crime prevention into the development of the application.

I reiterate my comments from my previous letter NW/CHI/19/10A dated 14th August 2019 which remain extant, regarding planning application TG/19/01913/EIA. I recommend that the development reflects the attributes of safe, sustainable places set out in Safer Places – The Planning System and Crime Prevention. These are:-

- Access and movement - places with well-defined routes, spaces and entrances that provide for convenient movement without compromising security.
- Structure - places that are structured so that different uses do not cause conflict.
- Surveillance - places where all publicly accessible spaces are overlooked.
- Ownership - places that promote a sense of ownership, respect, territorial responsibility and community.

- Physical protection - places that include necessary, well designed security features.
- Activity - places where the level of human activity is appropriate to the location and creates a reduced risk of crime and a sense of safety at all times.
- Management and maintenance - places that are designed with management and maintenance in mind, to discourage crime in the present and the future.

When further planning details are made available I will respond at 'Outline' and 'Reserved' matters.

I would also ask you to note that Sussex Police is now exploring the impact of growth on the provision of policing infrastructure over the coming years and further comment on this application may be made by our Joint Commercial Planning Manager.

The Crime & Disorder Act 1998 heightens the importance of taking crime prevention into account when planning decisions are made. Section 17 of the Act places a clear duty on both police and local authorities to exercise their various functions with due regard to the likely effect on the prevention of crime and disorder. You are asked to accord due weight to the advice offered in this letter which would demonstrate your authority's commitment to work in partnership and comply with the spirit of The Crime & Disorder Act.

Tangmere resident (1).

"I understand many will be against this, but without new homes being built, I couldn't have moved to Tangmere in the first place, so I would welcome additional homes and services being provided to bring more to Tangmere. With a well thought out plan for traffic, schooling & amenities, this could be a real benefit to the village".

This page is intentionally left blank

Appendix 2 – Tangmere Masterplan Evaluation

This appendix sets out the detailed provisions of two specific Chichester Local Plan policies (Policies 7 and 18) and Policy 2 of the Tangmere Neighbourhood Plan.

The detailed policies are set out in bold and each is then followed by an assessment setting out how the Masterplan seeks to have regard to the relevant requirements.

Chichester Local Plan Policies

Policy 18

Policy 18 of the adopted Local Plan is the starting point for assessing this proposed development. This policy allocates the Masterplan site for mixed development, comprising 1,000 homes, community facilities and open space and green infrastructure. It requires development to be master-planned in accordance with Policy 7, taking into account the site-specific requirements.

Proposals for the site should accord with the detailed requirements of Policy 18. These policy requirements are set out in bold below. The text that follows is an officer assessment of how the Masterplan complies with each of the Policy 18 criteria.

- **Be planned as an extension to Tangmere village that is well integrated with the village and provides good access to existing facilities.**

The masterplan includes a number of measures which seek to ensure that this objective is met. These include the proposed village centre, good access to it from both the East and the West and a number of proposed facilities being located either within or close to it. A robust network of pedestrian and cycle way links are proposed which should encourage easy movement between existing and proposed development.

- **Incorporate new or expanded community facilities (possibly including a new village centre) providing local convenience shopping. Opportunities will be sought to deliver enhanced recreation, primary education and healthcare facilities.**

The masterplan proposes a new village centre and the expansion of community facilities. It also includes options which would allow an expansion of existing community facilities or the provision of additional separate facilities to the west of the centre. Within the expanded village centre, provision has been made in the masterplan for additional facilities, including potential local convenience shopping. The masterplan also includes a generous provision of open space, including recreational facilities and a new two form entry school to the north of the proposed village centre. The need for potential healthcare facilities has not been identified at this stage but this is likely to be assessed as part of the Councils consideration of any future outline planning application.

- **Incorporate small scale business uses**

Within the proposed village centre, the masterplan makes provision for potential additional business and other uses.

- **Make provision for green links to the National Park and Chichester city. Opportunities should be explored for provision of integrated green infrastructure in conjunction with the other strategic sites to the east of the city**

A key and fundamental part of the masterplan is the proposed Green infrastructure network within the site. This could consist of a new central community Park at the heart of the development within what is referred to as Roman fields. In addition, multifunctional open space is proposed within the western part of the site and at the heart of the main residential development within the area to be known as Saxon Meadows. Made open spaces are linked by a series of semi-natural green corridors which will be used to provide for parts and cycle routes. Around the perimeter of the development, similar provision is proposed within the countryside edge.

The Masterplan also recognises the need to meet the requirement for off-site cycle connectivity to both Chichester to the west and the South Downs National Park to the north. It proposes improvements to existing off-site routes into Chichester and will consider two additional options, including possible additional routes into Chichester along the south side of the A27 and along Tangmere Road, to the south. West Sussex County Council is also considering improved cycle route connectivity to and from Barnham and the Tangmere Masterplan approach provides for this to be contributed to, as part of this development.

- **Protect existing views of Chichester Cathedral spire and reduce any impact on views from within the National Park**

The Masterplan has been developed after careful consideration has been given to these and other important cultural heritage features, such as Halnaker Windmill to the north and St Andrew's Church and the Tangmere Conservation Area. These important cultural heritage features have all been identified within the Masterplan as requiring careful consideration as more detailed proposals are developed in the future. Overall, the Masterplan approach and concept has been driven by the need to protect these important views and the design and location of open spaces have been developed accordingly. The scale of development proposed has been limited (mainly to no more than two storeys) so as to limit the potential visual impact from the South Downs National Park. Some further discussions will be needed with the SDNPA to consider their detailed concerns.

- **Subject to detailed transport assessment, provide primary road access to the site from the slip-road roundabout at the A27/A285 junction to the west of Tangmere providing a link with Tangmere Road. Development will be required to provide or fund mitigation for potential off-site traffic impacts through a package of measures in conformity with the Chichester City Transport Strategy (see Policy 13)**

The Masterplan proposes a primary access to the site from the existing A27 grade separated junction, with a spine road that then runs initially east (to link in with the existing village) and then south through the site, then connecting to a new roundabout on the Tangmere Road. In relation to mitigation, it is too early in the process at this stage to consider this in detail. However, the proposed Transport Assessment, which will support any future outline planning application, will deal with this matter.

- **Make provision for improved more direct and frequent bus services between Tangmere and Chichester city, and improved and additional cycle routes linking Tangmere with Chichester city, Shopwyke and Westhampnett. Opportunities should also be explored for improving transport links with the 'Five Villages' area and Barnham rail station in Arun District**

The Masterplan promotes active and sustainable travel options through safe and convenient access to public transport and pedestrian and cycle routes, both within and beyond the site. It also acknowledges the need for an enhanced bus service and makes provision for improved cycle links to Chichester City, by promoting improvements to the existing Westhampnett cycle route. It is also proposed to investigate the possibility of an additional route into Chichester along the south side of the A27, which, if deliverable, could improve links to Shopwhyke.

During the first year after construction, bus travel will be subsidised to encourage residents to use public transport. The situation in relation to possible links to Barnham has previously been explained (above).

- **Conserve and enhance the heritage and potential archaeological interest of the village, surrounding areas and World War II airfield, including the expansion or relocation of the Tangmere Military Aviation Museum**

Cultural Heritage features very early in the Masterplan. It acknowledges that the site and its surrounding area contain a rich cultural heritage resource of archaeological evidence, extant buildings and areas of historic landscape. A detailed archaeological evaluation has already been undertaken and the Masterplan makes provision for the protection of the most important areas, which will be contained within a proposed central community Park. The need to properly protect St Andrew's Church and the Tangmere Conservation Area is well recognised in the Masterplan, as is the need to protect long distance views of notable built heritage assets by proposing open spaces (particularly in the Roman Fields) in the most appropriate locations.

In relation to the Tangmere Military Aviation Museum, the Masterplan makes provision for the relocation of the nearby allotments (as required by Policy 6 of the Tangmere Neighbourhood Plan). In turn, this could assist with the longer-term enhancement of the museum.

Development will be dependent on the provision of infrastructure for adequate wastewater conveyance and treatment to meet strict environmental standards

The proposed development will provide all the infrastructure that will be required to properly support it. The appropriate stage for considering such matters will be through the proper consideration of any future outline planning application. This will be supported by detailed technical studies, which would be used to help evaluate the overall acceptability of any future scheme. The Masterplan acknowledges the need for this and will not prohibit connection to the strategic network. It is likely that within the site, pipework will be installed around its perimeters, with soft landscaped areas and there is space for additional pumping stations or other facilities, as may be required.

Proposals for development should have special regard to the defined County Minerals Safeguarding Area. Preparation of site plans will require liaison with West Sussex County Council at an early stage to ensure that potential mineral interests are fully considered in planning development –

This is a matter for West Sussex County Council to consider, and discussions in relation to this matter are currently underway. It is anticipated that this will be addressed before any outline planning application is submitted.

Policy 7 - Master planning strategic development.

This Policy requires Strategic Development Locations (SDL) identified in the Local Plan to be planned through a comprehensive master-planning process. Its preparation should involve the active participation and input from all relevant stakeholders, including the Council, landowners, developers, the local community, service providers and other interested parties. A Masterplan should be developed before the submission of a planning application.

The Masterplan has been prepared after giving very careful attention to the requirements of Policy 7. It includes an appendix (A), which sets out the necessary policy requirements, the design response and the stage at which relevant information will be provided. Each of the 15 requirements and the design responses are set out in Appendix 2 to the Masterplan.

Clause 1 - Include an indicative development layout and phasing and implementation plan.

The Masterplan includes an indicative layout which has been developed over quite a long period of time and after consultation with the local community. In relation to possible phasing, the proposals are not sufficiently advanced at this stage to be precise. However, the Masterplan will be used to form the basis of future

comprehensive phasing and implementation plans, which are likely to be submitted and considered at the next outline planning application submissions stage.

At this stage, the Masterplan envisages development taking place over an anticipated 10 to 12 year period (2022-2034) and the first homes are expected to be completed some 12 to 18 months after a start on site in 2022. It is possible that the may be more than one housebuilder on site, but this is not settled at this stage.

Clause 2 - Incorporate high standard of urban design and architecture that respects the character of the landscape, heritage, adjacent and nearby settlements and built development, reflecting the urban to rural transition with appropriate boundary treatment.

The need to respect the character of the landscape, the local heritage, nearby settlements and existing built development in Tangmere features strongly in the Masterplan. As has been explained, four different character areas are proposed, each of which is designed to pay due regard to the relevant local characteristics. For example, lower densities are likely to be proposed within the Countryside Edge and the Historic Setting. Equally, slightly higher densities will be considered within the Village Centre and along the proposed Spine Road.

Clause 3 - Make effective use of the site through the application of appropriate densities in terms of scale, height and massing, and its relationship to adjoining buildings and landscape.

Following on from the above, 37.9 hectares of the site (just under 50%) is proposed to be developed for housing. The net density is proposed to be 34.3 dwellings per hectare, which is not considered to be an unduly high density. It is a density which, while delivering the anticipated 1300 dwellings, should also be capable of ensuring that a high-quality development will be delivered.

The overall net density is around 34.3 dwellings per hectare but the Masterplan proposes to vary this by suggesting the following three approaches to density:-

- Lower density - 25 to 30 dwellings per hectare. Typically proposed within the Countryside Edge and Historic Setting.
- Medium density - 30 to 35 dwellings per hectare. The principal average housing density that is expected to apply across the much of the proposed development, as a whole.
- Higher densities - 35 to 40 dwellings per hectare. Typically proposed within the Village Centre and along the Spine Road.

Clause 4 - Create a strong sense of place, ensuring the proposed development makes a positive contribution to local character and distinctiveness.

The Masterplan has been developed following a careful evaluation of a number of relevant considerations. These include local heritage assets, the character of Tangmere village and other important features that exist beyond the site. The key

driver here is the “One Village” vision which the Masterplan makes various references to. The Masterplan also includes possible approaches to housing density across different part of the site, with the objective of helping to create a settlement that is responsive to its context. These density approaches will be further developed, in due course. Overall, the proposed approach is one which is capable of creating a strong sense of place and one which will ensure that the proposed development should make a positive contribution to Tangmere.

Clause 5 - Plan for integrated development, providing for a mix of housing that addresses a range of local housing needs, and encourages community cohesion.

The Masterplan will help to deliver a comprehensive range of dwelling types and sizes and tenures, thereby ensuring a mixed community. The proposed approach and the suggested densities have been developed having regard to a suitable overall housing mix, which includes 30% affordable housing. As has been explained above, different approaches will be taken across different parts of the site in order to help deliver an attractive environment and, through the provision of footpath and cycleways, should encourage community cohesion.

Clause 6 - Reduce the need for car use and encourage sustainable modes of travel, including provision the public transport, cycle routes, footpath’s and bridleways.

The Masterplan sets out a proposed approach towards sustainability generally, including measures that will promoter sustainable travel, public transport, cycling and walking. Specific examples in the Masterplan that are designed to reduce the use of the car, in favour of more sustainable travel, include the provision of dedicated cycle storage for each dwelling, electric vehicle infrastructure being provided with each property, the provision of a communal electrical vehicle charging points within the village centre and subsidised bus travel for the first post construction year. Other measures, such as the provision of high-speed fibre Internet should also encourage increased homeworking and reduced travel.

Within the site, a comprehensive network of footpath’s and cycleways is proposed, along with enhanced cycle links to Chichester and potentially elsewhere. Such measures should further encourage more sustainable travel in the future.

Clause 7 - Create a network of permeable and interconnected streets and public spaces.

The Masterplan seeks to ensure that the proposed new development integrates well with its surroundings. This will be achieved by reinforcing existing connections and creating new connections, in accordance with the “One Village” vision. The proposed footpaths and cycle network have already been referred to in this report, but these also relevant. The Masterplan makes reference to a potential Movement Strategy, which seeks to sustainability connect the site with the existing village of Tangmere to the east and Chichester to the west. Within the development, a strong north-south link is proposed along the spine road. Furthermore, important links eastwards

towards Tangmere are proposed, along with secondary and tertiary routes that will all connect to facilitate integration and connectivity.

Clause 8 - Include measures to mitigate the traffic impacts of the proposed development on the strategic and local road networks.

The principal access into the site is proposed from the north, with the spine road then proposed in a southerly direction towards Tangmere Road to the south where it will connect with a new roundabout. This will also incorporate appropriate links to the east to ensure that there is accessibility to the existing village.

At this stage, the potential effects of the proposed development on the strategic and local road networks have not been verified, but this work is in hand. A Transport Assessment (TA) is currently being prepared and this will be submitted with any future outline planning application. This will help identify measures that are needed to mitigate the impacts of the proposed development on the local highway network. West Sussex County Council, as highway authority, supports this approach.

Clause 9 - Provide for timely delivery of physical infrastructure, including sewage connections and fibre-optic broadband.

The Masterplan acknowledges the need for appropriate infrastructure to be provided to help support the proposed development. At this stage, however, precise and detailed provision has not been established or agreed, although a significant amount of work is currently being undertaken, in advance of the submission of any future outline planning application.

A section 106 agreement will be needed as part of any future outline planning application. This will include a variety of triggers that will be needed for the delivery of all of the infrastructure that is required to support the development. Examples will include drainage, affordable housing, appropriate highway improvements, education and community facilities, open space provision and other requirements, such as high-speed fibre-optic broadband and other sustainability measures.

Clause 10 - Provide for appropriate employment provision and community facilities to serve the new development (e.g. local shops, community halls, schools and health facilities).

The Masterplan considers the need for a range of additional community and other facilities to help support the proposed development. For example, employment opportunities are likely to be provided within the new village centre. In relation to community facilities, two options are proposed – either an expansion of the existing community centre or through the provision of separate additional facilities to the west of Malcolm Road.

Provision is made for local shops within the village centre, for a new two form entry primary school to the north of that area and for possible health facilities, if these are required.

Clause 11 - Provide for accessible open space to meet identified local needs and/or increase accessibility to existing open spaces.

The Masterplan includes a specific section relating to green infrastructure and the provision of open space. Four specific areas of open space provision are envisaged as follows:-

Saxon Meadows - This would be a large area of multifunctional open space, proposed within the setting of Andrew's Church and the Tangmere Conservation area. It will include sport and recreation facilities, allotments, a community orchard and general amenity space.

Roman Fields - This would be a significant new central community park, located at the heart of the development. It will allow views of Chichester Cathedral, St Andrews Church, Halnaker Windmill and Oving church tower. It is proposed to be a quiet and natural open space, which maximises views and connects residents with the open countryside.

Green Corridors - This will comprise a series of semi-natural corridors which will provide a network of green, pedestrian and cycle routes that will link to the main open spaces within the development as well as the wider Tangmere village and the countryside beyond.

Countryside Edge - This will form a natural buffer around the northern, western and southern boundaries of the site. Its purpose is to create a new soft and attractive edge to the development. It will include natural play areas, quiet walking and cycle routes, as well as significant areas of habitat enhancement.

Clause 12 - Incorporate a green infrastructure strategy, providing an integrated network of green spaces, taking advantage of opportunities for off-site links to the coast, South Downs National Park, and wider green network, and where necessary providing alternative recreational space to mitigate potential environmental impacts of development on EU designated sites.

The approach explained in some detail above in relation to clause 11 is also relevant here. The Masterplan recognises that open space is vital to the prosperity, health and social cohesion of the community - a core principle of the "One Village" vision. The landscape strategy aims to create green parkland setting for the new homes and to deliver a multifunctional network of open space, which diversifies the lives of the new and existing communities and also enhances natural habitats.

Clause 13 - Provide appropriate measures to mitigate flood risk and ensure that the development is resilient to the potential impacts of climate change.

Sustainable urban drainage systems (SUDS) will be implemented to minimise the risk of flooding and the overall approach will include an allowance for climate change. They will become positive and attractive features across the site, enhancing its overall character and providing ecological and amenity benefits.

Measures are also proposed to retain existing ditches and to provide new chalk streams, wetland areas and attenuation ponds, particularly towards the southern end of the site within the Countryside Edge. Measures will also be introduced to help reduce water consumption and to achieve high standards of water efficiency. The measures proposed are expected to reduce domestic water consumption to no more than 110 litres per person each day.

Clause 14 - Assess the potential for including renewable energy schemes.

The design of new homes will be adaptable for the future and each home will incorporate smart energy systems to help facilitate efficient energy use. The development will also be constructed in accordance with the outcome of the current Future Homes Standards consultation, in order to help ensure increased fabric standards, higher energy efficiency standards and the provision of appropriate technologies, such as solar PV systems

Design measures have been incorporated into the Masterplan (see page 40) to demonstrate how proposed dwellings will be designed and orientated to promote the maximisation of passive solar gains and natural daylight. Dwellings will also incorporate natural ventilation, to help reduce the risk of overheating and the use of high-performance glazing to reduce heat loss.

Clause 15 – Demonstrate a good understanding and respect for the natural environment, its heritage assets and the setting, both within the site and in the wider locality, whether designated or not, and includes details of how the natural environment and heritage assets will be preserved, conserved and enhanced.

The Masterplan includes an assessment of both the natural environment and the local heritage assets, within the site and beyond. This assessment features early in the Masterplan and this will help ensure that the scheme will be respectful of, and benefits from, the existing topography, landscape features and views towards key landmarks in the surrounding area. This will include reinforcing existing natural features such as field boundary hedgerows, and creating opportunities for biodiversity gain.

In relation to the environment, section 2 of the Masterplan establishes a clear understanding of the existing site and sets out the conceptual issues that informed its evolution. This included important considerations such as the environmental context, landscape, the natural heritage and trees and hedgerows.

In relation to cultural heritage, the Masterplan acknowledges that both the site and the surrounding area contain a rich cultural heritage resource, which includes archaeological evidence, extant buildings and intact areas of historic landscape. A number of examples have already been referred to in this report. The Masterplan also includes four cultural heritage criteria against which any (future) Design Brief might be developed.

Overall, it is considered that the scheme will be respectful of the existing topography, landscape features and views towards key landmarks in the surrounding area. The

proposed approach will include reinforcing existing natural features such as field boundary hedgerows and creating opportunities for biodiversity gain.

Tangmere Neighbourhood Plan.

There is a “made” Neighbourhood Plan for Tangmere and this is an important and material consideration for relevant future planning decisions. The principal policy for considering this Masterplan is Policy 2.

Policy 2: Strategic Housing Development

Development proposals for housing and other uses on land designated by the development plan as the Tangmere Strategic Development Location (TSDL) and associated land, as shown on the Policies Map, will be supported, provided they accord with the following principles:

- i. The site layout makes provision for the Tangmere Sustainable Movement Network of Policy 9, including the creation of the ‘East-West Corridor’ and the ‘North-South Link Road’ including road, footpath, cycleway and bus routes as shown on the Policies Map and Concept Plan;***

Masterplan approach - It is considered that the proposed strategy, as set out in the Masterplan, generally makes the required provision for complying with the required movement strategy. It includes an East-West corridor, (to provide good access from the Spine Road to Tangmere village) a principal North-South link road (linking the main access from the A27 down to Tangmere Road to the south), a fully integrated network of footpaths and cycleways and the provision of enhanced and subsidised public transport,.

- ii. The provision of the ‘East–West Corridor’ includes the formation of the ‘Village Main Street’ as an extension of Malcolm Road into the site, as shown on the Policies Map and Concept Plan;***

Masterplan approach - The Masterplan approach includes an east-west corridor, which links to an enhanced village centre and a development which delivers a comprehensively planned expansion of Tangmere. The Masterplan promotes a village centre at Malcolm Road, which is designed to promote a feeling of community within a pedestrian priority space and a cluster of supporting community uses. Importantly, the Masterplan recognises the importance of land to the west of Malcolm Road being developed as an extension to the existing village, rather than as a potentially more isolated new development.

The Masterplan has evolved following extensive discussions on the options of Malcolm Road being a through route or one that is not. After detailed consideration, it has been concluded by Countryside that east-west connectivity is best achieved

with Malcolm Road being a no through route for vehicles, but open to pedestrians and cyclists. This matter is considered in more detail in paragraphs 11.3 to 11.9 of this report, as it has been raised by Tangmere Parish Council in its consultation response to the Masterplan.

iii. The character of housing development takes into account the following principles:

- a. Around the ‘Village Main Street’ and ‘East-West Corridor’ there will be an emphasis on the provision of housing types that are of a smaller size suited to starter homes and homes for downsizing and on establishing a layout that provides attractive, safe and accessible pedestrian and cycle links to the ‘East-West Corridor’, to the new Primary School and to the ‘Village Main Street’;***

Masterplan approach - In relation to housing types and sizes, it is a little too early in the process to be definitive. However, the Masterplan proposes variety in architectural form and character across the site, in order to create a distinctive and attractive series of neighbourhoods. It proposes four (4) character areas, including one based around the Village Centre and which will incorporate safe and accessible pedestrian and cycle links to connect all community uses. It also promotes sustainable access to and from the proposed new primary school and enhanced village centre.

- b. Toward the southern and western periphery of the TSDL, there will be an emphasis on the provision of housing types and built forms that help create an attractive rural edge to the settlement, including larger size family homes, and on establishing a layout that contributes to the setting and delivery of the Tangmere Green Infrastructure Network as set out in Policy 8. In establishing the layout, regard should be had to the high winter groundwater levels, with consideration given to providing ponds and water areas to create an effective flood protection scheme, forming part of a sustainable drainage system. The layout should also contribute to the setting, delivery, accessibility and safe use of the Sustainable Movement Network as set out in Policy 9;***

Masterplan approach - As already explained in this report, variety in architectural form and character is proposed, including to the west and south of the site, a specific character area, (the “Countryside Edge”). The Masterplan sets out the proposed approach to density for this area, which is expected to be at the lower end and in the order of 25-30 dwellings per hectare.

More generally, the Masterplan provides for a range of densities to be applied, which will vary between 25-30 and 35- 40 dwellings per hectare across the developable areas of the site as a whole. The Masterplan acknowledges that lower densities and a more fragmented approach will be required within the most sensitive locations within the site. The layout proposes good provision for the delivery of a green infrastructure network and the provision of adequate flood protection measures in the

most appropriate parts of the site. For example, permanent water features tend to be proposed within the southern part of the site.

- iii. Affordable homes will be provided throughout the site in line with Policy 34 of the Chichester Local Plan –Key Policies 2014-29 though there will be at least 40% of that provision made in the form of intermediate housing tenures;**

Masterplan approach - It is proposed to ensure that housing provision will be fully in accordance with current planning policy. This is envisaged to require 30% affordable housing provision. Of this affordable housing provision, 40% of this affordable housing element is proposed to be in the form of intermediate housing tenures and 60% affordable rented. The aim is to fully comply with the Tangmere Neighbourhood Plan.

- iv. Development will be dependent on the provision of infrastructure for adequate waste water conveyance and treatment to meet strict environmental standards;**

Masterplan approach - As has been previously stated at paragraph 8.3 (Clause 8), detailed infrastructure matters will be considered as part of any future outline planning application. However, the need for appropriate supporting infrastructure is fully recognised in the Masterplan. It is anticipated that detailed provisions will be submitted to support any future outline planning application.

- v. The development layout and buildings will sustain and enhance the significance of the character and setting of, and views to, St. Andrews Church and of the Tangmere Conservation Area;**

Masterplan approach - As also stated at paragraph 8.3 (Clause 3) above, the need for lower housing densities within or close to the more sensitive locations is recognised. One of the four character areas envisaged in the Masterplan is referred to as the “Historic Setting”. This is centred around the important St Andrews Church and the adjacent Tangmere Conservation Area. Lower density is proposed within this area, particularly when in close proximity to sensitive edges.

- vi. The development layout will contribute to creating and sustaining the Tangmere Green Infrastructure Network of Policy 8 and will specifically comprise:**

- a. the retention of existing hedgerows and other landscape features within and on the edge of the site that are of significant value to deliver biodiversity benefits and to form part of the Tangmere Sustainable Movement Network of Policy 9;**

Masterplan approach - The Masterplan indicates significant retention of existing landscape features (trees and hedgerows) and includes a specific section which deals with green infrastructure and biodiversity. It recognises that open space is vital to the prosperity, health and social cohesion of the community. The proposed

landscape strategy aims to create a Green Park and setting and to deliver a multifunctional and high-performance network of open space.

Proposals will include a network of green infrastructure, which will comprise areas of informal and formal open space and enhanced structural planting, naturalised surface water attenuation ponds, improved or new habitats and civic spaces within primary community hubs. It is noteworthy that, overall, the level of proposed open space within the Masterplan (around 33 hectares, including formal and informal open space, allotments and orchard) will quite significantly exceed the amount (around 10.3 hectares) that is actually required through existing adopted policies. This is a welcome element of the overall scheme.

b. the creation of a new nature conservation area, comprising suitable means of managing public access to create and sustain biodiversity value;

Masterplan approach - Four principal elements of new provision are proposed. To the south-east of the site “Saxon Meadows” would comprise a large area multifunctional open space, proposed allotments and a community orchard, which will be connected to a series of green corridors. To the north-west of the site, “Roman Fields” would be a significant new central community Park at the heart of the development and allowing views of Chichester Cathedral, St Andrews Church and other important local features.

More importantly in relation to nature conservation, a series of Green Corridors are proposed throughout the scheme, which would be semi-natural and would provide pedestrian and cycle routes for the link to the primary green spaces and the countryside beyond. These can also function as supplementary open space. To the north, west and south of the site, natural buffers are proposed within the “Countryside Edge”, which are designed to create a soft and attractive edge to the development, quiet walking and cycle routes and significant areas of habitat enhancement. Cumulatively, these latter two provisions, in particular, will help to deliver the Neighbourhood Plan vision for nature conservation, public access and biodiversity.

c. a Community Orchard/Garden/Allotment in the broad location shown on the Concept Plan;

Masterplan approach - Within the “Saxon Meadows” open space provision, a community orchard and new allotments (2.9 hectares) are proposed. This includes sufficient provision to potentially facilitate the relocation of the existing allotments at the Tangmere Military Aviation Museum. This is also referred to below in relation to Neighbourhood Plan Policy 6.

d. a Structural Landscape Belt around the north-eastern, northern, western and southern boundaries of the site of sufficient width to include a landscape amenity and a foot and cycle path along its entire length to form part of the Tangmere Masterplan approach –

Masterplan approach - As explained above, the proposed “Countryside Edge” along the northern, western and southern boundaries of the site will deliver what is required under this element of the Neighbourhood Plan policy. These will have sufficient width to accommodate footpaths, cycleways as well as other features such as natural water features and incidental open space.

e. Sustainable Movement Network of Policy 9;

Masterplan approach - The Masterplan includes significant opportunities for sustainable movement both within the site and beyond.

f. a new Public Park in the broad location shown on the Concept Plan, comprising sufficient space to include a children’s play area, a recreational area, sports pitches and an outdoor sports pavilion, all of which connect with the Tangmere Sustainable Movement Network of Policy 9; and

Masterplan approach - A new public open space, referred to as Saxon Meadows, is proposed within the development, as envisaged by this part of the policy. It also includes a mix of provision and will be well connected as a result of the proposed provision of key pedestrian and cycle links.

g. proposals for securing the satisfactory ongoing management of all the Tangmere Green Infrastructure Network within the site;

Masterplan approach - At this early stage of the process, it is premature to consider the issue of potential future management. However, there has been early engagement with Tangmere Parish Council and it is anticipated that this will continue in the future. The requirement to ensure appropriate ongoing management will be secured through any future Section106 legal agreement that might be linked to any future outline planning permission.

vii. There will be approximately 2.4 hectares of land safeguarded for a new Primary School in the broad location shown on the Concept Plan;

Masterplan approach - A site of 2.4 hectares is included within the Masterplan to accommodate a new two form entry primary school. This is proposed to be located to the west of the existing open space and the north of Malcolm Road. In addition, a further 0.6 hectares of land adjacent to the proposed school site is proposed to be “safeguarded” in order to facilitate possible future expansion or the relocation of the existing Tangmere Primary school Academy. This is also referred to below in relation to Neighbourhood Plan Policy 4.

viii. There will be a new Community Facility provided in the broad location shown on the Concept Plan to serve the existing and new communities and:

Masterplan approach - The Masterplan presents 2 possible options for possible locations for a new community building to the west of the existing village. The Neighbourhood Plan policy requires the provision of a new large community facility in a location to be determined in the Masterplan.

The recent consultation exercises identified that there are options as to what might be needed and as to how these additional facilities might be best provided in the future. The options are an expansion of the existing facility or the provision of a new facility altogether.

The Masterplan consequently suggests possible alternative locations, so as to reflect the fact that different options exist. Additional work will need to be undertaken in order to help identify how and what future community facilities might be best provided and needed in Tangmere. Tangmere Parish Council will have an important role here. At this stage, however, the Masterplan presents options for the provision of new facilities

- a. will comprise rooms and facilities to service large community events, including amongst others a Youth Club, Community Kitchen, an Artisan Local Market, a café and a room suited to early years childcare service provision; and***

Masterplan approach - Following on from what is stated above, the Masterplan suggests provision that will have the capability of providing all these types of facility (or any others that might be identified) as being needed or appropriate for Tangmere. The further work suggested above will again be important here.

- b. will include proposals for securing the satisfactory ongoing management of all the Tangmere Green Infrastructure Network within the site;***

Masterplan approach - As stated above, at this early stage of the process, it is also premature to consider and settle the issue of future management of the Green Infrastructure Network. However, there has been early engagement with Tangmere Parish Council and this will also continue in the future. As explained above, this may well be a matter for any possible future Section 106 Agreement.

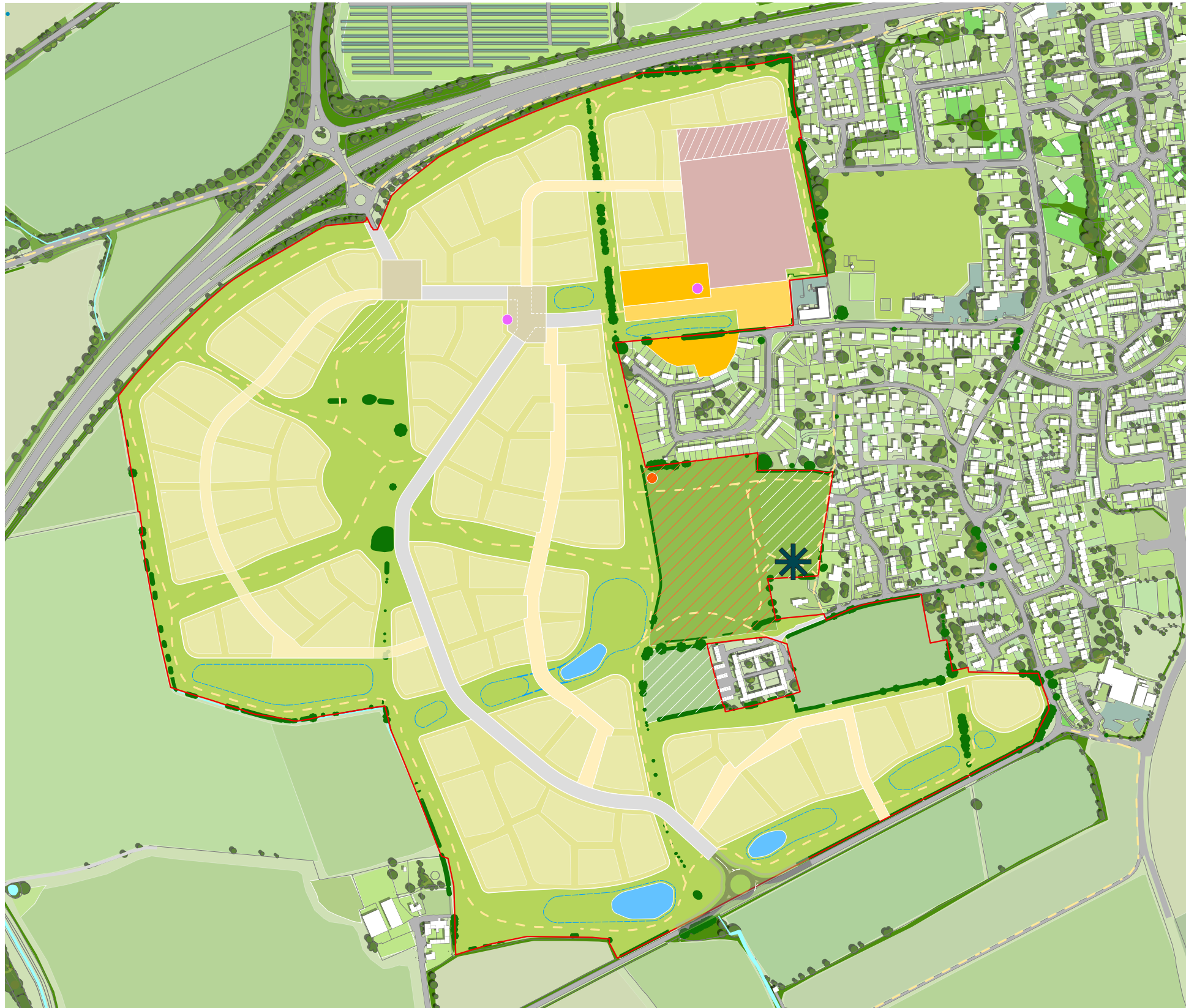
- ix. Commercial uses on the site will be provided in the form of a small parade in the 'Village Main Street' to serve the convenience and local services needs of the existing and new residents and comprising a mix of units suited to A1-A5 and B1 (a) uses (subject to marketing evidence), some or all of which may be delivered with dwellings on upper floors.***

Masterplan approach - The Masterplan acknowledges the need for a mixed-use village centre to be provided and importantly safeguards 0.5 ha of land to help deliver it. Furthermore, a broad range of potential land uses are envisaged and provided for in the Masterplan. At this early stage, the detailed composition of such provision cannot be fully determined. This will evolve through the planning process

and in consultation with the local community. However, the Masterplan recognises the need to comply with this requirement.



NOTE: THE DRAWING IS PROVIDED FOR LARGE SCALE PRINT OF THE FRAMEWORK MASTERPLAN BUT SHOULD NOT BE READ WITHOUT REFERENCE TO THE SUPPORTING MATERIAL WITHIN THE MASTERPLAN DOCUMENT.



Key

- Residential (37ha)
- 2 FE Primary School (2.4ha)
- Safeguarded land for 3FE expansion (0.6ha)
- Mixed Use Village Centre (0.5ha)
- Informal Open Space (25.6ha) - Including Amenity and Open Space and Natural/ Semi-Natural Green Space
- Parks, Sport and Recreation Ground (5ha)
- Parks
- Sport and Recreation
- Allotments (2.9ha)
- Community Orchard
- Primary infrastructure
- Indicative alignment of secondary street
- Key pedestrian / cycle links
- Attenuation basins
- Permanent water
- Potential location of community building
- Potential location of sports pavilion
- Potential location for extension to existing graveyard

This page is intentionally left blank

Chichester District Council

Planning Committee

8 January 2020

**Land West of Centurion Way and West of Old Broyle Road,
Chichester**

**Progress on Commercial Negotiations and Delivery Timescales for
Phase 2**

1. Contacts

Report Author

Jo Bell – Development Manager (Majors and Business)

Telephone: 01243 534899 E-mail: jbelle@chichester.gov.uk

2. Recommendation

- 2.1 That the Committee notes the content of the report and makes any observations and the development progress for West of Chichester (both Phase 1 and Phase 2) continues to be monitored to ensure compliance with the dates set out below.**

3. Background

- 3.1 This report provides an update on the progress of the commercial land negotiations in relation to the delivery of the southern access and the future submission of an outline planning application for the second phase of the development on the West of Chichester Strategic Development Location (SDL) (Phase 2).
- 3.2 In November 2019 the developers (Linden Homes and Miller Homes) submitted an updated Indicative Delivery Timetable for both Phase 1 (750 homes) and Phase 2 (850 homes). The details of this are discussed below.

Phase 1

- 3.3 As Members are aware, significant progress is being made with the delivery of Phase 1 at West of Chichester. A number of Reserved Matters (REM) applications have been approved, which include the Infrastructure REM and a parcel of housing for both Linden Homes and Miller Homes. The discharge of pre-commencement conditions is on-going. Assuming timely discharge of the pre-commencement conditions, it is expected that the infrastructure works will have commenced on site in Winter 2019/20, with delivery of the roundabout by Spring 2020, completion of the spine road by early summer 2020 and completion of the SANGs, Country Park and drainage by Autumn/Winter 2020. Residential construction will commence in March 2020 with the first dwellings being occupied in December 2020 (9 months from commencement of the residential). Assuming a build out rate of 100 dwellings per year this would result in the completion of Phase 1 (750 homes) in 2028. On this

basis, the occupation of the 125th dwelling would be reached in March 2022 and the occupation of the 225th dwelling would be reached in March 2023.

Phase 2

- 3.4 The Indicative Delivery Timescale states that progression of the land negotiations with key stakeholders will take place between Autumn 2019 and Spring 2020. Preparation of the outline application for phase 2, including public consultation, will take place from November 2020 with submission of the outline application in March 2021. This outline application submission date was also stated by developers at the Members Public Briefing on 30th September 2019. It would be appropriate to assume a resolution on the planning application 6 months later with an issuing of the decision notice 9 months from submission (taking into account the completion of the S106 legal agreement). This would mean that outline permission for Phase 2 would be issued by January 2022. These timeframes are set out in the Indicative Delivery Timescale.
- 3.5 The developers have stated that they would submit a separate REM application for the southern access in January/February 2022, following the issuing of the outline permission. It is anticipated that the REM application would be determined by May 2022. Construction work on the southern access would begin in June/July 2022 and would be open in Spring-Summer 2023. It is assumed (using the timescales set out in the Development Delivery Timeline presented to Planning Committee in 2016) that the southern access will be available for construction traffic 6 months from commencement, which would be December 2022/January 2023. It is anticipated that the first REM for housing for phase 2 would be submitted 8 months after the issuing of the outline permission, which would be September 2022 with a decision issued four months later (January 2023). It is expected that construction of the residential development will start 6 months later (July 2023) with the first completions in January 2024. It is expected that Phase 2 West of Chichester will be delivering housing at a build out rate of 100 dwellings per year from 2024 with completion of the 850 homes in 2032.

Relationship of Phase 1 and Phase 2, particularly in relation to the delivery of the Southern Access

- 3.6 In terms of how this relates to delivery of the southern access and occupation of the dwellings in Phase 1, Informative 49 on the outline planning permission for Phase 1 (14/04301/OUT) states:
- “The Planning Performance Agreement and Development Delivery Timeline set out a commitment by the applicant to seek to deliver the southern access to the site within a specified timescale. In light of this, the Local Planning Authority anticipates that the southern access will be available for use by construction traffic no later than occupation of the 125th dwelling forming part of the Phase 1 scheme hereby permitted and that the southern access will be available for all traffic no later than occupation of the 225th dwelling as outlined in the agreed Planning Performance Agreement and the associated Development Delivery Timeline. The Local Planning Authority is committed to working with the developer and other relevant bodies with a land interest to deliver this.”

- 3.7 On the basis of the revised timescales outlined above, it is anticipated that the occupation of the 125th dwelling on Phase 1 would be reached in March 2022 and the occupation of the 225th dwelling on Phase 1 would be reached in March 2023. It is also anticipated that the southern access would be available for use by construction traffic by December 2022/January 2023 and be available for all traffic by Spring-Summer 2023. This would mean that the delivery of the southern access would not be delivered in the timescales outlined in the informative on the outline permission, however, it would be available for construction traffic by the occupation of the 200th dwelling and for all traffic by the occupation of the 250th dwelling. Officers note that this exceeds the number of occupations that the developers originally sought by 75 dwellings for use by construction traffic and by 25 dwellings for use by all traffic, but believe that it still delivers the southern access at an early stage in the construction of phase 1 and significantly earlier than the end of the development for all 750 dwellings.
- 3.8 In terms of the delivery of the housing supply trajectory, the timescales for the determination of the planning applications and the implementation of the construction programme for Phase 2 of West of Chichester (to deliver the 850 dwellings), as set out above, are considered by the developers to be realistic and achievable and officers consider that this will ensure that the Council's delivery expectations in the 5 year housing land supply and the housing supply trajectory are feasible.
- 3.9 In conclusion therefore, officers are confident that provided an outline planning application for Phase 2 is submitted in March 2021, as advised by the housebuilders (Linden Homes and Miller Homes), this will allow for the timely construction and delivery of the southern access and first completions for Phase 2 West of Chichester development (for the 850 homes) in January 2024 as required by the housing supply trajectory. These key dates will need to be kept under review in the context of its contribution to the Council's 5 year housing land supply and delivery of the southern access at an early stage in the construction of phase 1.

4. Appendices

Appendix 1 - Indicative Delivery Timescale (2019) – produced by Linden Homes and Miller Homes

5. Background Papers

Development Delivery Timeline (2016) – produced by Linden Homes and Miller Homes

This page is intentionally left blank

Part 1 Indicative Delivery Timescale

Winter 2019	Commence works on Phase 1 infrastructure (assuming all conditions approved by CDC)
Winter 2019 to Spring 2020	Delivery of roundabout works
Spring to early summer 2020	Completion of main Spine Road (as approved)
Winter 2019/Spring 2020	Commence works on SANG area, Country Park and drainage areas
March 2020	Start first residential parcels (Miller & Linden)
Autumn – Winter 2020	Completion of SANG
December 2020	Occupation of 1st Unit (Miller & Linden)
December 2021	Delivery of 100 units Year 1 (100 occupation)
December 2022	Delivery of 100 units Year 2 (200 occupation)
December 2023	Delivery of 100 units Year 3 (300 occupation)
December 2024	Delivery of 100 units Year 4 (400 occupation)
December 2025	Delivery of 100 units Year 5 (500 occupation)
December 2026	Delivery of 100 units Year 6 (600 occupation)
December 2027	Delivery of 100 units Year 7 (700 occupation)
December 2028	Delivery of remaining 50 units Year 8 (750 occupation)

Note: Community infrastructure (school, local centre, allotments etc) and approved highways improvements will be provided commensurate with dwelling completions, in accordance with the triggers and requirements agreed as part of the part one legal agreement.

Part 2 Indicative Timeframe

Autumn 2019 to Spring 2020	Progression of land negotiations with key stakeholders
November 2020	Outline Application preparation and preapplication discussions, including public consultation
March 2021	Submit Outline Planning Application for Phase 2
October 2021	Resolution on Outline Planning Application (assumes 6 months to Committee resolution)
January 2022	Completion of S106 and Outline Decision issued
January - February 2022	Submission of Phase 2 infrastructure RM (Southern Access)
May 2022	Decision on Phase 2 infrastructure RM
June - July 2022	Commence works on Phase 2 infrastructure
Spring - Summer 2023	Southern Access open

This page is intentionally left blank

Chichester District Council

Planning Committee

08 January 2020

CDC Guidance Note on Class Q Prior Approval (Agricultural to Residential changes of use) 2020

1. Contacts

Report Author:

Fjola Stevens, Development Manager (CDC Applications)

Tel: 01243 534734 E-mail: fstevens@chichester.gov.uk

2. Recommendation

- 2.1. That the Committee approves for consultation the draft Chichester District Council Guidance Note on Class Q Prior Approvals (see Appendix 1), to be used by the Council in determining all relevant prior approval and planning applications.**
- 2.2. That the Divisional Manager for Development Management is authorised to make necessary minor changes to the guidance to take account of future pertinent case law or appeal decisions.**

3. Introduction and Policy Background

- 3.1. In 2013 the government introduced new permitted development rights to convert agricultural buildings to dwellings. The Town and Country Planning (General Permitted Development Order), 2015 (as amended) (GPDO) is the latest iteration of the permitted development order which automatically grants planning permission to convert agricultural buildings to dwellings and to carry out the necessary building operations to complete the change of use.
- 3.2. Prior to the conversion and associated works being undertaken, the developer must apply to the local planning authority to establish whether approval is required in respect of a number of key technical matters, however, as the development is permitted development under the GPDO, the Local Planning Authority (LPA) cannot resist the application in principle, even if the development appears to conflict with the Development Plan.
- 3.3. The GPDO contains limited information about how the regulations should be interpreted, or the extent of development permitted by the Order. As a result, a body of appeal decisions and case law has developed as LPA's across the country have sought to apply the 'new' permitted development rules. In addition, the government has created broad guidance within the National Planning Practice Guidance (NPPG). This growing amount of information provides helpful guidance that is used by officers when determining applications for prior approval; however agents, applicants and the broader public may not be fully aware of the information available.

- 3.4. In addition to applications seeking 'prior approval' it has become commonplace that developers follow up a successful prior approval application with an alternative new-build dwelling, once the principle of a residential dwelling on the site has been established. It is important to note that it is not necessary for a developer to acquire prior approval to establish a fall-back position that constitutes a material consideration, case law has established that the very existence of the ability to provide a further dwelling through the conversion of an existing building, provided for by the GPDO, is a fall-back position, unless it can be demonstrated that the limitations of the order cannot be met. Any alternative scheme must be comparable to the fall-back position, and locally set guidance will assist applicants and their agents to develop schemes that are likely to be acceptable.

4. The Content of the Guidance

- 4.1. The draft guidance note sets out the key requirements of Class Q and the guiding principles for how decisions will be made for applications submitted under this class of the GPDO. The guidance note explains what information will be required to demonstrate that a building is structurally capable of conversion. In addition, the guidance note establishes how the fall-back of a prior approval scheme will be taken into account should be a subsequent planning application be submitted for a new dwelling.

Class Q of the GPDO

- 4.2 The draft guidance note explains what development is permitted development, what limitations there are and what conditions must be met, including the limitations on the number of units and the maximum size of units; under the last iteration of the GPDO between 3 and 5 dwellings can be permitted development, dependent on their floor area. The guidance explains the requirements of specific sections of Class Q including what the Council can consider when prior approval is sought; i.e.

- Highways and transport
- Noise
- Contamination
- Flooding,
- Whether the proposal would be impractical or undesirable as a result of its siting, and
- Design and external appearance

Structural information

- 4.3 The draft guidance explains what level of information will be required with a prior approval application to demonstrate that the building can be converted without the need for structural alterations. The key emphasis of the guidance is that the building should be capable of conversion without any structural works to re-build, strengthen or support either the existing building or the building following alterations permitted by Class Q, such as the provision of a replacement roof covering that may be heavier than the existing roof covering. Therefore the strengthening of the sub-frame to support the load of a replacement roof covering or new internal or external walling systems that

would be required to enhance the stability of the building), or substantial new building works such as new external walls to a pole barn would not be permitted under the provisions of the GPDO. It is recognised that internal alterations can be made without planning permission, and it has been established at appeal that a first floor can be provided within an existing building. This will necessitate some structural works, however these should not be required in themselves in order to support the structural integrity or load bearing of a building.

Subsequent planning applications

- 4.4 The Council has previously received a significant number of planning applications for alternative schemes to those permitted under Class Q of the GPDO. The permitted development provisions within the GPDO are a material consideration, and they carry significant weight when considering a planning application. Therefore the Class Q permitted development rights may mean that a new dwelling could be constructed in the rural area where it would not comply with the Development Plan. However, any subsequent applications should be comparable to the fall-back position permitted by the GPDO. If it is clear that it would not be possible to implement a change of use under Class Q, for example, if the building is a glasshouse or a pole barn that could not be converted to a dwelling in its current form and without substantial building works, then the GPDO provisions would not represent a fall-back position that carries any weight. In addition, if the new dwelling proposed is in a different location and of a different scale or appearance, then it too would not be directly comparable to the fall-back position and, other than in exceptional circumstances, the fall-back would not carry any significant weight.

5. Conclusion

- 5.1. The guidance reflects the Council's experience of dealing with a large number of applications for prior approval under Class Q and builds on the guidance contained within the NPPG and the decisions of the Planning Inspectorate and the courts. The guidance note will be reviewed and updated periodically, and should any new leading case law be relevant to how the Council deals with Class Q prior approval applications then this will need to be reflected in the guidance.
- 5.2. The guidance provides useful information for applicants, developers and officers involved with Class Q developments or subsequent applications. The Committee is, therefore, requested to note and endorse the content of the guidance which, where relevant, will be applied to all undetermined and future prior approvals and planning applications.

This page is intentionally left blank

Appendix 1

Planning Guidance Note

**Class Q Prior Approvals - Change of use of Agricultural buildings
to dwellings**

Contents

Introduction	2
Existing building use	2
Thresholds	3
Restrictions	3
Building operations and structural stability	4
Conditions	6
Other matters	8
Subsequent planning applications	9
Further advice	9
Conclusion	9

Introduction

The change of use of a building is development that requires planning permission. The Town and Country Planning (General Permitted Development) Order 2015, as amended (GPDO) automatically grants planning permission for some changes of use. The GPDO permits; the change of use of an agricultural building to a dwelling house; and building operations reasonably necessary to convert the building, without requiring the express permission of the local planning authority. This provision is set out in Class Q, Part 3 of the GPDO subject to a number of criteria being met and certain conditions being satisfied.

Whilst the GPDO is a prescriptive document and the local planning authority does not have the ability to exercise discretion over its statutory provisions, since this type of permitted development was introduced there have been a number of matters which have proven difficult to interpret and/or have lacked clarity. The government have sought to overcome this issue through the publication of guidance within the National Planning Practice Guidance (NPPG) (paragraphs 101-109) available using the following link:

<https://www.gov.uk/guidance/when-is-permission-required#agricultural-building-change>

This guidance note sets out the guiding principles for how decisions will be made by the Council for applications submitted under Class Q of the GPDO within the Chichester District Local Plan area. It explains what information will be required to demonstrate that a building is structurally capable of conversion and outlines how the fall-back of a prior approval scheme will be taken into account should be a subsequent planning application be submitted for a new dwelling.

Existing building use

To qualify for the permitted development rights afforded by Class Q, the building must be an Agricultural Building as defined in the General Permitted Development Order which reads as follows:

A building (excluding a dwellinghouse) used for agriculture¹ and which is so used for the purposes of a trade or business.

This definition also applies to the term 'Agricultural Use'. Therefore this does not include an agricultural use that is purely recreational such as where the keeping or breeding of animals or the growing of produce is undertaken as a hobby.

Criterion (a) of Part Q.1 requires that the site² is solely used for an agricultural use as defined above as part of an established agricultural unit³:

- i. On March 2013; or
- ii. In the case of a building which was in use before that date but was not in

- use on that date when it was last in use; or*
- iii. *In the case of a site which was brought into use after 20 March 2013, for a period of at least 10 years before the date development under Class Q beings.*

Where a building has not obviously been in long-term agricultural use at the time an application is submitted, the onus is on the applicant to demonstrate that it was so on March 2013 or at a time before that date. The Council, where necessary, will seek evidence as to compliance with this requirement and where there is continuing doubt will refuse prior approval.

Thresholds

The cumulative floorspace of the existing building(s) changing use to residential shall not exceed 465 square meters on an established agricultural unit. Following amendments to the GPDO in 2018 Class Q now makes a distinction between larger dwellinghouse (over 100 sq. m.) and smaller dwellinghouses (below 100 sq. m). The regulations state that no more than 3 larger dwellinghouses are permitted, and that in a combination of larger and smaller dwellinghouses no more than 5 units of accommodation are permitted.

Restrictions

The permitted development rights are subject to a number of restrictions and limitations, including the following;

- The GPDO safeguards agricultural tenancies⁴ which could be affected where Landlords wish to carryout development under the provisions of Class Q.
- Development is not permitted where other development approved under Part 6 (Agricultural Development) of the GPDO has taken place on the agricultural unit since 20 March 2013; or where development under Class Q would begin after 20 March 2023 where other development has taken place under Part 6 of the GPDO in the preceding 10 years.
- The extent of the works permitted are limited to those reasonably necessary for the building to function as a dwellinghouse, limited to the installation or replacement of:
 - Windows, doors, roofs or exterior walls; or
 - Water, drainage, gas or other services.
- Development within a range of designated areas/types of building is not permitted. This includes conservation areas, a listed building⁵, an Area of Outstanding Natural Beauty and Sites of Special Scientific Interest (SSSI) among others.

Building operations

Firstly, it is important to establish that the procedure relates to the “conversion” of agricultural buildings. The leading high court case of [Hibbitt and another v Secretary of State for Communities and Local Government \(1\) and Rushcliffe Borough Council \(2\) \[2016\] EWHC 2853 \(Admin\)](#) has established that there is a clear distinction between conversion and rebuilding and in applying the principles of this judgment; the Council will assess proposals involving significant new building works to fall outside the scope of Class Q.

Partial demolition is permissible to the extent reasonably necessary to facilitate works. The extent of demolition permitted is not defined within the Order or the NPPG, and therefore this will be assessed on a case by case basis. However, demolition that would ultimately result in a building of a different size and form would exceed the works reasonably necessary to convert the building, and therefore would not meet the provisions of the GPDO and prior approval would not be permitted.

The term ‘reasonably necessary’ was previously open to a variety of interpretations and the government have sought to rationalise and clarify the matter by publishing advice in the NPPG at paragraph 105 which states:

The right allows either the change of use (a), or the change of use together with reasonably necessary building operations (b). Building works are allowed under the right permitting agricultural buildings to change to residential use: [Class Q of Part 3 of Schedule 2 to the Town and Country Planning \(General Permitted Development\) \(England\) Order 2015](#). However, the right assumes that the agricultural building is capable of functioning as a dwelling. The right permits building operations which are reasonably necessary to convert the building, which may include those which would affect the external appearance of the building and would otherwise require planning permission. This includes the installation or replacement of windows, doors, roofs, exterior walls, water, drainage, electricity, gas or other services to the extent reasonably necessary for the building to function as a dwelling house; and partial demolition to the extent reasonably necessary to carry out these building operations. It is not the intention of the permitted development right to allow rebuilding work which would go beyond what is reasonably necessary for the conversion of the building to residential use. Therefore it is only where the existing building is already suitable for conversion to residential use that the building would be considered to have the permitted development right.

For a discussion of the difference between conversions and rebuilding, see for instance the case of [Hibbitt and another v Secretary of State for Communities and Local Government \(1\) and Rushcliffe Borough Council \(2\) \[2016\] EWHC 2853 \(Admin\)](#).

Internal works are not generally development. For the building to function as a dwelling it may be appropriate to undertake internal structural works, including to allow for a floor, the insertion of a mezzanine or upper floors within the overall residential floor space

permitted, or internal walls, which are not prohibited by Class Q

A structural element, as referred to in the guidance above, is not defined under any planning legislation or published advice. However, and in order to ensure a consistent approach, the Council will rely on the following definition of an element:

A part of a structure which cannot be broken down into further parts of different kinds, for example a column or beam.

Any development which comprises a new structural element(s) as defined above will only be permissible under Class Q where it can be clearly demonstrated that the new structural element does not take the loading of any external part of the building. For example, the scheme would not qualify where the following applies:

- *Where the existing structure requires strengthening to enable the safe conversion of the building or;*
- *Where additional building works give rise to a need for the strengthening of the existing structure*

It is not possible to provide an exhaustive list but following the latest revision to the guidance, some typical examples of situations where works fall outside the provisions of Class Q are:

- *the replacement of the roof where that requires the strengthening of the existing structure*
- *having regard to Hibbitt v Secretary of State for Communities and Local Government [2016], the construction of walls to enclose a largely open sided building (e.g. a Dutch or pole barn)*
- *internal walls that provide lateral stability, strengthen the existing structure or take any load from the roof or other parts of the building*
- *provision of internal structures to support new window and door openings*

The Council will seek to refine this list on the basis of new guidance, cases and decisions that come forward but, notwithstanding the examples referred to above, in a number of circumstances, the need for new structural elements for the building will be unclear. In such cases the Council will expect an application to be accompanied by a full and detailed structural report, undertaken by a suitably qualified person, which confirms that the existing building is both capable of conversion without the provision of new structural elements. It is important to note that this would generally exceed the scope of a survey required by criteria 1 of policy 36 of the Chichester District Local Plan to confirm that the building can be converted without substantial reconstruction in that the conversion works themselves, including internal works, need to be assessed to establish whether they include the provision of any structural elements. Potential applicants are reminded that the onus is upon them to demonstrate conformity with the provisions of the legislation and if it can be established that new structural elements are required this will be grounds for the refusal of prior approval.

Further to the above, any alterations to the building area limited to the external

dimensions of the existing building at any given point. The clarity offered both within the legislation itself and the supporting national guidance provides no scope to breach the existing building's envelope. This will inherently preclude the provision of external features such as chimneys, flues, external cladding that extends beyond the existing envelope or steps. It would be necessary to apply for planning permission for such features once prior approval had been given, or alternatively to submit a planning application for the conversion in the first instance. If it is not possible to convert the building without the provision of these additional features then the proposal would not meet the requirements of the GPDO, and prior approval would be refused.

Conditions

Where the development proposed accords with the permitted development rights, a prior approval procedure still needs to be followed whereby the developer must apply, either separately or simultaneously, to the local planning authority for their prior approval of the development addressing the following:

- a) Transport and highways impacts of the development

The Council will normally require any submission to include full details of the vehicular means of access to the highway including visibility splays. In addition details of adequate parking and turning space, which will be based on the number of habitable rooms to be provided within the building, should be provided. The Council will be directed by the West Sussex Parking Standards guidance, and any comments received from the Highways Authority at WSCC:

https://www.westsussex.gov.uk/media/1847/guidance_parking_res_dev.pdf

- b) Noise impacts of the development

A dwellinghouse is recognised as being a noise sensitive development. As such, the Council must be satisfied that potential occupiers of the dwelling would enjoy a satisfactory level of amenity. As a consequence, and where relevant, any submission should include an assessment of the likely amenity enjoyed by potential occupiers, having specific regard for existing or potential noise sources e.g. road traffic noise, railway noise, noise arising from an industrial process, noise arising from the continued farming of the remaining part of the site. The level of detail required in an assessment will depend on the sensitivity of the location.

- c) Contamination risks on the site

Any submission needs to address contaminated land risks on the site. Where contamination of the site is found to be probable or possible, any positive decision may require survey work/mitigation measures to be submitted as part of the prior approval submission, or this may be addressed by a condition requiring the professional assessment of the site and if contamination is found, further investigation and remediation may be required.

d) Flooding risks on the site

An application will be necessarily accompanied by a flood risk assessment ('FRA') where the development site is within Flood Zone 2 or Flood Zone 3 as defined by the Environment Agency. Flood maps are available at the Environment Agency's website. Similarly, development which is in Flood Zone 1 which is susceptible to flooding from non-fluvial sources, for example due to surface water, will also require an FRA. Any FRA will demonstrate that potential occupiers of the site are not placed in undue danger as a result of the sites potential flooding and that either; safe refuge within the site would be available for the duration of a likely flood event; or that safe exit from the site is available in times of flooding.

e) Whether the locational siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to use as a dwelling house

The National Planning Policy Guidance addresses this in detail as follows:

Impractical or undesirable are not defined in the regulations, and the local planning authority should apply a reasonable ordinary dictionary meaning in making any judgment. Impractical reflects that the location and siting would "not be sensible or realistic", and undesirable reflects that it would be "harmful or objectionable".

When considering whether it is appropriate for the change of use to take place in a particular location, a local planning authority should start from the premise that the permitted development right grants planning permission, subject to the prior approval requirements. That an agricultural building is in a location where the local planning authority would not normally grant planning permission for a new dwelling is not a sufficient reason for refusing prior approval. There may, however, be circumstances where the impact cannot be mitigated. Therefore, when looking at location, local planning authorities may, for example, consider that because an agricultural building on the top of a hill with no road access, power source or other services its conversion is impractical. Additionally the location of the building whose use would change may be undesirable if it is adjacent to other uses such as intensive poultry farming buildings, silage storage or buildings with dangerous machines or chemicals.

When a local authority considers location and siting it should not therefore be applying tests from the National Planning Policy Framework except to the extent these are relevant to the subject matter of the prior approval. So, for example, factors such as whether the property is for a rural worker, or whether the design is of exceptional quality or innovative, are unlikely to be relevant.

In such circumstances where there is potential incompatibility, it may be appropriate to

consider restricting the uses of other agricultural buildings to less intrusive storage type uses.

f) The design or external appearance of the building

The Council will require that any submission is of a design and appearance which reflects and upholds the inherently agricultural and rural character of a buildings setting. Developers are reminded that works are only permitted where they are reasonably necessary to facilitate the buildings conversion to a dwelling. It is not the aim of these permitted development rights to allow the domestication of the countryside. Any conversion should utilise existing openings and minimise the number of new openings. Where new openings are required they should be appropriately designed so as to reflect the buildings character in terms of profile and material use. Where the building or its features are of historic or architectural interest, the proposed development will be expected to uphold the character. External materials to be used will be expected to reflect the agricultural appearance of the building in all cases. It will not always be obvious what materials are suitable and in such cases it may be appropriate to engage with the Council to clarify this.

The Council is required to appraise the development in the context of the above six conditions as if it were a planning application having regard for the National Planning Policy Framework. It will not always be necessary to support Class Q submissions with technical reports and the need or otherwise and the level of information required to consider a submission can be considered by making use of the Councils Pre-Application advice service.

Other matters

Unlike a planning application, ecology and biodiversity considerations are not material to the Council's determination of a prior approval application under Class Q. However, anyone wishing to undertake such development must be aware of other legislation which may limit or restrict works. In particular developments that would likely affect an internationally designated site (i.e. SSSI, Special Protection Area, and Special Area of Conservation) would not benefit from permitted development unless it has been demonstrated that there would be no significant effect. For such applications the Council will need to undertake a Habitat Regulations Assessment, and sufficient information will be required from the applicant for the LPA to complete the assessment.

Appropriate mitigation will be required alongside any application for prior approval within the zones of influence for Chichester and Langstone Harbours and Pagham Harbour. If the appropriate mitigation is not secured at the outset then a further prior approval would be required under the Habitat Regulations prior to the works commencing. If the mitigation is not provided via either of these routes the conversion of the building would not be permitted development and any development undertaken without the appropriate mitigation being provided would be at risk of enforcement action.

It is also important that works do not adversely affect wildlife, particularly protected species. Further advice on these matters can be found on Natural England's website:

<https://www.gov.uk/government/organisations/natural-england>

Subsequent applications

Within the District it has become commonplace for land owners to seek planning permission for a new dwelling once prior approval has been granted for the conversion of an agricultural building to a dwelling. The Council recognises that there are benefits of doing this in respect of the eco-credentials of the resultant building, because a new build is likely to be more thermally efficient and designed to incorporate sustainable construction methods and technologies, thereby reducing the environmental impact of the dwelling. . However, the purpose of the prior approval process introduced by the government was to bring existing buildings back into use and to meet housing needs, and not to change the character of rural areas to being overly domestic or suburban in their appearance.

The planning permission granted by the GPDO for the residential use of an agricultural building is a fall-back position that carries significant weight. Therefore an appropriate replacement dwelling is likely to be acceptable in principle. However, any replacement dwelling should reflect the scale, design and proportions of the existing building. In exceptional circumstances there may be more flexibility, however generally attempts to increase the height, scale or position of the replacement dwelling will be resisted because such a proposal would not be comparable to the fall-back position.

Further advice

In any case where a developer wishes to convert a rural building to a dwelling house be it a Class Q prior approval or planning application, applicants are encouraged to engage with the Council in pre- application advice to establish:

1. The likely acceptability of the proposed scheme;
2. Alterations which may be necessary to achieve a favourable outcome;
3. The most appropriate process to follow; and
4. Information which may be required under that procedure.

It has become clear that the Class Q approach, whilst intended to make the process simpler for qualifying buildings, is not always the most appropriate procedure. The Council can offer advice on both the appropriateness of the procedure and the merits of a proposal through the pre-application advice service, the details of can be found here:

<https://www.chichester.gov.uk/preapplicationchargingscheme>

Conclusion

This document is intended to provide applicants and their representatives with a

clearer understanding of Chichester District Council's approach to Class Q prior approval submissions. It has been prepared having regard to Government guidance and an assessment or some key appeal decision both within the District and nationally. The document will be reviewed and updated to reflect any changes in guidance or procedure.

¹ 'Agriculture' is defined by section 336 of The Town and Country Planning Act (1990) as including: 'Horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes, and "agricultural" shall be construed accordingly'.

² 'Site' is defined by paragraph X of part 3 of the Town and Country Planning (General Permitted Development) Order 2015 as 'the building and any land within its curtilage'.

³ An 'Agricultural Unit' is defined by paragraph X of part 3 of the Town and Country Planning (General Permitted Development) Order 2015 'agricultural land occupied as a unit for the purposes of Agriculture' but excluding parcels of land which are put to agricultural use but do not form part of an agricultural unit overall.

⁴ 'Agricultural Tenancy' is defined by paragraph X of part 3 of the Town and Country Planning (General Permitted Development) Order 2015 as 'A tenancy under either the Agricultural Holdings Act 1986 or the Agricultural Tenancies Act 1995.

⁵ A listed building is not only one statutorily listed by Historic England, but also includes every building which stood within that buildings curtilage on 1st July 1948.

Chichester District Council

Planning Committee

Wednesday 08 January 2020

Report of the Director Of Planning and Environment Services

Schedule of Planning Appeals, Court and Policy Matters

Between 20-Nov-2019 and 10-Dec-2019

This report updates Planning Committee members on current appeals and other matters. It would be of assistance if specific questions on individual cases could be directed to officers in advance of the meeting.

***Note for public viewing via Chichester District Council web site**To read each file in detail, including the full appeal decision when it is issued, click on the reference number (NB certain enforcement cases are not open for public inspection, but you will be able to see the key papers via the automatic link to the Planning Inspectorate).*

* - Committee level decision.

1. NEW APPEALS (Lodged)

Reference/Procedure	Proposal
19/00740/DOM Appledram Parish Case Officer: William Price Householder Appeal	Ferndale 133 Birdham Road Appledram PO20 7DY - Retrospective erection of 6ft featherboard fence and gates. Additional trees to be planted.
19/02407/PA3Q Earnley Parish Case Officer: Maria Tomlinson Written Representation	Land South Of 102A First Avenue Almodington Batchmere Chichester West Sussex PO20 7LQ - Notification for Prior Approval for a proposed change of use of agricultural buildings to 4no. dwellinghouses (Class C3).

2. DECISIONS MADE

Reference/Procedure	Proposal
<p>19/00196/FUL Bosham Parish</p> <p>Case Officer: Fjola Stevens</p> <p>Written Representation</p>	<p>By-The-Brook Bosham Lane Bosham PO18 8HG - Demolish 1 no. existing dwelling and erect 2 no. 2 bed dwellings and 1 no. 3 bed dwelling.</p>
Appeal Decision: APPEAL DISMISSED	
<p>“The main issue is character and appearance, with particular regard to the Chichester Harbour Area of Outstanding Natural Beauty (AONB), the streetscene and the nearby Bosham Conservation Area (BCA). ... The proposed development seeks to demolish the existing chalet bungalow and construct 3 numbered 2-storey detached dwellings. Bearing in mind the character of the surrounding area and the fact that the surrounding dwellings are predominantly set in modest sized plots, the proposed development would appear as a cramped overdevelopment of the site that would be out of context with its surroundings. ... The visual harm resulting from this cramped over development of the plot is accentuated by the depth, height and overall design of the dwellings proposed, which significantly increases their mass and bulk. As a result, the development would be at odds with the prevailing spacious, low level, character of the northern part of the road it fronts onto. It would also fail to take into account the distinctiveness of its setting and the character of the surrounding area. As such the proposal would not conserve and / or enhance the natural beauty and locally distinctive features of the AONB it is located within, but rather detract from them. ... when considered in the context of the nearby heritage assets, this harm would be less than substantial harm to the significance of the designated heritage assets. ... I find that the harm I have identified above would not be outweighed by the public benefits of the proposed development. ... “□</p>	
<p>18/03255/FUL Selsey Parish</p> <p>Case Officer: James Gellini</p> <p>Written Representation</p>	<p>Land Adjacent To 71 West Street Selsey Chichester West Sussex PO20 9AG - Erection of 1 no. 2 bed bungalow - resubmission of SY/18/02197/FUL.</p>
Appeal Decision: APPEAL DISMISSED	
<p>“... The proposal would introduce a single storey building positioned at right angles to the road in a subdivided plot, which would be a much smaller plot than the established character of this part of West Street. This would result in a building of substantially smaller scale within a limited plot. It would appear cramped and harmfully out of context with the spacious and open character in which it sits ... harm would be exacerbated by the proposed positioning forward of the linear building line ... given that it is seen in a different context to the cul-de-sac I do not concur with the appellant that this would represent an appropriate transition between the strong character to the east and the cluster of separate properties to the west. The proposal would therefore harm the character and appearance of the area. ... this shape, limited width and division by the central access path would limit its usable space and would fail to be suitable amenity space, despite the appellant’s contention that the property is aimed at the elderly or that other modern would be elevated and in close proximity to the</p>	

Appeal Decision: APPEAL DISMISSED - continued

southern area of proposed garden would be directly overlooked by the first floor window of No 71. This properties may have smaller total area. In addition, the rear element of the garden would be directly overlooked by the first floor window of No 71. This would be elevated and in close proximity to the southern area of proposed garden. It would therefore give rise to significant overlooking in this area. ... I have not considered this matter in detail ...”

[18/02003/FUL](#)

Westhampnett Parish

Case Officer: Robert Sims

Written Representation

Greytiles Claypit Lane Westhampnett PO18 0NU -
Demolition of existing garage, construction of additional dwelling and associated works, subdividing plot.

Appeal Decision: APPEAL DISMISSED

“...Whilst the existing plot at Greytiles is irregular with a ‘L’ shape projecting behind the neighbouring property, much of this garden is screened from the street behind the neighbouring property. The built form of the main house therefore continues the frontage relationship of the area. The introduction of a dwelling, albeit single storey, would introduce development at depth behind existing properties, reducing the gaps between properties and appear cramped and harmfully out of character with the prevailing spatial pattern of built form. Whilst providing a 2 bedroom unit may increase the mix of dwellings in the locality, this would not reflect the general size of the buildings within the vicinity. The resultant plot would be significantly smaller than those in the immediate area and not reflective of the established character. I recognise that the proposal would have built form over only a proportion of the site and would provide amenity space to the side and rear. However, this would be much reduced from the general spatial pattern of the area and appear tight and contrived. ... Whilst visibility from public vantage points may be limited with its low proposed ridge height, and the appellant identifies that the existing garage height could be increased¹, the proposal would harm the spatial character and appearance of the surrounding area. Consequently, it would be contrary to Policy 33 of the Chichester Local Plan: Key Policies 2014-2029 (2015) and Section 12 of the National Planning Policy Framework (2019). Cumulatively, and amongst other objectives, these require development to meet the highest standards of design, provide a high quality living environment in keeping with the character of the surrounding area, respect and where possible enhance the character of the surrounding area and the site, and should be sympathetic to local character and the surrounding built environment. ... “□

3. CURRENT APPEALS

Reference/Procedure	Proposal
<p>17/00061/CONENG Birdham Parish</p> <p>Case Officer: Emma Kierans</p> <p>Written Representation</p>	<p>Land North Of Cowdry Nursery Sidlesham Lane Birdham West Sussex - Appeal against BI/40</p>
<p>19/00046/CONCOU Birdham Parish</p> <p>Case Officer: Steven Pattie</p> <p>Written Representation</p>	<p>Kellys Farm Bell Lane Birdham Chichester West Sussex PO20 7HY - Appeal against BI/46</p>
<p>19/00845/FUL Birdham Parish</p> <p>Case Officer: Daniel Power</p> <p>Written Representation</p>	<p>Common Piece Main Road Birdham West Sussex - Use of land for the stationing of a static caravan.</p>
<p>19/00350/LBC Donnington Parish</p> <p>Case Officer: Maria Tomlinson</p> <p>Written Representation</p>	<p>Hardings Farm Selsey Road Donnington Chichester West Sussex PO20 7PU - Replacement of 8 no. windows to North, East and South Elevations (like for like).</p>
<p>18/00323/CONHI Funtington Parish</p> <p>Case Officer: Sue Payne</p> <p>Written Representation</p>	<p>West Stoke Farm House Downs Road West Stoke Funtington Chichester West Sussex PO18 9BQ - Appeal against HH/22</p>

Reference/Procedure	Proposal
<p data-bbox="197 230 531 297"><u>16/00325/CONCOM</u> North Mundham Parish</p> <p data-bbox="197 365 592 398">Case Officer: Shona Archer</p> <p data-bbox="197 461 552 495">Written Representation</p>	<p data-bbox="639 230 1414 297">6 Oakdene Gardens North Mundham Chichester West Sussex PO20 1AQ - Appeal against NM/28</p>
<p data-bbox="197 544 531 611"><u>18/00187/CONMHC</u> North Mundham Parish</p> <p data-bbox="197 678 544 712">Case Officer: Tara Lang</p> <p data-bbox="197 775 552 808">Written Representation</p>	<p data-bbox="639 544 1437 611">Fisher Granary Fisher Lane South Mundham Chichester West Sussex PO20 1ND - Appeal against NM/29</p>
<p data-bbox="197 857 531 925"><u>19/00405/FUL</u> North Mundham Parish</p> <p data-bbox="197 992 584 1025">Case Officer: Caitlin Boddy</p> <p data-bbox="197 1088 552 1122">Written Representation</p>	<p data-bbox="639 857 1461 969">Fisher Granary Fisher Lane South Mundham PO20 1ND - Use of land for the stationing of a caravan for use as a holiday let.</p> <p data-bbox="639 969 1190 1003">Linked with 18/00187/CONMHC above</p>
<p data-bbox="197 1171 403 1238"><u>19/00269/FUL</u> Oving Parish</p> <p data-bbox="197 1305 475 1373">Case Officer: Maria Tomlinson</p> <p data-bbox="197 1413 552 1447">Written Representation</p>	<p data-bbox="639 1171 1461 1328">Merston Drier Barn Marsh Lane Merston Oving West Sussex - Change of use from agriculture to a mixed use comprising of agricultural storage and the storage of up to 10 vintage cars.</p>
<p data-bbox="197 1485 555 1552"><u>18/00088/CONAGR</u> Plaistow And Ifold Parish</p> <p data-bbox="197 1619 592 1653">Case Officer: Shona Archer</p> <p data-bbox="197 1715 552 1749">Written Representation</p>	<p data-bbox="639 1485 1445 1552">Crouchlands Farm Rickmans Lane Plaistow Billingshurst West Sussex RH14 0LE - Appeal against PS/67</p>
<p data-bbox="197 1798 555 1865"><u>18/00088/CONAGR</u> Plaistow And Ifold Parish</p> <p data-bbox="197 1933 592 1966">Case Officer: Shona Archer</p> <p data-bbox="197 2029 552 2063">Written Representation</p>	<p data-bbox="639 1798 1445 1865">Crouchlands Farm Rickmans Lane Plaistow Billingshurst West Sussex RH14 0LE - Appeal against PS/66</p>

<p><u>18/00088/CONAGR</u> Plaistow And Ifold Parish</p> <p>Case Officer: Shona Archer</p> <p>Written Representation</p>	<p>Crouchlands Farm Rickmans Lane Plaistow Billingshurst West Sussex RH14 0LE - Appeal against PS/65</p>
<p><u>18/00005/CONAGR</u> Sidlesham Parish</p> <p>Case Officer: Sue Payne</p> <p>Written Representation</p>	<p>Greenwood Group Highleigh Nurseries Highleigh Road Sidlesham Chichester West Sussex PO20 7NR - Appeal against SI/70</p>
<p><u>18/00389/CONCOU</u> Southbourne Parish</p> <p>Case Officer: Steven Pattie</p> <p>Written Representation</p>	<p>1 Green Acre Inlands Road Nutbourne Chichester West Sussex PO18 8RJ - Appeal against SB/117</p>
<p><u>18/03145/OUT</u> Southbourne Parish</p> <p>Case Officer: Jeremy Bushell</p> <p>Public Inquiry 21/01/2020 Chichester City Council North Street Chichester PO19 1LQ</p>	<p>Land North Of Cooks Lane Southbourne Hampshire - Outline application with all matters reserved except Access for the erection of 199 dwellings and associated development.</p>
<p><u>18/03428/FUL</u> Southbourne Parish</p> <p>Case Officer: Caitlin Boddy</p> <p>Informal Hearing</p>	<p>Field South Of 230 Main Road Southbourne Hampshire - Material change of use of the land for stationing of caravans for residential occupation for single pitch Gypsy site with facilitating development (hard standing and utility building).</p>

Reference/Procedure	Proposal
<u>17/00333/CONMHC</u> Westbourne Parish Case Officer: Tara Lang Informal Hearing held awaiting decision	Home Paddock Stables Hambrook Hill North Hambrook West Sussex - Appeal against WE/44

4. VARIATIONS TO SECTION 106 AGREEMENTS

None.

5. CALLED-IN APPLICATIONS

Reference	Proposal	Stage

6. COURT AND OTHER MATTERS

Injunctions		
Site	Breach	Stage
Birdham, Land North West of Premier Park	Breach of Enforcement Notices	Injunction Application with all supporting documents lodged with the High Court. Awaiting a hearing date from the court. Court bundle to be served on 27 defendants.

Court Hearings		
Site	Matter	Stage

Prosecutions		
Site	Breach	Stage

7. POLICY MATTERS

None

This page is intentionally left blank

South Downs National Park

Planning Committee

Wednesday 08 January 2020

Report of the Director Of Planning and Environment Services

Schedule of Planning Appeals, Court and Policy Matters

Date between 20/11/2019 and 10/12/2019

This report updates Planning Committee members on current appeals and other matters. It would be of assistance if specific questions on individual cases could be directed to officers in advance of the meeting.

Note for public viewing via Chichester District Council web site To read each file in detail, including the full appeal decision when it is issued, click on the reference number (NB certain enforcement cases are not open for public inspection, but you will be able to see the key papers via the automatic link to the Planning Inspectorate).

* - Committee level decision.

1. NEW APPEALS

Reference/Procedure	Proposal
SDNP/19/02109/FUL Midhurst Town Council Parish Case Officer: Louise Kent Written Representation	Arundel House Rumbolds Hill Midhurst GU29 9ND - Conversion of 2 upper floors to 2 no. flats.

2. DECIDED

Reference/Procedure	Proposal
<p data-bbox="118 271 454 304">SDNP/19/01585/HOUS</p> <p data-bbox="118 311 496 378">Lynchmere Parish Council Parish</p> <p data-bbox="118 407 488 441">Case Officer: Louise Kent</p> <p data-bbox="118 501 432 535">Householder Appeal</p>	<p data-bbox="555 271 1406 416">Dormer Cottage Lower Lodge Road Linchmere GU27 3NG - Two storey rear extension with associated roof works and alterations and additions to fenestration. Single storey extension to outbuilding</p>
<p data-bbox="480 562 1050 595">Appeal Decision: APPEAL ALLOWED</p>	
<p data-bbox="102 602 1442 1662">" The appeal is allowed ... I consider that the most relevant policies in the recently adopted development plan have broadly similar objectives to those replaced and as such, there have been no fundamental changes insofar as is relevant to the circumstances of this appeal decision. ... The main issue is the effect of the proposal on the character and appearance of the host building with particular reference to whether the proposal would preserve or enhance the character or appearance of the Linchmere Conservation Area. ... The appeal site concerns a modest detached cottage positioned within a group of vernacular buildings near St Peter's Church at the core of the settlement. Historically it was attached to Linchmere House, a larger property located to the south. Its traditional form and use of local materials within a group of such buildings makes an attractive and positive contribution to the character and appearance of the CA. This is reflected in the analysis map of the Lynchmere Conservation Area Character Appraisal and Management Plan, December 2016 which identifies the appeal building as having townscape merit with potential for future local listing. ... The appeal proposal would introduce a centrally positioned two storey extension, incorporating dormer windows onto the rear elevation of the cottage. It would further add a small addition to the detached outbuilding known as the Engine House. ... Notwithstanding the modest ridge height of the main cottage, the rear extension would have a gable roof with a lower height. It would be located centrally within the rear elevation such that it would not be seen in most views of the principal, and most publicly prominent, elevation. ... the proposed rear extension respects the intrinsic characteristics of the host dwelling in terms of its height, massing, roof form, architectural style, vernacular detailing and materials. As a result, it would not be unduly prominent nor dominate the host dwelling. Neither would it be of a scale or form that would undermine the rural, verdant characteristics of the CA. I therefore conclude that the proposal would be in keeping with the qualities of the host building such that it would preserve the character and appearance of the CA. Hence, it would not result in harm to the significance of the designated heritage asset. It follows that given I have not found harm would be caused to the historic environment, the proposal would not conflict with the purposes of the national park designation nor the policies in the National Planning Policy Framework that seek to conserve and enhance the historic environment. ..."</p>	

Reference/Procedure	Proposal
<p data-bbox="121 230 488 338">SDNP/18/06143/FUL Fittleworth Parish Council Parish</p> <p data-bbox="121 365 443 439">Case Officer: Beverley Stubbington</p> <p data-bbox="121 459 475 495">Written Representation</p>	<p data-bbox="555 230 1347 304">Fittleworth House Bedham Lane Fittleworth RH20 1JH - Installation of freestanding solar array.</p>
<p data-bbox="475 526 1059 562">Appeal Decision: APPEAL DISMISSED</p>	
<p data-bbox="121 562 1449 1368">"The appeal is dismissed. The main issue is the effect on the character and appearance of the South Downs National Park. ... They would be sited within a field to the northwest of the grounds of the house. ... This area is a valued landscape of the highest statutory status. Paragraph 172 of the National Planning Policy Framework (the Framework) identifies that great weight should be given to conserving and enhancing the landscape and scenic beauty in National Parks. The solar array would be away from other built development in the open countryside. ... It would be an extensive array because each of the three sets of panels would measure some 18.3m by 3.3m and would be mounted so that they would each reach 2.3m in height. ... They would appear incongruous in the landscape and would be clearly visible from the public footpath WSx/692/4 to the south and north. ... They would erode the character of the countryside and effectively extend domestic clutter onto an agricultural field. ... I am not satisfied that the screening would be effective, especially in autumn and winter. There would be also gaps to the hedgerow where it would be closest to the public footpath to allow access through which the arrays would be apparent. ... I conclude that the array would be visually incongruous with its surroundings which is open fields. ... The panels would be well away from Fittleworth House and would not be suitably sited. ... The development would be contrary to policy SD4 of the LP which states that development proposals will only be permitted where they conserve and enhance landscape character. It would also be contrary to LP policy SD5 which requires that all development is of the highest possible design quality ... LP policy SD6 which identifies proposals will only be permitted where they preserve the visual integrity and scenic quality of the National Park ... Policy 1 of the PMP relates to sustainability and the purpose is to conserve and enhance the natural beauty and special qualities of the landscape and its setting in ways that allow it to continue to evolve and become more resilient to climate change and other pressures. ... the development would fail to conserve and enhance the natural beauty of the National Park, would be contrary to the development plan and PMP and that the appeal should be dismissed. "</p>	

3. CURRENT APPEALS

Reference/Procedure	Proposal
<p>SDNP/17/04166/LDE Elsted and Treyford Parish Council Parish</p> <p>Case Officer: Derek Price</p> <p>Public Inquiry 7 January 2020 at 10am Chichester Harbour Hotel</p>	<p>Buriton Barn Buriton Farm Buriton Farm Lane Treyford GU29 0LF - Existing Lawful Development - C3 residential use for the site area and building.</p>
<p>SDNP/18/00113/FUL Bury Parish Council Parish</p> <p>Case Officer: Naomi Langford</p> <p>Informal Hearing Awaiting Decision</p>	<p>Bignor Park Nursery Bignor Park Road Bignor RH20 1HG - Construction of a bespoke joinery building for furniture making. Conversion and extension of an existing barn to equestrian use. Development of a horse walker and sand school plus temporary stationing of a log cabin to support the development of the equestrian business. Ancillary parking, drainage (foul and surface), PV solar panels and landscape planting.</p>
<p>SDNP/18/06427/HOUS Duncton Parish Council Parish</p> <p>Case Officer: Beverley Stubbington</p> <p>Householder Appeal</p>	<p>Duncton Mill House Dye House Lane Duncton GU28 0LF - New detached domestic garage/store.</p>
<p>SDNP/18/03666/LIS Sutton & Barlavington Parish Council Parish</p> <p>Case Officer: Claire Coles</p> <p>Written Representation</p>	<p>Farm Cottage Barlavington Lane Sutton RH20 1PN - Single storey side and rear extension with external conservation repairs.</p>

Reference/Procedure	Proposal
SDNP/18/03665/HOUS Sutton & Barlavington Parish Council Parish Case Officer: Claire Coles Written Representation	Farm Cottage Barlavington Lane Sutton RH20 1PN - Single storey side and rear extension with external conservation repairs.
SDNP/15/00209/COU Compton Parish Council Parish Case Officer: Shona Archer Written Representation	Cowdown Farm Cowdown Lane Compton Chichester West Sussex PO18 9NW - Appeal against CP/9 erection of a dwellinghouse in a barn.
SDNP/17/00755/COU Fittleworth Parish Council Parish Case Officer: Tara Lang Written Representation	Lithersgate Common Bedham Lane Fittleworth West Sussex - Appeal against FT/10
SDNP/15/00210/COU Compton Parish Council Parish Case Officer: Shona Archer Written Representation	Cowdown Farm Cowdown Lane Compton Chichester West Sussex PO18 9NW - Appeal against CP/7

4. VARIATIONS TO SECTION 106 AGREEMENTS

None

5. CALLED-IN APPLICATIONS

Reference	Proposal	Stage

6. COURT AND OTHER MATTERS

Injunctions		
Site	Breach	Stage

Court Hearings		
Site	Matter	Stage

Prosecutions		
Site	Breach	Stage

7. POLICY MATTERS

None