

# Public Document Pack

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A meeting of **Planning Committee** will be held in Committee Rooms, East Pallant House on **Wednesday 8 December 2021 at 9.30 am**

MEMBERS: Mrs C Purnell (Chairman), Rev J H Bowden (Vice-Chairman), Mr G Barrett, Mr B Brisbane, Mr R Briscoe, Mrs J Fowler, Mrs D Johnson, Mr G McAra, Mr S Oakley, Mr H Potter, Mr D Rodgers, Mrs S Sharp 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Committee will be informed at this point in the meeting of any planning applications which have been deferred or withdrawn and so will not be discussed and determined at this meeting.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 - 12)

The minutes relate to the meeting of the Planning Committee on 3 November 2021.

### 3 **Urgent Items**

The chairman will announce any urgent items that due to special circumstances will be dealt with under agenda item 15 (b).

### 4 **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.

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.

### 5 **Housing Land Supply Update Report** (Pages 13 - 61)

The Committee will receive an update report on the housing land supply; and are asked to make the following recommendation;

**That the Committee notes the housing land supply update and the approach to housing applications as set out in para. 6.5 of the report.**

PLANNING APPLICATIONS - AGENDA ITEMS 6 TO 12 INCLUSIVE

Section 5 of the Notes at the end of the agenda front sheets has a table showing how planning applications are referenced.

- 6 **BI/20/02066/OUT - Koolbergen, Kelly's Nurseries And Bellfield Nurseries Bell Lane Birdham, Chichester West Sussex PO20 7HY** (Pages 63 - 100)  
Outline Application with all matters reserved apart from access for the erection of up to 73 dwellings, open space and associated works, Class E(g) business floorspace and Class E(a) retail floorspace.
- 7 **LX/21/02054/FUL - Land South West Of Guildford Road Loxwood West Sussex** (Pages 101 - 118)  
Demolition of existing dwelling and the erection of 50 dwellings to include 35 private units and 15 affordable units, creation of proposed vehicular access, internal roads and footpaths, car parking, sustainable drainage system, open space with associated landscaping and amenity space (resubmission of planning application reference LX/19/01240/FUL) - Variation of Condition 6 of planning permission LX/20/01481/FUL - to amend the wording and change the trigger point for this condition.
- 8 **LX/21/02477/ADV - Land South West Of Guildford Road Loxwood West Sussex** (Pages 119 - 124)  
1 no. non-illuminated totem sign.
- 9 **BO/20/03326/FUL - Five Elms Stumps Lane Bosham PO18 8QJ** (Pages 125 - 152)  
Demolition of existing house and garage and the construction of new house and garage. Amendments to site levels and additional planting.
- 10 **CC/21/00841/FUL - Telecommunications Site 1498802, Whitehouse Farm, Old Broyle Farm, Chichester, West Broyle PO19 3PH** (Pages 153 - 161)  
Removal of existing telecommunications mast and installation of new 20 metre mast including transfer of existing apparatus to new mast and installation of 3 no
- 11 **KD/20/00457/COU - Herons Farm Village Road Kirdford RH14 0ND** (Pages 163 - 178)  
Change of use to wellness retreat (Sui Generis) alongside residential use (Class C3).
- 12 **WI/21/02059/DOM - Mulberry Cottage Shipton Green Lane West Itchenor PO20 7BZ** (Pages 179 - 190)  
Detached garage with store/home studio over for ancillary use in connection with Mulberry Cottage.
- 13 **Chichester District Council Schedule of Planning Appeals, Court and Policy Matters** (Pages 191 - 209)  
The Planning Committee will consider the monthly schedule updating the position with regard to planning appeals, litigation and recent planning policy publications or pronouncements.
- 14 **South Downs National Park Authority Schedule of Planning Appeals, Court and Policy Matters** (Pages 211 - 215)  
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 **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

16 **Exclusion of the Press and Public**

The committee is asked to consider in respect of the following item(s) whether the public interest including the press should be excluded from the meeting on the grounds of exemption under Parts I to 7 of Schedule 12A of the Local Government Act 1972, as indicated against the item and because, in all the circumstances of the case, the public interest in maintaining the exemption of that information outweighs the public interest in disclosing the information. **The reports dealt with under this part of the agenda are attached for members of the Cabinet and senior officers only (salmon paper)**

*Or*

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. Subject to Covid-19 Risk Assessments members of the public are advised of the following:
  - a) Where public meetings are being held at East Pallant House in order to best manage the space available members of the public are in the first instance asked to listen to the meeting online via the council's committee pages

- b) It is recommended that all those attending take a lateral flow test prior to the meeting
- c) All those attending the meeting will be required to wear face coverings and maintain social distancing when in the building/meeting room
- d) Members of the public must not attend any face to face meeting if they or a member of their household have Covid-19 symptoms and/or are required to self-isolate.

6. 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  
**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

**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  
**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  
**STPWTN** 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 Committee Rooms, East Pallant House on Wednesday 3 November 2021 at 9.30 am

**Members Present:** Mrs C Purnell (Chairman), Rev J H Bowden (Vice-Chairman), Mr G Barrett, Mr B Brisbane, Mr R Briscoe, Mrs J Fowler, Mrs D Johnson, Mr G McAra, Mr S Oakley, Mr D Rodgers, Mrs S Sharp and Mr P Wilding

**Members not present:** Mr H Potter

**In attendance by invitation:**

**Officers present:** Mrs S Archer (Enforcement Manager), Mr S Harris (Principal Planning Officer), Miss N Golding (Principal Solicitor), Mr D Price (Principal Planning Officer), Ms J Prichard (Senior Planning Officer), Mrs F Stevens (Development Manager (Applications)), Ms J Thatcher (Senior Planning Officer, Majors and Business), Mr T Whitty (Divisional Manager for Development Management) and Mr D Henly (Senior Engineer (Coast and Water Management))

## 129 **Chair's Announcements**

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

The Chairman explained that agenda item 14; Five Year Housing Land Supply (5YHLS) Update; would be deferred for further information.

Due to expert officer availability agenda Item 9 would be taken before agenda item 8.

Apologies were received from Mr Potter. Mrs Johnson, Mrs Sharp and Mr Oakley also offered apologies as they would have to leave the meeting early.

## 130 **Approval of Minutes**

The minutes of the meeting held on 6 October 2021 were agreed as a true and accurate record.

## 131 **Urgent Items**

There were no urgent items.

132 **Declarations of Interests**

Mrs Johnson declared a personal interest in;

- Agenda Item 5 - CC/21/00461/REM – as a member of West Sussex County Council
- Agenda Item 6 – CC/21/01309/FUL – as a member of West Sussex County Council
- Agenda Item 7 – SB/21/02603/FUL – as a member of West Sussex County Council
- Agenda Item 8 – SI/21/01234/FUL – as a member of West Sussex County Council
- Agenda Item 9 – WW/21/02102/FUL – as a member of West Sussex County Council
- Agenda Item 10 – SDNP/2002840/FUL – as a member of West Sussex County Council

Mr Oakley declared a personal interest in;

- Agenda Item 5 - CC/21/00461/REM – as a member of West Sussex County Council
- Agenda Item 6 – CC/21/01309/FUL – as a member of West Sussex County Council
- Agenda Item 7 – SB/21/02603/FUL – as a member of West Sussex County Council
- Agenda Item 8 – SI/21/01234/FUL – as a member of West Sussex County Council
- Agenda Item 9 – WW/21/02102/FUL – as a member of West Sussex County Council
- Agenda Item 10 – SDNP/2002840/FUL – as a member of West Sussex County Council

Mrs Sharp declared a personal interest in;

- Agenda Item 5 - CC/21/00461/REM – as a member of West Sussex County Council
- Agenda Item 6 – CC/21/01309/FUL – as a member of West Sussex County Council
- Agenda Item 7 – SB/21/02603/FUL – as a member of West Sussex County Council
- Agenda Item 8 – SI/21/01234/FUL – as a member of West Sussex County Council
- Agenda Item 9 – WW/21/02102/FUL – as a member of West Sussex County Council
- Agenda Item 10 – SDNP/2002840/FUL – as a member of West Sussex County Council

133 **CC-21-00461-REM - Land West Of Centurion Way And West Of Old Broyle Road, Chichester, West Sussex, PO19 3PH**

Before starting his presentation Mr Harris passed on the apologies from the Lead Officer from West Sussex County Council Education Authority who was unable to attend the meeting.

Mr Harris presented the report to the Committee. He explained that the developers had submitted two REM applications in relation to the Local Centre, the final aspect of the SDL to require detailed permission. The application being considered by the Committee was the first and related to the one form entry primary school and the adjacent public square.

Mr Harris outlined the proposed site layout and its location to the Committee; highlighting the public square, school car park, playing field and school building. Mr Harris explained that the school was being developed to accommodate future expansion of a second form entry.

Mr Harris provided an overview of how access to the school site was anticipated to operate, the key aim of the application was to provide as safe a route and access to the school as possible. He informed the Committee that the design of the road had been subject to much scrutiny during the development of the application. Developers had indicated that they would be willing to offer the road for adoption to the local highway authority; and its layout had been through an initial road safety audit to ensure that it would meet the required standards of an adopted highway.

A key feature of the site is that there will be no dedicated drop off/pick up zone for pupils to encourage sustainable travel, however, parking would be available in the Community/Health Centre car park should it be required. Control over the on-going operation of this car park would be provided by a management plan, the production of which would be a requirement of any consent for the second Local Centre reserved matters application.

Mr Harris informed the Committee that the name of the school had not yet been decided; however details of any lettering, emblem or signage to be erected to the part of the school facing onto the square are secured through a planning condition.

On the matter of ecological enhancements Mr Harris confirmed that these were secured by conditions included within the report, and included enhancements such as bat boxes and swift bricks.

With regards to the sustainable design and construction of the development Mr Harris explained that the final details would be secured through the outline permission's planning conditions, however, the developers had offered significant enhancements including a fabric first approach which would contribute to providing a further 10% reduction in CO<sub>2</sub> emissions relative to the building regulations requirement. In addition Solar PV panels will now cover 80m<sup>2</sup> of the roof and Air Source Heat Pumps will be installed for heating and hot water, with these measures delivering a 60% reduction in the building's overall CO<sub>2</sub> emissions above building regulation requirements.

The Committee received representations from;

Mr Nick Billington – Agent (statement read out by Mrs Fiona Baker)

Officers, including Mr Shaw from West Sussex County Council Highways; responded to Members' comments and questions as follows;

On the matter of noise generated by the Air Source Heat Pump, Mr Harris confirmed that noise generation would need to be attenuated. He explained that all phases of the development were subject to the condition on the outline consent which requires details of a noise control scheme to be submitted and approved before building commencement.

With regards to how children would enter the building and where wet coats could be stored; Mr Harris informed the Committee that this issue would form part of the separate process known as a Developer Agreement which was taking place between the developer and local education authority. This process considers the detailed technical matters which do not impinge on planning matters, such as internal classroom layout.

On the issue of the public square being exposed to the natural elements; Mr Harris acknowledged the concerns raised, however, he explained that the square was much smaller in size than the Chichester Gate development and more intimate in terms of scale. It would also be edged by buildings on three of the four sides which will also assist in limiting exposure to the elements.

On the matter of parking provision for scooters and bicycles; Mr Shaw explained that there would be three separate banks of scooter and cycle parking available. He highlighted to the Committee where these sites were located including; cycle parking by the main entrance, further provision is made to the north east of the property, with long term storage provision provided in the school playground. He confirmed that the longer term parking would be covered.

With regards to the adoption of the road; Mr Shaw clarified that at this stage there can be no guarantees that the road will be adopted, however, he confirmed that the applicant has indicated they would like to offer it for adoption. Mr Shaw drew the Committee's attention to Condition 4 which offered a degree of control over the development of the road in the unlikely event of it not being adopted. In addition, the Highway Authority have undertaken early 'checks' to ensure that during the development stage there is nothing to prevent it from becoming adopted at a future date; he explained that the adoption of a highway is a separate decision that takes place post planning.

Mr Shaw confirmed that it was expected the speed limit would be set at 20mph, with a range of traffic calming measures to support the limit.

On the issue of the need for the school; Mr Harris confirmed that the single form entry was justified as it met the demand created by the development. With regards to the future development of Phase 2, the education authority has confirmed that the core facilities, such as the kitchens and playing fields will be sufficient to serve a second form entry.



On the issue of the Health Centre; Mr Harris explained this element of the proposal had not yet been decided, but confirmed there was provision and flexibility within the S106 agreement for maintaining the land for some form of health use.

With regards to the possibility of including a pond in the development; Mr Harris explained surface water drainage will be dealt with under the terms of the outline permission's condition and detailed designs were still to be developed and this could be considered when detailed proposal were drawn up.

On the matter of solar panels; Mr Harris acknowledged that further solar panels could be installed on the roof; however, he informed the Committee, that in line with current policies the authority were not able to request the developer to do this. Through negotiations the developer has agreed to treble the amount of solar panels, however, the system will be set up so that further panels can be added at a future date without the need for significant enabling works.

On the issue of no designated school drop off spots; Mr Shaw acknowledged concerns raised and agreed everyone would not walk or cycle to school. He explained the reasoning for not offering this provision was to make the front of the school as safe as possible for those who did walk, scoot or cycle and also prevent double parking. In addition, informal parking provision would be available in the local centre car park.

In a vote the Committee agreed to the report recommendation to **permit**.

Recommendation; **permit** subject to the conditions and informatives set out in the report.

*\*Mrs Sharp left the meeting at 9.50am*

*\*\*Mr Oakley left the meeting at 10.05am*

*\*\*\*The Committee took a ten minute break*

134 **CC-21-01309-FUL - Pizza Hut Restaurant, Portfield Way, Chichester, PO19 7WT**

Mrs Stevens presented the report to the Committee. She drew the Committee's attention to the Agenda Update sheet which set out an amendment to the report recommendation and was now to 'delegate to officers'. Mrs Stevens explained the reason the recommendation had been amended was to allow the publicity period to conclude and finalise the S106 agreement.

The Agenda Update sheet also included an amendment to the report and an amendment to the Decided Plans table.

Mrs Stevens informed the Committee the application was for a change of use of a vacant restaurant; formerly Pizza Hut. The proposal included the installation of a drive-thru lane and some alterations to the external appearance of the building. She highlighted the site location and explained how the site would be accessed.

A key issue that has required careful consideration is the impact on the highway network. Mrs Stevens confirmed a transport assessment had been submitted with relevant transport modelling and no objections had been raised by either West Sussex County Council or National Highways. In addition, she showed the Committee how the additional traffic flow could be accommodated at the site.

Mrs Stevens highlighted some of the proposed amendments and alterations to the Committee including the provision of cycle parking at the front of the building and a new access to the building.

The Committee received representations from;

Mr Kevin Hydes – Applicant

Officers responded to Members' comments and questions as follows;

With regards to TRICs data used for the transport modelling; Mrs Stevens agreed that some of the transport data used was taken from the Salford location; however, the transport assessment also took into account the current base position, alterations to the highway network as a result of the Shopwhyke Lakes development and baseline data used in the Costa Coffee assessment. She confirmed both National Highways and West Sussex County Council approved of the methodology used and had raised no objections. WSCC have requested a Travel Plan and are currently in the process of drafting a S106 agreement to help manage the way staff travel to work and encourage sustainable travel such as car sharing; a monitoring cost for WSCC is included within the agreement. In addition, Mr Whitty reminded the Committee that the Travel Plan cannot control the way that customers choose to access the site.

On the issue of a granting a temporary permission to allow time for the traffic impact to be measured; Mrs Stevens advised that it was not reasonable, given the size of the development and level of investment required, to grant a temporary permission. She explained that it would not be possible to differentiate the impact from this development and the Costa Coffee and McDonalds that were already on site. In addition, Mr Whitty explained in further detail the road access to the site and how the new drive-thru would operate and highlighted how the additional drive-thru may actually assist in reducing the traffic impact. Mr Whitty reminded the Committee that the building already had an existing A3 use and could be occupied and operated by Tim Hortons, albeit without the drive-thru or exterior alterations.

With regards to the possibility of widening the road at the entrance to the site; Mr Whitty agreed this may be a potential option but it would be a matter for Highways to consider whether it was possible.

With regards why the site was not Class E; Mrs Stevens explained the site would be offering a significant amount of hot food takeaway which was an A5 use and therefore required planning permission as a mixed sui generis use.

With regards to advertising signage; Mr Whitty confirmed that this was being considered via a separate application.

In a vote the Committee agreed to the report recommendation as amended in the Agenda Update to **delegate to officers**

Recommendation; **delegate to officers.**

\* the Committee took a ten minute break.

135 **SB-21-02603-FUL - 1 Green Acre, Inlands Road, Nutbourne, PO18 8RJ**

Ms Thatcher presented the report. She drew the Committee's attention to the Agenda Update sheet which included an amendment to Condition 4.

Ms Thatcher detailed the site location and explained that the site falls within the Southbourne and Prinsted settlement boundary. Apart from some open space to the west of the site, the site is surrounded by residential properties.

She explained that the site had previously been used for Gypsy and Traveller accommodation, and the caravans currently located on the site are being used to support the construction of a neighbouring dwelling.

Ms Thatcher explained the application requests planning permission for the variation of Condition 1 of the planning appeal decision and seeks to extend temporary permission until 31 December 2021. She confirmed that West Sussex County Council had been consulted and raised no objection to the application.

Ms Thatcher confirmed that the conditions dictated by the inspector; prohibiting the use of access via Inlands road and restricting the hours of use of site would remain in place.

The Committee received representations from;

Cllr Amanda Tait – Southbourne Parish Council  
Mr William Saywell – Objector  
Cllr Jonathan Brown – CDC Ward Member

Officers responded to Members' comments and questions as follows;

On the matter of a new access being created; Ms Thatcher confirmed that no new access was being created as part of the proposal.

With regards to the enforcement case; Ms Thatcher informed the Committee that following a recent site visit she could confirm the site was nearly vacant; however, she was awaiting an official update from the Enforcement Team.

On the matter of extending the permission; Mr Whitty explained that the Enforcement Team had visited the site and were satisfied that the site was no longer

being used as a transfer station. By submitting the application the applicant has done the right thing and the extension will result in the site being cleared and restored quicker than if Enforcement proceedings were started. He assured the Committee that the enforcement case would continue to remain open to ensure that the 31 December 2021 deadline is adhered to.

In response to observations made regarding why caravans were currently located on site; Ms Thatcher informed the Committee that it was her understanding the caravans were left from when the site had previously operated as a Gypsy and Traveller site and were currently being used to provide site offices and welfare facilities. In addition, Mr Whitty explained the removal of the caravans from the site would depend on its final use, if it is agriculture then it would be the land owners responsibility to remove them from site, whereas, if the land reverts back to a gypsy and traveller use they would not need removing.

Mr Whitty agreed to write to the developer to pass on the Committee's expectation about how the site should be left.

In a vote the Committee agreed to the report recommendation to **permit**

Recommendation; **permit** subject to the conditions and informatives set out in the report and Agenda Update.

136 **SI-21-01234-FUL - Melita Nursery, Chalk Lane, Sidlesham, PO20 7LW**

Mrs Stevens presented the report to the Committee. Mrs Stevens highlighted the site location and layout to the Committee. She explained the application sought permission for an alternative layout and access arrangement as approved under the previous application SI/20/01331/FUL.

Mrs Stevens explained that in the previous application consent had been given to remove five trees, with a requirement to replace the trees with five further trees in a suitable location, a new site access had been created where the trees have been removed. This application proposes more planting than was approved in the original permission including a new native hedge, two poplar trees and five field maples. Mrs Stevens informed the Committee that the Tree Officer had reviewed this proposal and raised no objections.

Mrs Stevens highlighted the area close to the application site to the Committee, and explained that this area in question was subject to a separate appeal, it was not in the same ownership and bore no relevance to the application that the Committee were being asked to consider.

Whilst there were no public representations, the Chairman did make the Committee aware that a representation had been received from Sidlesham Parish Council. This representation had been received after the 12 noon deadline and had been circulated to all members of the Committee via email.

Officers responded to Members' comments and questions as follows;

In response to concerns raised regarding retrospective Planning permission; Mr Whitty acknowledged comments made by the Committee, however; he explained that within the planning system there is provision for retrospective planning applications to be brought forward. He advised the Committee that when considering this application they must do so without any prejudice to the fact that it is a retrospective application.

Mr Whitty agreed to write to the applicant's agent after the Committee meeting, he explained that he would not be able to reference the Committee directly but would inform them concern was raised regarding the nature of how this application had come forward.

On the matter of ensuring any future gates remain sympathetic to the rural location; Mrs Stevens agreed that Condition 21 could be amended to ensure that no permitted development would take place along the front of the site.

With regards to Chalk Lane; Mr Whitty confirmed that it was an unadopted road, but he was unaware who was responsible for the maintenance of the site.

In a vote the Committee agreed to the report recommendation to **permit with S106**

Recommendation; **permit with S106** subject to the conditions (including the amendment to condition 21) and informatives set out in the report.

\*The Committee took a five minute break

\*\*Mr Briscoe left the meeting at 12.38pm

\*\*\*Mrs Johnson left the meeting at 12.38pm

137 **WW-21-02102-FUL- East Head, Snow Hill, West Wittering, West Sussex**

Mrs Prichard presented the report to the Committee; Mr Dominic Henly was also in attendance to answer questions. Mrs Pritchard gave a verbal update to the Committee and informed them that there had been a change to the report recommendation; the updated recommendation is to delegate to officers, she explained that this was to allow for an amended location plan to be developed which highlighted the proposed excavation site within the development and then permit.

Mrs Prichard drew the Committee's attention to the Agenda Update sheet which included; a point of clarification confirming that Chichester District Council is the applicant; additional consultation responses from Chichester Harbour Conservancy and Natural England; and an amendment to paragraph 8.14 of the report.

The purpose of the application is to provide some form of adaptive management to this section of coastline, to reduce the risk of a tidal breach which would result in loss of access to the spit at East Head.

Mrs Prichard highlighted the site location, the proposed excavation site and the size and scale of the proposed bunds.

There are three key ecological issues associated with the site; overwintering and nesting birds; invertebrates and sand dunes. Measures to protect these species and habitats are included within the method statement and secured by Conditions 3, 4 and 5 of the proposed application.

There would be a loss of car parking (approximately 20 spaces) due to the creation of the bund, however, overflow car parking can be provided in the grassed area at peak times.

There were no public representations.

Officers responded to Members' comments and questions as follows;

On the matter of the Tamarix Hedge; Mr Henly informed the Committee that there are no plans to either preserve or remove the hedge. However, he explained that there is an expectation for the new bund to naturally roll back which will mean that over time the hedge will be lost to the sea. The hedge is a non-native species and there is no desire to retain it at this location.

With regards to the access road; Mr Whitty confirmed that there were no proposed alterations to the access road.

On the issue of the extraction site; Mr Henly informed the Committee that the same extraction site had been used for three previous extractions and it was not anticipated that there would be any negative impact to the coast as a result of the extraction. There is a coastal monitoring programme in place that undertakes annual surveys, previous data shows that there has been no negative impact due to previous extractions.

In a vote the Committee agreed to the report recommendation to **delegate to officers.**

Recommendation; **delegate to officers to amend the location plan to include the excavation site**, subject to the conditions and informatives set out in the report.

138 **SDNP-2002840-FUL - The Angel Inn, Ryde House, Wedgewood House & Augustus Brandt Editions, Angel Street, Petworth, GU28 0BG**

Mr Price presented the report to the Committee. He explained that the application involved four properties; the Angel Inn, Ryde House, Wedgewood House and Augustus Brandt (previously a small retail unit) and highlighted the site location within the town centre.

Mr Price informed the Committee that a change of use was required for Ryde House, Wedgewood House and Augustus Brandt to allow for serviced bedroom accommodation in association with the Angel Inn.

The Committee received an overview of the proposed work and how it would link the Angel Inn with the other three properties, as well as the removal of later additions and a new entrance feature. He also highlighted the part of the wall of the existing store building to Augustus Brandt Editions which would be rebuilt to improve the existing access and the inclusion of a vehicular turntable to improve accessibility and highway safety. Mr Price explained that this was not a precedent and there were a number of turntables within the town.

Mr Price confirmed that the plans had all been reviewed by the Historic Buildings Advisor, the Design and Conservation Officer and West Sussex County Council Highways who have raised no objections to the proposals.

The Committee received representations from;

Mr Robert Kerr - Agent

Officers responded to Members' comments and questions as follows;

On the issue of staff parking; Mr Price drew the Committees attention to Condition 7 of the report. This requires the applicant to submit a detailed travel plan; part of the discussions in developing the Travel Plan can include staff travel, advising that they use the car parks within town to park during the hours of employment.

On the matter of the colour pallet of the buildings; Mr Whitty suggested that the Historic Buildings Advisor and applicant are consulted outside the meeting.

In a vote the Committee agreed to the report recommendation to **approve**

Recommendation; **approved** subject to the conditions and informatives set out in the report.

139 **Chichester District Council Schedule of Planning Appeals, Court and Policy Matters**

Mr Whitty provided the Committee with a verbal update on Bethwines Farm and South of Ivy Lodge (page 123 of the agenda pack). He informed the Committee that the authority has received a 'Pre Action Protocol' letter from the appellant challenging the Inspectorate's decision.

The Committee agreed to note the item.

140 **South Downs National Park Schedule of Planning Appeals, Court and Policy Matters**

The Committee agreed to note the item.

141 **Schedule of Contraventions**

Mrs Archer presented the Schedule of Contraventions to the Committee.

Officers responded to members comments as follows;

On the matter of Land East of Brook House (p.185); Mrs Archer informed the committee that an internal inspection would be undertaken to ascertain whether there was compliance or whether further action was required.

On the matter of Wayside (p180); Mrs Archer explained if the case was presented at court, the courts could not overturn the planning decision. The court would determine whether an offence has been committed and whether a fine should be applied or not.

The Committee agreed to note the item.

\*Cllr Oakley rejoined the meeting at 13.05

**142 Five Year Housing Land Supply (5YHLS) Update - Report to follow**

As announced by the Chairman this item is deferred for further information.

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

There were no late items.

**144 Exclusion of the Press and Public**

There were no part two items.

The meeting ended at 1.17 pm

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CHAIRMAN

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Date:



## Chichester District Council

Planning Committee

08 December 2021

### Housing Land Supply Update

#### 1. Contacts

**Report Author:**

Toby Ayling: 01243 521050 E-mail: [tayling@chichester.cov.uk](mailto:tayling@chichester.cov.uk)

#### 2. Recommendation

- 2.1. That the Committee notes the housing land supply update and the approach to housing applications as set out in para. 6.5 of the report.

#### 3. Introduction and Policy Background

- 3.1 The National Planning Policy Framework (NPPF) requires local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.
- 3.2 From 15 July 2020, the adopted Local Plan is more than 5 years old, so the Council's 5 year supply must now be assessed with reference to the standard methodology for assessing housing need.
- 3.3 The previous five year land supply position was published in November 2020. This concluded that as at 1 April 2020, the Council was able to demonstrate 4.3 years of housing supply when measured against the requirements of the adopted Local Plan. In response, the Council brought forward an Interim Position Statement for Housing Development which was approved by Planning Committee in June 2020 and has been considered as a material consideration in the determination of planning applications for housing development since then.
- 3.4 West Sussex County Council undertakes the monitoring of housing development for Chichester District and other West Sussex authorities. This is informed by a range of data sources including site visits around the end of the financial year. The Council received monitoring data from West Sussex County Council for the year 1 April 2020 to 31 March 2021. This data has been used as the basis for an update to the land supply position of the Council.

#### 4. Critical Friend Review

- 4.1 The Council appointed Lambert Smith Hampton (LSH) to undertake a Critical Friend Review of the draft 5YHLS report. LSH also undertook a review of evidence to consider the Council's position on a windfall allowance and lead-in and build-out rates of residential development sites. The full critical friend review is set out as appendix 1 to this report, and the findings have informed the production of this housing land supply update.

## **5. Updated Supply Position**

- 5.1 Based on the findings of the updated five year land supply position statement the Council is able to demonstrate at least 5.3 years of housing land supply as of 1 April 2021. The full document is set out as Appendix 2 to this report.
- 5.2 The housing requirement for the period is identified as being 3,329 net dwellings, equivalent to 666 dwellings per year. This is based on a local housing requirement (using the Standard Method) of 634 dwellings per annum, and a 5% buffer in accordance with national planning policy to ensure choice and competition in the housing land market.
- 5.3 The identified housing supply towards meeting this requirement is at least 3,536 net dwellings. This represents 5.3 years of housing supply based on the current housing requirement of 666 dwellings per annum.
- 5.4 The identified supply comprises sites which have been considered carefully against the requirements to demonstrate deliverability as set out in the National Planning Policy Framework (NPPF). A schedule of these sites is included within the appendices to the supply update.
- 5.5 Both the updated 5YLS update and the critical friend review have been published on the Council's website, so all parties can see how the position was reached.

## **6. Going Forward**

- 6.1 The Council is able to demonstrate at least 5.3 years of housing land supply as of 1 April 2021. This position statement has been prepared with the oversight and input of specialist consultants LSH, and is considered robust and in accordance with national planning policy and guidance. Nonetheless, the findings will likely be tested at appeal, the outcomes of which will be monitored and will be reported to Members in the usual way. Should the outcomes of appeals indicate a compelling reason to amend the council's position on land supply, then Members will be advised accordingly.
- 6.2 In the meantime, some thought has been given to the implications for planning applications. The starting point is that, now the Council can demonstrate a 5 year supply, the presumption in favour of housing development as set out in paragraph 11d of the NPPF no longer applies.
- 6.3 However, paragraph 12 of the NPPF provides further comment. It states –  
  
*“...Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.”*
- 6.4 The current context for housing development is that the identified housing need for the Chichester Plan area is significantly higher than the target set out in the adopted local plan. There is also an ongoing need for affordable housing. Finally, maintaining a 5 year supply of housing for the plan area has a number of benefits,

including providing greater certainty to communities. Therefore, when considering planning applications for housing, it is recommended that individual proposals are assessed against the criteria set out in the Interim Position Statement for Housing Development to consider if the benefits of the scheme indicate it should be permitted. To be clear – this is a different test to that set out in paragraph 11d of the NPPF (the “tilted balance”) which is applied in the absence of a 5 year housing land supply. It is intended that a note be placed on the Councils webpages containing the 5YLS statement and the Interim Position Statement explaining the position.

- 6.5 This updated land supply statement is relevant with immediate effect for planning decisions, including appeals.

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**PLANNING,  
DEVELOPMENT  
& REGENERATION**

**Chichester  
District  
Council  
5YHLS Critical  
Friend  
Review**

5YHLS Critical Friend Review

Chichester District Council  
September 2021

Report Issue Date: September 2021

This document has been prepared and checked in accordance with the Lambert Smith Hampton Quality Assurance procedures and authorised for release.

Signed: 

.....  
For and on behalf of Lambert Smith Hampton

9 Bond Court  
Leeds  
LS1 2JZ

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## **1.0 INTRODUCTION**

### **1.1 Overview**

- 1.1.1 Lambert Smith Hampton have been appointed by Chichester District Council to undertake Critical Friend Review of the Council's draft 5YHLS report and to also prepare evidence to support the Council's position on a Windfall allowance and lead-in and build-out rates of residential development sites.
- 1.1.2 This assessment provides robust and up to date evidence which can be utilised in the 5YHLS position and also the Council's emerging Local Plan.
- 1.1.3 This report has been prepared in accordance with National Planning Policy and Guidance as set out in the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG), it has also taken into consideration LSH's experience of presenting evidence at Public Inquiries on housing land supply matters, in particular in Chichester District on behalf of the Council.

### **1.2 Study Scope**

- 1.2.1 This report provides a robust assessment based on both wide-ranging data analysis as well as contextual evaluation. The report provides:
- Review of the Council's draft 5YHLS position, both in how judgements on deliverability are reached and the presentation of evidence
  - Evidence to support a windfall allowance
  - Evidence to support lead in times
  - Evidence to support build out rates



## 2.0 Lead in Analysis

### 2.1 Introduction

2.1.1 The analysis of lead in times for residential development is an important step in understanding how long it will take a deliverable site to reach its first completion on site. Understanding this in greater detail will allow the Council to prepare a more accurate housing trajectory.

2.1.2 A total of 66 sites were reviewed to establish robust lead in times for sites of various sizes. The analysis considered the time taken from the first permission granted on site which led to the first dwelling being completed.

2.1.3 The analysis was carried out on a range of sites to understand if there was any differentiation between the size of site and how long it took to reach the first completion. The sites were grouped into the following categories

- Sites of 10 to 50 dwellings (44 sites reviewed)
- Sites of 51 to 100 dwellings (9 sites reviewed)
- Sites of 101 to 250 dwellings (9 sites reviewed)
- Sites of 251 dwellings or more (3 sites reviewed)

2.1.4 Here the time between the first permission and first completion has been calculated. This is a conservative assessment as the completion date is aligned to the end of monitoring year (31<sup>st</sup> March) for most of the sites when in fact the completion is likely to be earlier in the year which would thereby shorten the lead in time.

### 2.2 Lead in analysis

#### *i) Sites of 10 to 50 dwellings*

2.2.1 The table below shows the lead in analysis for sites between 10-50 dwellings. Here, 44 sites have been used and the date between the first permission and first completion has been calculated.

2.2.2 This shows that the average lead in time is 1.22 years (447 days or 14.68 months) for sites between 10-59 dwellings.

**Table 1: Lead in analysis – 10-50 dwellings**

Site Reference	Date of 1 <sup>st</sup> Permission	Date of 1 <sup>st</sup> Completion	Time analysis (days)	Time analysis (months)	Time analysis (years)
160	29-01-09	31-03-12	1157	38.04	3.17
59	16-06-10	31-03-12	654	21.50	1.79
316	07-10-10	31-03-12	541	17.79	1.48
40	27-03-13	31-03-14	369	12.13	1.01
41	28-11-07	16-08-13	2088	68.65	5.72
76	30-10-13	31-03-14	152	5.00	0.42
312	20-06-14	31-03-15	284	9.34	0.78
389	20-03-13	31-03-13	11	0.36	0.03
394	18-09-13	31-03-15	559	18.38	1.53
49	23-09-14	28-11-14	66	2.17	0.18
82	08-03-12	31-03-15	1118	36.76	3.06
90	14-04-14	31-03-15	351	11.54	0.96
114	27-11-13	31-03-14	124	4.08	0.34
336	09-01-14	31-03-15	446	14.66	1.22
52	29-01-16	31-03-16	62	2.04	0.17
91	23-05-16	31-03-17	312	10.26	0.85
126	14-12-15	31-03-17	473	15.55	1.30
172	15-12-15	31-03-16	107	3.52	0.29
175	24-10-14	31-03-17	889	29.23	2.44
350	20-01-16	31-03-16	71	2.33	0.19
85	05-03-14	31-03-15	391	12.85	1.07
119	08-04-15	31-03-15	8	0.26	0.02
53	03-03-17	31-03-18	393	12.92	1.08
118	27-10-16	31-03-17	155	5.10	0.42
129	07-12-16	31-03-17	114	3.75	0.31
221	04-04-14	31-03-16	727	23.90	1.99
358	21-09-16	31-03-18	556	18.28	1.52
415	24-05-16	31-03-17	311	10.22	0.85
86	31-08-17	31-03-18	212	6.97	0.58
120	13-10-17	31-03-18	169	5.56	0.46
237	22-08-16	31-03-18	586	19.27	1.61
68	19-09-18	31-03-19	193	6.35	0.53
253	22-05-18	31-03-19	313	10.29	0.86
433	24-07-18	31-03-19	250	8.22	0.68
537	21-05-15	31-03-17	680	22.36	1.86
267	13-07-20	15-03-21	245	8.05	0.67
96	13-03-19	20-09-19	191	6.28	0.52
63	04-09-18	31-03-19	208	6.84	0.57
264	20-05-19	31-03-21	681	22.39	1.87
045a (2014)	15-08-11	31-03-13	594	19.53	1.63
045b (2017)	22-07-13	31-03-16	983	32.32	2.69
57	13-07-13	31-03-15	626	20.58	1.72
337	14-02-14	31-03-15	410	13.48	1.12
121	30-12-14	31-03-17	822	27.02	2.25
<b>Average</b>			<b>446.64 days</b>	<b>14.68 months</b>	<b>1.22 years</b>

ii) Sites of 51 to 100 dwellings

2.2.3 The table below shows the lead in analysis for sites between 51 and 100 dwellings. Here the time between the first permission and first completion has been taken for 9 sites.

2.2.4 This shows that the average lead in time for sites between 51 and 100 dwellings is 489 days or 16 months, or 1.34 years.

**Table 2: Lead in analysis – 51 to 100 dwellings**

Site Reference	Date of 1 <sup>st</sup> Permission	Date of 1 <sup>st</sup> Completion	Time analysis (days)	Time analysis (months)	Time analysis (years)
31	14-12-15	31-03-16	108	3.55	0.30
83	08-04-16	31-03-17	357	11.74	0.98
365	12-07-17	31-03-18	262	8.61	0.72
80	23-12-19	31-03-20	99	3.25	0.27
84	07-10-11	31-03-12	176	5.79	0.48
286	04-04-13	31-03-14	361	11.87	0.99
244	06-11-19	31-03-21	511	16.80	1.40
203	15-10-15	31-03-19	1263	41.52	3.46
238	13-09-16	28-02-20	1263	41.52	3.46
<b>Average</b>			<b>488.89 days</b>	<b>16.07 months</b>	<b>1.34 years</b>

iii) Sites of 101 to 250 dwellings

2.2.5 The table below shows the lead in analysis for sites between 101 and 250 dwellings. Here the time between the first permission and first completion has been taken for 10 sites.

2.2.6 This shows that the average lead in time for sites between 101 and 250 dwellings is 341 days, 11 months, and 0.93 years.

**Table 3: Lead in analysis – 101 to 250 dwellings**

Site Reference	Date of 1 <sup>st</sup> Permission	Date of 1 <sup>st</sup> Completion	Time analysis (days)	Time analysis (months)	Time analysis (years)
290	18-03-11	13-01-12	301	9.90	0.82
48	20-06-13	31-03-14	284	9.34	0.78
414	15-05-17	31-03-18	320	10.52	0.88
530	17-08-15	31-03-16	227	7.46	0.62
532	26-06-17	31-03-18	278	9.14	0.76
78	01-04-15	31-03-16	365	12.00	1.00
263	17-01-18	31-03-18	73	2.40	0.20
348	12-04-17	31-03-18	353	11.61	0.97
184	12-11-10	31-03-13	870	28.60	2.38
<b>Average</b>			<b>341.22 days</b>	<b>11.22 months</b>	<b>0.93 years</b>

iv) Sites of 251 dwellings and over

2.2.7 The table below shows the lead in analysis for sites over 251 dwellings. Here the time between the first permission and first completion has been taken for 3 sites.

2.2.8 This shows that the average lead in time for sites over 251 dwellings is 260 days, 9 months, and 0.71 years.

**Table 4: Lead in analysis –251+ dwellings**

Site Reference	Date of 1 <sup>st</sup> Permission	Date of 1 <sup>st</sup> Completion	Time analysis (days)	Time analysis (months)	Time analysis (years)
236	01-03-11	13-01-12	318	10.45	0.87
34	04-10-18	31-03-19	178	5.85	0.49
75	21-06-16	31-03-17	283	9.30	0.78
<b>Average</b>			<b>259.67 days</b>	<b>8.54 months</b>	<b>0.71 years</b>

**2.3 Lead in Analysis Summary and Recommendations**

2.3.1 The above assessment has analysed the lead in times for sites in Chichester District.

2.3.2 A summary of the assessment is provided in the table below:

**Table 5: Lead in Analysis Summary**

Site Size	Sample Size	Time analysis (days)	Time analysis (months)	Time analysis (years)
10-50 dwellings	44	446.64 days	14.68 months	1.22 years
51-100 dwellings	9	488.89 days	16.07 months	1.34 years
101-250 dwellings	9	341.22 days	11.22 months	0.93 years
251 dwellings and over	3	259.67 days	8.54 months	0.71 years
101 dwellings and over	12	320.83 day	10.55 months	0.88 years

2.3.3 We recommend that these lead in times are used as a baseline for which the developers and Council's assumptions are compared against.

2.3.4 With regard to the category of 251+ dwellings, as there is a sample size of just three, we recommend that the additional category of 101+ dwellings is used as a baseline, due to the additional validity provided by a larger sample size.

## 3.0 Build Out Analysis

### 3.1 Introduction

3.1.1 The analysis of build out rates is an important step in understanding how long it will take for a site to complete. Understanding this in greater detail will allow the Council to prepare a more accurate housing trajectory.

3.1.2 A total of 62 sites were reviewed to establish robust build out rates for sites of various sizes. The analysis considered the average annual delivery on sites.

3.1.3 The analysis was carried out on a range of sites to understand if there was any differentiation between the size of site and how long it took to reach the first completion. The sites were grouped into the following categories:

- Sites of 10 to 50 dwellings (47 sites reviewed)
- Sites of 51 to 100 dwellings (5 sites reviewed)
- Sites of 101 to 250 dwellings (6 sites reviewed)
- Sites of 251 dwellings or more (3 sites reviewed)

### 3.2 Build out analysis

#### *i) Sites of 10 to 50 dwellings*

3.2.1 The table below shows the build out rate analysis for sites between 10-50 dwellings. Here, 47 sites have been analysed and the average annual completions has been calculated.

3.2.2 This shows that the average delivery for sites between 10-50 dwellings is 17 dwellings per annum.

**Table 6: Build out rate analysis – 50 – 100 dwellings**

Site Reference	Site Total	Average delivery per annum
059	31	15.5
160	28	28
290	15	15
045	22	22
045	20	20
040	18	18
041	10	10
049	25	25
052	21	12
053	16	16
057	24	24
063	10	10
068	20	22
076	11	11
063	10	10
068	20	22
394	50	25
337	20	10
114	15	15
336	10	10
XV	17	17
312	50	25
WE	16	8
350	20	20
172	30	16
091	30	15
358	17	17
EW	26	26
237	35	35
120	25	12.5
XV	10	10
129	43	21.5
086	11	11
175	25	9
253	25	25
433	10	10
096	10	10
264	26	26
ZV	16	16
090	28	14
NM	25	25
114	15	15
CH	16	16
389	17	17
040	18	18
082	11	11
119	12	6.5
<b>Average</b>		<b>16.87 dpa</b>

ii) *Sites of 51 to 100 dwellings*

3.2.3 The table below shows the build out rate analysis for sites between 51-100 dwellings. Here, 5 sites have been analysed and the average annual completions has been calculated.

3.2.4 This shows that the average delivery for sites between 51-100 dwellings is 46 dwellings per annum.

**Table 7: Build out rate analysis – 51 – 100 dwellings**

Site Reference	Site Total	Average delivery per annum
031	99	49.5
316	86	28
286	94	94
TG	62	31
365	55	27.5
<b>Average</b>		<b>46.07 dpa</b>

iii) *Sites of 101 to 200 dwellings*

3.2.5 The table below shows the build out rate analysis for sites between 101-200 dwellings. Here, 6 sites have been analysed and the average annual completions has been calculated.

3.2.6 This shows that the average delivery for sites between 101-200 dwellings is 43 dwellings per annum.

**Table 8: Build out rate analysis – 101 – 200 dwellings**

Site Reference	Site Total	Average delivery per annum
048	112	37
078	160	40
414	110	37
SB	159	37
184	160	43
263	108	62
<b>Average</b>		<b>42.67 dpa</b>

iv) *Sites of 251 dwellings or more*

3.2.7 The table below shows the build out rate analysis for sites of 251 dwellings or more. Here, 3 sites have been analysed and the average annual completions has been calculated.

3.2.8 This shows that the average delivery for sites of 251 dwellings is 52 dwellings per annum.

**Table 9: Build out rate analysis – 251 dwellings or more**

Site Reference	Site Total	Average delivery per annum
236	252	50
0	398	64
034	290	51
<b>Average</b>		<b>52.22 dpa</b>



### 3.3 Conclusions and Recommendations

3.3.1 The above assessment has analysed the build out rates for sites in Chichester District.

3.3.2 A summary of the assessment is provided in the table below:

**Table 10: Lead in Analysis Summary**

Site Size	Sample Size	Average Build out Rate (dpa)
10-50 dwellings	44	<b>16.87 dpa</b>
51-100 dwellings	9	<b>46.07 dpa</b>
101-250 dwellings	10	<b>42.67 dpa</b>
251 dwellings and over	3	<b>52.22 dpa</b>

3.3.3 These findings compared to the most recent PLC house builder statements show the average past build rates in Chichester are higher. The lower completion rates shown in table 11 below will be as a result of Covid-19 impacts to house building. It will be important to review the next annual or half annual reports from these PLC house builders to identify if completion rates have increased after Covid-19 restrictions were removed.

3.3.4 This data was sourced from the annual performance reports or half year reports that most national housebuilders prepare and publish.

**Table 11: National Housebuilder Completions per outlet**

Housebuilder	Source	Completions per outlet
Persimmon	Annual Report 2020	34 completions per outlet
Crest Nicholson	Half year results 2021	57 completions per outlet
Taylor Wimpey	Annual Report 2020	40 completions per outlet
Barratt/David Wilson	Annual Report 2020	34 completions per outlet
Bellway	Annual Report 2020	27 completions per outlet
Redrow	Half year results 2021	26 completions per outlet
Miller Homes	Annual Report 2020	32 completions per outlet
Countryside Properties	Annual Report 2020	64 completions per outlet
Average		39 completions per outlet

3.3.5 Therefore, we recommend that the build out rates as shown in table 10 should be used as a baseline assessment for which the lead in times are applied in the trajectory.

## 4.0 Windfall Assessment

### 4.1 Introduction

- 4.1.1 This section of the report provides the Council with a detailed and up to date assessment of windfall residential development within Chichester District. Over a number of years the supply of residential development from Local Plan allocations has remained low, despite this housing delivery has passed the Government's Housing Delivery Test (HDT).
- 4.1.2 Over the last five years the level of completions from Windfall in the district has been between 149 and 470 dwellings, however the Council have only had a relatively small windfall allowance in their 5YHLS assessments. Given the disparity between monitoring and future projections, LSH advised the Council that this matter should be looked into in further detail.

### 4.2 National Policy and Guidance

- 4.2.1 As defined by the National Planning Policy Framework (NPPF) in Annex 2, windfall sites are sites that are not specifically identified in the development plan.
- 4.2.2 Paragraph 71 of the NPPF states that anticipated supply figures can include a windfall allowance, and that it should be realistic and based on historic trends:

*“Where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends. Plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.”*

- 4.2.3 The Planning Practice Guidance (PPG) sets out the method for assessing Housing and Economic Land Availability. Stage 3 sets out the method for undertaking a windfall assessment. This states that:

*“A windfall allowance may be justified in the anticipated supply if a local planning authority has compelling evidence as set out in paragraph 70 [now paragraph 71 above] of the National Planning Policy Framework.*

*Local planning authorities have the ability to identify broad locations in years 6-15, which could include a windfall allowance (using the same criteria as set out in paragraph 67 [now paragraph 68] of the National Planning Policy Framework).”*

### 4.3 Methodology

- 4.3.1 Based on the NPPF and PPG, the stipulating requirements from national policy and guidance, using a windfall allowance is justified if there is compelling evidence which has regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends. Therefore, working with the Council, we have prepared a methodology to assess Chichester District Council's historic windfall rates and consider those trends which will continue to be a reliable source in the future.
- 4.3.2 The assessment period used covers 2012 to 2021, allowing us to analyse 10 years of data where a consistent methodology of monitoring and recording has been used by the Council on windfalls.
- 4.3.3 Information used in this assessment includes the following categories:
- Year of dwelling completion
  - Number of dwellings in the permission (net)
  - Green field or Previously Developed Land
  - Previous land use, the categories used by the Council are:
    - Agricultural (both Greenfield land and agricultural conversions)
    - Business
    - Garden
    - Industrial
    - Institution
    - Minerals and Waste
    - Office
    - Other
    - Residential
    - Shopping
    - Storage
- 4.3.4 The dwelling completion figures are NET, therefore any losses, for example in residential conversion, are taken into account.

i) Step 1 – Windfall Overview

4.3.5 The first step in the windfall analysis was to review the total amount of windfall completions each year in the District as a proportion of total completions. This showed that windfall completions have ranged from 149 and 470 between 2012 and 2021. Windfall completions were at their highest from 2016 to 2019 where completions were in excess of 400 dwellings per annum.

**Table 12: Net Windfall completions 2012-2021**

Year	Total Net Windfall Completions	Total Completions	Windfall as a percentage	5YHLS Yes or No?	Status of Development Plan
2011/12	306	353	87%	Yes	Emerging local plan
2012/13	307	307	100%	No	Emerging local plan
2013/14	202	202	100%	Yes	Emerging local plan
2014/15	270	351	77%	Yes	Local Plan adopted July 2015
2015/16	460	507	91%	Yes	Adopted Local Plan
2016/17	403	439	92%	Yes	Adopted Local Plan
2017/18	470	557	84%	Yes	Adopted Local Plan
2018/19	464	654	71%	Yes	Adopted Local Plan
2019/20	323	503	64%	Yes from April to July	Local Plan out of date July 2020
2020/21	149	456	33%	No	Local Plan out of date

4.3.6 To understand in general why windfall levels were high in years 2016 to 2019 we considered what the Council’s 5YHLS position was in each year and also what the status of the Local Plan was, either being prepared, adopted or more than 5 years old.

4.3.7 The table above would suggest that that windfall completions in Chichester have been more effected by issues other than the status of the local plan, or the presence of a five year housing land supply; whereby total windfall completions are lowest in 2011 to 2014, when the impacts of the 2008 recession were still impacting on the house building sector, and in 2021 when the immediate impacts of the covid-19 pandemic took place.

ii) Step 2 – Review of Greenfield or PDL

4.3.8 Following the overview analysis of windfalls in the plan area, we then considered how this was split between PDL and Green field sites.

**Table 13: Windfall completions 2012-2021, Previous Developed Land / Greenfield**

Year	PDL	Green field	Total
2012	223	83	306
2013	261	46	307
2014	179	23	202
2015	112	158	270
2016	238	222	460
2017	236	167	403
2018	277	193	470
2019	235	229	464
2020	86	237	323
2021	78	71	149

4.3.9 Our analysis shows that the supply of windfalls from both PDL and Green field sources was consistent through the assessment period, on average annually, PDL developments contributed 193 dwellings to the windfall supply and Green field developments contributed 143 dwellings. The higher proportion of PDL to Green field was experienced in all but two of the years assessed – 2015 and 2020.

4.3.10 Therefore, going forward into the next steps of the assessment, we have included both PDL and Green field developments in the assessment without the need to split them into two distinct categories.

iii) Step 3 – Review of Previous Use

4.3.11 National policy states that windfall development should be a reliable source going forward and therefore it is important to understand where the supply of windfall has come from in the past. Has the supply been comprised of large one off developments, or is it sourced from changes of use from one type of development that has slowly been exhausted over the years?

4.3.12 The Council have categorised previous land use into 11 categories as shown in the table below. The total windfall completion for each year was split into these categories to identify where windfall development has been occurring on a consistent basis.

**Table 14: Windfall Completions 2012-2021, by previous land use**

Year	Agricultural (Greenfield and Conversion)	Business	Garden	Industry	Institution	Minerals and Waste	Office	Other	Residential	Shopping	Storage	Total
<b>2012</b>	54	3	19	17	35	19	35	38	81	4	1	306
<b>2013</b>	27	5	18	57	47	18	59	58	16	1	1	307
<b>2014</b>	21	29	23	46	62	0	4	26	-9	0	0	202
<b>2015</b>	120	18	5	6	1	0	9	105	-19	8	17	270
<b>2016</b>	190	18	37	0	0	0	23	74	119	-1	0	460
<b>2017</b>	180	0	11	0	0	0	12	168	25	2	5	403
<b>2018</b>	230	6	13	42	0	0	8	111	43	9	8	470
<b>2019</b>	248	8	12	1	8	0	17	72	87	11	0	464
<b>2020</b>	232	35	6	0	6	0	4	9	25	6	0	323
<b>2021</b>	57	30	5	0	0	0	26	10	5	3	13	149
<b>Average</b>	<b>136</b>	<b>15</b>	<b>15</b>	<b>17</b>	<b>16</b>	<b>4</b>	<b>20</b>	<b>67</b>	<b>37</b>	<b>4</b>	<b>5</b>	<b>335</b>

4.3.13 The table shows that there has been consistent windfall development from the previous land uses of: Agricultural, Office, Residential, and Other. These sources have been coloured in green in the table above and have been kept in for additional analysis of completions.

4.3.14 The table above also shows that there has been inconsistent windfall completions on land previously used for: business, gardens, industry, minerals and waste, shopping and storage. These completions have been coloured in red and have been removed as sources of supply from the windfall assessment due to inconsistent delivery.

*iv) Step 4 – Analysis by Site Size*

4.3.15 The next step was to look at the size of developments contributing to past levels of windfall within the sources of supply (green) carried forward from step 3 (table 3). This analysis was to identify how consistent the supply was from sites within certain size ranges.

4.3.16 The size groups used were as follows:

- 9 dwellings and Less (Minor scale development)
- Between 10 and 50 dwellings
- Between 51 and 100 dwellings
- Between 101 and 250 dwellings
- 251 dwellings and above

4.3.17 The table below (table 4) shows the windfall completions from the sources taken forward from step 3 on sites of 9 dwellings or less. This shows that windfall completions have been consistent on all the previous land uses of agricultural, office, residential, and other, and therefore they provide reliable supply and have been taken forward as part of the assessment.

**Table 15: Windfall completions (9 dwellings or less) carried forward from Step 3, by previous land use**

Year	Agricultural (Greenfield and Conversion)	Office	Other	Residential	Total
<b>2012</b>	20	1	2	42	65
<b>2013</b>	12	9	8	16	45
<b>2014</b>	3	4	4	-27	-16
<b>2015</b>	24	9	22	9	64
<b>2016</b>	28	23	19	22	92
<b>2017</b>	45	12	18	21	96
<b>2018</b>	29	8	8	41	86
<b>2019</b>	36	17	11	61	125
<b>2020</b>	37	4	9	25	75
<b>2021</b>	5	0	3	-2	6
<b>Average</b>	<b>24</b>	<b>9</b>	<b>10</b>	<b>21</b>	<b>63.8</b>

4.3.18 The table below (table 5) shows the windfall completions from the sources taken forward from step 3 between 10 and 50 dwellings. This shows that windfall completions between 10-50 dwellings on previous office land are inconsistent (coloured red) and therefore have been removed from the windfall assessment. Windfall developments of 10-50 dwellings on previous land uses of agriculture, residential, and other uses show consistent delivery between 2012-2021 (coloured green) have been taken forward in the windfall supply assessment.

**Table 16: Windfall completions (10-50 dwellings) carried forward from Step 3 by previous land use**

Year	Agricultural (Greenfield and Conversion)	Office	Other	Residential	Total
2012	34	34	36	39	143
2013	15	50	22	0	87
2014	6	0	13	18	37
2015	78	0	31	-28	81
2016	114	0	20	41	175
2017	99	0	74	4	177
2018	143	0	63	5	211
2019	139	0	41	36	216
2020	128	0	0	0	128
2021	23	26	0	17	66
<b>Average</b>	<b>78</b>	<b>11</b>	<b>30</b>	<b>13</b>	<b>132</b>

4.3.19 The table below (table 6) shows the windfall completions from the sources taken forward from step 3 between 51 and 100 dwellings. This shows that windfall completions on sites between 51-100 dwellings have been inconsistent on residential, office, and other land uses (coloured red), and have therefore been removed from the windfall assessment. However, windfall completions on sites between 51-100 dwellings on previous agriculture land shows consistent delivery (table 6, coloured green) and can therefore be used in the windfall supply.

**Table 17: Windfall completions (51-100 dwellings) carried forward from Step 3, by previous land use**

Year	Agricultural (Greenfield and Conversion)	Office	Other	Residential	Total
2012	0	0	0	0	0
2013	0	0	6	0	6
2014	12	0	5	0	17
2015	18	0	22	0	40
2016	48	0	12	56	116
2017	52	0	42	0	94
2018	72	0	40	0	112
2019	78	0	20	0	98
2020	83	0	0	0	83
2021	29	0	0	0	29
<b>Average</b>	<b>39</b>	<b>0</b>	<b>15</b>	<b>6</b>	<b>59.5</b>



4.3.20 The table below (table 7) shows the windfall completions from the sources taken forward from step 3 between 101 and 250 dwellings. This shows that windfall completions on sites between 101-250 dwellings on all the previous land uses of agriculture, office, residential, and other have not been consistent between 2012-2021 and therefore have been removed from the assessment as they cannot be relied on as a consistent source of supply.

**Table 18: Windfall completions (101-250 dwellings) carried forward from Step 3 by previous land use**

Year	Agricultural (Greenfield and Conversion)	Office	Other	Residential	Total
2012	0	0	0	0	0
2013	0	0	22	0	22
2014	0	0	4	0	4
2015	0	0	30	0	30
2016	0	0	23	0	23
2017	0	0	34	0	34
2018	0	0	0	0	0
2019	0	0	0	0	0
2020	0	0	0	0	0
2021	0	0	0	0	0
<b>Average</b>	<b>0</b>	<b>0</b>	<b>11</b>	<b>0</b>	<b>11.3</b>

4.3.21 The table below (table 8) shows the windfall completions from the sources taken forward from step 3 over 251 dwellings. This shows that all windfall completions on sites in excess of 251 dwellings have not been consistent between 2012-2021, therefore they have been removed from the assessment as they cannot be relied on as a consistent source of supply.

**Table 19: Windfall completions (251+ dwellings) carried forward from Step 3, by previous land use**

Year	Agricultural (Greenfield and Conversion)	Office	Other	Residential	Total
2012	0	0	0	0	0
2013	0	0	0	0	0
2014	0	0	0	0	0
2015	0	0	0	0	0
2016	0	0	0	0	0
2017	0	0	0	0	0
2018	0	0	0	0	0
2019	0	0	0	0	0
2020	0	0	0	0	0
2021	0	0	0	0	0
<b>Average</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

- i. Step 4 has analysed the consistency of windfall completions by previous land use and site size. The table below shows a summary of the windfall supply sources that will be carried forward from step 4 and those that will be removed from further analysis as part of step 5.

**Table 20: Windfall completions total 2012-2021 – step 4 summary**

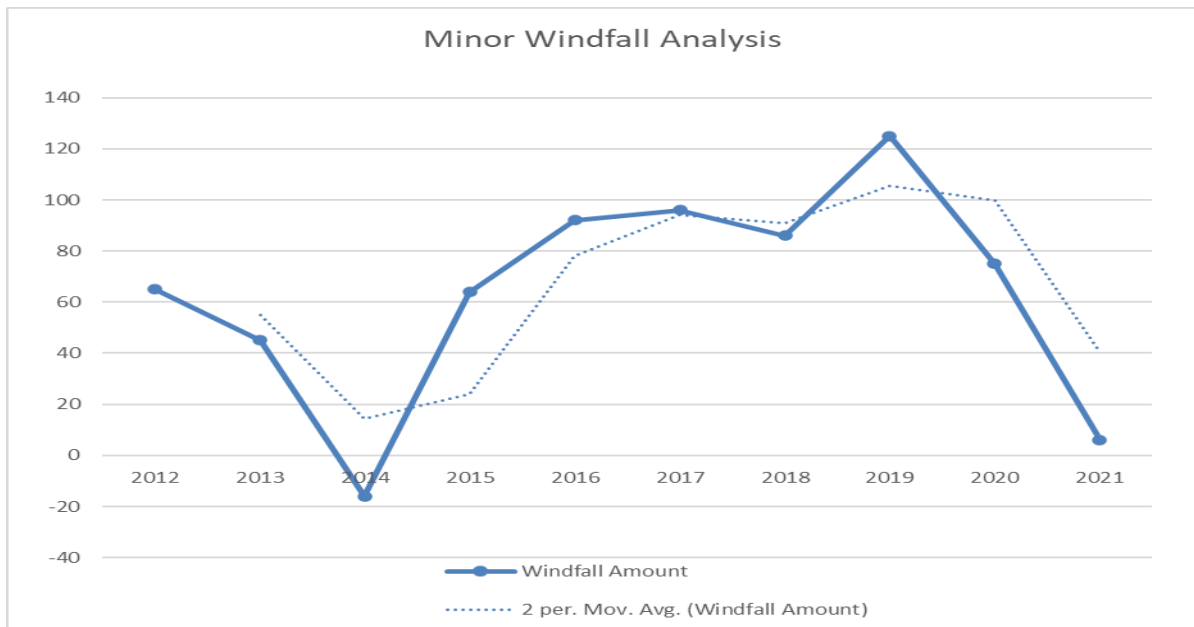
Year	Agricultural (Greenfield and Conversion)	Office	Other	Residential
<b>0-9 dwellings</b>	Carried forward	Carried forward	Carried forward	Carried forward
<b>10-50 dwellings</b>	Carried forward	Excluded	Carried forward	Carried forward
<b>51-100 dwellings</b>	Carried forward	Excluded	Excluded	Excluded
<b>101-250 dwellings</b>	Excluded	Excluded	Excluded	Excluded
<b>251+ dwellings</b>	Excluded	Excluded	Excluded	Excluded

v) Step 5 – Minor Windfall Analysis

- 4.3.22 Step 5 will further analyse those windfall completions categories that have been carried forward from step 4 by breaking them down into minor (9 dwellings or less) and major (10+ dwellings) sites.
- 4.3.23 The chart below shows the minor windfall completions from those sources carried forward from step 4. This is shown on a yearly basis (solid line, chart 1), as well as a two year rolling average (dashed line, chart 1).
- 4.3.24 This shows that minor windfall completions show fluctuations with both high and low outliers in years 2014, 2019, and 2021.

4.3.25 The chart also shows that the current two-year rolling average for windfall completions on minor sites is 40.5 dwellings per annum. This is low compared to the preceding years where completions were 125 dwellings (2019) and 75 dwellings (2020), due to the outlier of 6 windfall completions in 2021.

**Chart 1: Minor Windfall Completions, carried forward from step 4, yearly and two-year rolling basis**



4.3.26 Table 10 shows the windfall completions on those sites carried forward from step 4 on minor sites (9 dwellings or less). This shows that the average windfall completions between 2012-2021 from those carried forward in the assessment is 64 dwellings per annum on minor sites.

4.3.27 The table below also shows the average windfall completions on minor sites is 71 dwellings per annum when the two highest and two lowest outliers are removed.

**Table 21: Minor Windfall Completions, (9 dwellings or less) carried forward from step 4**

Year	Windfall Amount	Windfall Amount - remove outliers (2 highest and 2 lowest)
2012	65	65
2013	45	45
2014	-16	
2015	64	64
2016	92	92
2017	96	
2018	86	86
2019	125	

<b>2020</b>	75	75
<b>2021</b>	6	
<b>Average</b>	<b>64</b>	<b>71</b>

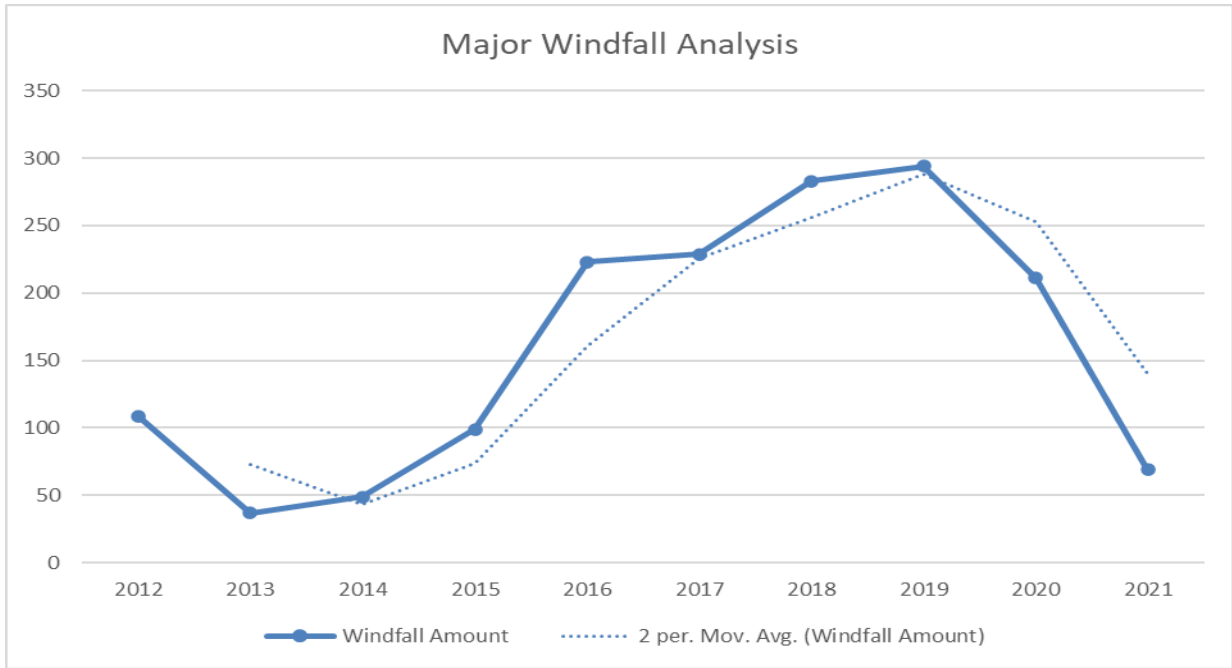
4.3.28 There are clear outliers in the windfall completions on minor sites which effect both the two-year rolling average of 40.5 dwellings and the total average of 64 dwellings. Therefore, the figure of 71 dwellings per annum that was calculated by removing the outliers and averaging the completions is the most robust figure to be used as the minor windfall allowance.

vi) Step 6 – Major Windfall Analysis

4.3.29 The chart below shows the major windfall completions from those sources carried forward from step 4. This is shown on a yearly basis (solid line, chart 2), as well as a two year rolling average (dashed line, chart 2).

4.3.30 This shows that major windfall completions show vary between 2012-2021. Between 2013 and 2014, windfall completions fell from 109 dwellings to 37 dwellings, then rising from 37 dwellings to 294 dwellings between 2013 and 2019, before dropping again to 211 and then 69 dwellings in 2020 and 2021 respectively. The current two-year rolling average for windfall completions on major windfall sites is 140, this falls comfortably within the range of completions between 2012-2021.

**Chart 2: Major Windfall Completions, carried forward from step 4, yearly and two-year rolling basis**



4.3.31 The table below shows the major windfall completions on those sites carried forward from step 4 on major sites (10 dwellings or more). This shows that average windfall completions between 2012-

2021 is 160 dwellings per annum. Table 11 also shows that when the outliers are removed (2 highest and 2 lowest) the average windfall completions on major sites is 157 dwellings per annum, this is only slightly affected as there are no major outliers.

**Table 22: Major Windfall Completions, (10 or more dwellings) carried forward from step 4**

Year	Windfall Amount	Windfall Amount - remove outliers (2 highest and 2 lowest)
2012	109	109
2013	37	
2014	49	
2015	99	99
2016	223	223
2017	229	229
2018	283	
2019	294	
2020	211	211
2021	69	69
<b>Average</b>	<b>160</b>	<b>157</b>

4.3.32 The above analysis provides three calculations for future major windfall allowance: 140 dwellings based on the two-year rolling average, 160 dwellings which is the total average, and 157 the average when the two highest and lowest outliers are removed.

4.3.33 Despite the limited impact of having an adopted local plan had on windfall completions between 2015 and 2020, we still anticipate that by years 4 and 5 the local plan will be adopted and a higher amount of developments will be on allocations. Therefore, we recommend that a windfall allowance of 140 dwellings per annum.

#### **4.4 Windfall Conclusions and Recommendations**

4.4.1 This report has undertaken an analysis of windfall completions in Chichester District in accordance with national policy and guidance.

4.4.2 We recommend that Chichester District includes a windfall allowance as part of the five year housing land supply from year four of the assessment, as most windfall developments that will be built in years 1-3 already have permission and are specifically accounted for in the land supply assessment.

4.4.3 Both a minor (9 dwellings or less) and a major (10 dwellings or more) windfall allowance should be made. Specific recommendations for these are set out below:

vii) Minor Windfall

- 4.4.4 We recommend that the existing minor windfall allowance which accounts for sites of five dwellings or less is removed and replaced with a minor windfall allowance for sites of 9 dwellings. This will align with the NPPF definition of major/minor sites.
- 4.4.5 The minor windfall allowance currently accounted for across years 1 to 5 should be removed. In years 1-3 the specific permissions should be included and for years 4 and 5 a minor windfall allowance should be included.
- 4.4.6 Considering the analysis conducted above, a minor windfall allowance of 71 dwellings per annum should be used. This is based on removing any inconsistent sources of supply by analysing both the previous use of land as well as the site size.

viii) Major Windfall

- 4.4.7 We recommend that 140 dwellings per annum is used as the major windfall allowance as this figure takes into account the expectation that an adopted local plan could reduce windfall completions.
- 4.4.8 The windfall allowance should be included in years 4 and 5, as this would, in practice, avoid double counting the large applications received in or prior to year 1 of the assessment and are likely to be built out in years 1 to 3.

## **Chichester Local Plan Area – Five Year Housing Land Supply 2021-2026**

### **Updated Position at 1 April 2021**

#### ***Introduction***

- 1.1 This position statement identifies the five year housing land supply position within the Chichester Plan Area, covering the five year period through to 31 March 2026. The Council's 5 year supply is assessed against the standard methodology for assessing housing need, following 15 July 2020, when the adopted Local Plan became more than 5 years old. The information on housing supply is based on data from West Sussex County Council development monitoring as of 1 April 2021. It also takes account of information on lead-in times and build out rates relating to individual sites.
- 1.2 An explanation of the methodology used to calculate the five year housing land supply is set out below.

#### ***Housing Requirement 2021 - 2026***

- 1.3 The local housing need is calculated to be 634 dwellings per annum as 31 March 2021. A full calculation of this figure is set out as Appendix 1 to this document. This gives a cumulative requirement of 3,170 net dwellings over the five years 2021-2026.
- 1.4 The housing requirement 2021-2026 has been adjusted to take account of a 5% buffer added to this adjusted total, as required by the National Planning Policy Framework (NPPF) to ensure choice and competition in the market for land. The extent of the buffer has been informed by the Housing Delivery Test which demonstrates that the Council has successfully been delivering housing for the period 2017-2020 when measured against the housing requirement for that period. This adjustment has the effect of increasing the five year housing requirement to 3,329 net dwellings (equivalent to 666 homes per year).

#### ***Projected Housing Supply 2021 - 2026***

- 1.5 Appendix 2 provides a comprehensive schedule of planning permissions and other identified sites within the Chichester Local Plan area. These sites are grouped into six categories:
  - (i) Minor sites (9 or less dwellings) with both detailed and outline planning permission as of 1 April 2021.
  - (ii) Sites of 10 or more dwellings which were under construction as of 1 April 2021;
  - (iii) Sites of 10 or more dwellings with an outstanding detailed planning permission as of 1 April 2021, or prior approval for change of use to residential;
  - (iv) Sites of 10 or more dwellings with outline planning permission as of 1 April 2021;
  - (v) Sites allocated in the adopted Chichester Local Plan Key Policies 2014-2029 where no planning permission had been granted as of 1 April 2021;
  - (vi) Sites allocated in Neighbourhood Plans that have been formally made where no planning permission had been granted as of 1 April 2021; and
- 1.6 All the sites listed have been assessed in terms of deliverability, based on their

availability, suitability and achievability, as required by the NPPF. Sites with outline planning permission or those allocated in the Local Plan, Site Allocations DPD or made Neighbourhood Plans are considered deliverable where there is clear evidence that housing completions will begin on site within five years. Further details of these sites, and allocations not currently expected to deliver within five years, are detailed in Appendix 3. The timescale and phasing of development assumed for each site is based on information obtained from site owners and developers, together with discussions with Development Management officers from Chichester District Council, specialist advice<sup>1</sup> and annual monitoring figures provided by West Sussex County Council following site visits undertaken by their officers.

- 1.7 Following detailed analysis on windfall, the inclusion of a small sites table/allowance has been removed. Sites are now divided in to minor (9 or less dwellings) and major (10 or more dwellings), to align with NPPF definitions. Analysis of historic trends over the past 10 years has evidenced the consistent delivery of windfall sites on both minor and major sites. An allowance is now therefore included for both, in accordance with NPPF paragraph 71. For minor sites, this is calculated at 71 dwellings per year and for major sites 140 dwellings, both starting in year 4.
- 1.8 Based on the sources of information above, housing sites that are considered to be deliverable within the period 2021-2026 have been included in the five year supply. A large majority of the housing identified for delivery in the five year period is on sites currently under construction, or has detailed planning permission. For some sites, the Council's assumptions on delivery lead times and build rates reflect the conclusions of inspectors at recent planning appeal inquiries.
- 1.9 In combination, the sources of housing supply listed above are expected to deliver a cumulative total of 3,536 net dwellings over the period 2021-2026.
- 1.10 Appendix 4 details sites that are currently not included in the five year housing land supply. This includes:
  - (i) Sites in Neighbourhood Plans that were not formally 'made' at 1 April 2021 which did not have outline or detailed permission as of 1 April 2021
  - (ii) Sites with technical start but known delivery constraints, unlikely to deliver within 5 year period as at 1 April 2021
  - (iii) Sites of 10 or more dwellings permitted after 1 April 2021
  - (iv) Sites for student or older people's housing with planning permission but unlikely to deliver within 5 year period as at 1 April 2021.
- 1.11 Whilst these sites, in appendix 4, are not currently included within the Council's calculation of five year land supply as of 1 April 2021, this will be kept under review as further information becomes available about the progress made on bringing these sites forward for development. In total, the sites identified from these sources could provide for the equivalent of 168 additional dwellings towards the Council's five year land supply position if all were to come forward.
- 1.12 In addition, there are also 2 strategic housing allocations in the adopted Local Plan and Site Allocations DPD, listed in Table E of Appendix 2, where development is not currently expected to come forward in the period up to 2026. Similarly there are also 7 sites within 'made' neighbourhood plans (as identified in Table F of Appendix 2) where development is also not expected to come forward in the period to 2026. The position on these sites will be kept under review.

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<sup>1</sup> As set out in the report *Chichester District Council 5YHLS Critical Friend Review*, LSH October 2021



## Housing trajectory for 2012-2029

- 1.13 The Council regularly reviews the trajectory of anticipated housing supply, monitored against the housing requirements of the adopted Local Plan for the period 2012-2029. The updated housing trajectory as of 1 April 2021 is set out in Appendix 5 through two figures. Figure 1 of Appendix 5 demonstrates the projected housing trajectory of supply from different sources for the plan period up until 2029. Note: the sites in Appendix 4 that are currently not included in the Council's five year supply are included within this trajectory and anticipated to come forward from year 6.
- 1.14 Figure 2 of Appendix 5 shows actual/projected housing completions against the Local Plan housing target for the plan period up until 2029. This demonstrates that in the year 2019/2020, cumulative housing delivery made up for the previous cumulative shortfall from completions for the period 2012-2029.

### **Conclusion**

- 1.15 **In summary, and as set out in the tables below, the Council's current assessment of five year housing land supply for the Chichester Local Plan area identifies a potential housing supply of 3,536 net dwellings over the period 2021-2026. This compares with an identified housing requirement of 3,329 net dwellings. This results in a surplus of 207 net dwellings, equivalent to 5.3 years of housing supply.**

### **List of Appendices**

- Appendix 1 – Calculation of Local Housing Need as at 1 April 2021
- Appendix 2 – Schedule of housing sites contributing to 5YHLS
- Appendix 3 – Progress on sites without detailed permission
- Appendix 4 – Sites not included in supply
- Appendix 5 - Housing Trajectory for Local Plan Period 2012-2029

## Chichester Local Plan Area - Five Year Housing Land Supply as of 1 April 2021

**Table 1 - Housing Requirement**

<b>Housing requirement 2021 - 2026</b>	<b>Net dwellings</b>	<b>Notes</b>
Local housing requirement	3,170	Minimum local annual housing need for Plan area - 634 a year x 5 yrs = 3,170 homes
5% buffer	159	5% buffer applied to 5 year housing requirement = 3,170 x 5%
<b>Adjusted housing requirement (2021-2026)</b>	<b>3,329</b>	
Adjusted housing requirement per year 2021-2026	666	Annual housing requirement = 3,329/5 = 666 homes per year

**Table 2- Projected Housing Supply**

<b>Projected housing supply 2021 - 2026</b>	<b>Net dwellings</b>	<b>Notes</b>
Sites of 9 or less dwellings	317	Sites listed in schedule (further details available on request)
Sites of 10 or more dwellings currently under construction	1,707	Sites listed in schedule (further details available on request)
Sites of 10 or more dwellings with an outstanding detailed planning permission	555	Sites listed in schedule (further details available on request)
Sites of 10 or more dwellings with outline planning permission	355	Sites listed in schedule (further details available on request)
Sites allocated in Local Plan 2014-2029	180	Sites listed in schedule (further details available on request)
Sites allocated in made Neighbourhood Plans	0	Sites listed in schedule (further details available on request)
<b>Total identified housing supply</b>	<b>3,114</b>	
Windfall allowance	422	
<b>Total projected housing supply</b>	<b>3,536</b>	

**Table 3 - Projected years of housing supply**

<b>Housing supply surplus / deficit</b>	<b>Net dwellings</b>	<b>Notes</b>
Projected housing surplus/shortfall 2021-2026	207	Total projected housing supply less total housing requirement
Projected years housing supply	5.3	Total projected housing supply / Adjusted housing requirement per year

## Appendix 1 Calculation of Local Housing Need as at 1 April 2021

THE BASELINE (Step 1)	542 households per annum	Source: 2014-based household projections for the period 2021-31.  <i>Note: this figure applies to the entire Chichester District rather than the Plan Area alone</i>
ADJUSTMENT FOR AFFORDABILITY (Step 2a)	+ 63.06% (Local affordability ratio) – 4)/4 X 0.25.  <i>Note: this adjustment factor applies to the entire Chichester District, not just the Plan Area.</i>	Adjustment factor = 14.09
UNCAPPED LOCAL HOUSING NEED FIGURE (Step 2b)	884 dwellings per annum	542 (Step 1) x 63.06% (Step 2a)  <i>Note: this figure applies to the entire Chichester District, not just the Plan Area.</i>
CAPPING THE INCREASE (Step 3)	759 dwellings per annum	542 (household projections per annum) x 40% (cap afforded by PPG)  <i>Note: this capped figure applies to the entire Chichester District, not just the Plan Area</i>
ADJUSTING FOR PLAN AREA	<b>634</b>	759 (Step 3) less housing need arising in National Park (125) as per the evidence for the South Downs National Park Plan  <i>Note: this capped figure applies to the Chichester Plan Area, reflecting the geographic coverage of the emerging Local Plan</i>

Appendix 2 - Schedule of housing sites contributing to 5YHLS

Table A.1 – Minor Sites with planning permission – 1-4 dwellings

Sites 1-4 dwellings											
Site Address	Parish	Planning Reference	Permission Type	Permitted dwellings (Gross)	Demolitions	Total net dwellings	Land Use	GRE	GRN	Permission Date	Lapse Date
Orchard House Dell Quay Road Dell Quay Appledram	Appledram	20/01790/FUL	Detailed PP	1	1	0	PDL	483590	102976	29/09/2020	29/09/2023
Harbour House 22 Greenacres Birdham	Birdham	19/01408/FUL	Detailed PP	1	1	0	PDL	481681	100666	06/11/2019	06/11/2022
Eastview Church Lane Birdham	Birdham		Detailed PP	1	1	0	PDL	482581	100191	29/01/2013	Under Construction
Houseboat Eloise Chichester Canal Birdham	Birdham	15/02586/FUL	Detailed PP	1	1	0	PDL	482916	101045	13/10/2015	Under Construction
Copper Beech Church Lane Birdham	Birdham	15/03947/FUL	Detailed PP	2	1	1	PDL	482661	100189	29/01/2016	Under Construction
Land To The Rear Of Sarnia Main Road Birdham	Birdham	18/03352/FUL	Detailed PP	4	0	4	Greenfield	481898	99509	15/02/2019	15/02/2022
The Old Mill Lock Lane Birdham	Birdham	16/02317/FUL	Detailed PP	1	0	1	PDL	482482	101131	24/04/2017	Under Construction
Houseboat Bag End Chichester Marina Birdham	Birdham	17/03179/FUL	Detailed PP	1	1	0	PDL	482835	101095	18/12/2017	01/05/2021
Heron Westlands Estate Birdham	Birdham	18/01390/FUL	Detailed PP	1	1	0	PDL	481935	100545	01/08/2018	01/08/2021
Rozelle 5 St James Close Birdham	Birdham	18/03152/FUL	Detailed PP	1	1	0	PDL	482181	100310	15/02/2019	15/02/2022
Houseboat Moored Hen Chichester Marina Birdham	Birdham	19/00152/FUL	Detailed PP	1	1	0	PDL	482815	101098	21/03/2019	21/03/2022
Carthage Farm Bell Lane Birdham	Birdham	19/00444/FUL	Detailed PP	2	0	2	Greenfield	481827	98780	06/09/2019	06/09/2022
Houseboat Berth No.1 Chichester Marina Birdham	Birdham	19/01396/FUL	Detailed PP	1	1	0	PDL	482769	101116	06/11/2019	06/11/2022
Wheelhouse 16 Greenacres Birdham	Birdham	19/03050/FUL	Detailed PP	1	1	0	PDL	481745	100680	17/02/2020	17/02/2023
Houseboat Louisa Heartwell Chichester Marina Birdham	Birdham	20/00354/FUL	Detailed PP	1	1	0	PDL	483347	100962	30/03/2020	30/03/2023
Houseboat Tir-Nan-Og Chichester Marina Birdham	Birdham	20/00353/FUL	Detailed PP	1	1	0	PDL	483027	101001	30/03/2020	30/03/2023
Plovers Cottage Batchmere Road Birdham	Birdham	20/01130/FUL	Detailed PP	1	0	1	PDL	483162	99080	04/11/2020	04/11/2023
106 First Avenue Almodington Earnley	Earnley	20/03222/FUL	Detailed PP	1	0	1	Greenfield	482681	98763	19/02/2021	19/02/2024
101 First Avenue Almodington Batchmere Chichester	Birdham	20/02385/PA3Q	Prior Notification	1	0	1	Greenfield	482427	98898	25/11/2020	25/11/2023
Crede Orchard Crede Lane Bosham	Bosham	16/00498/REM	Reserved Matter	1	1	0	PDL	481304	104563	24/05/2016	Under Construction
North of Crede House (Plot 3) Crede Lane Bosham	Bosham	16/02562/FUL	Detailed PP	1	0	1	Greenfield	481314	104517	02/11/2016	Under Construction
The Elms Taylors Lane Bosham	Boxgrove	17/01570/FUL	Detailed PP	1	1	0	PDL	490761	108112	31/01/2018	Under Construction
Five Elms Stumps Lane Bosham	Bosham	18/00806/FUL	Detailed PP	1	2	-1	PDL	481161	103764	15/03/2019	15/03/2022
The Garden House Bosham Lane Bosham	Bosham	18/02712/FUL	Detailed PP	2	1	1	PDL	480883	104419	12/12/2018	12/12/2021
Furze Creek Smugglers Lane Bosham	Bosham	19/01949/FUL	Detailed PP	1	1	0	PDL	480761	102062	30/10/2019	30/10/2022
Creek End Smugglers Lane Bosham	Bosham	17/02844/FUL	Detailed PP	1	1	0	PDL	481104	101982	04/12/2017	Under Construction
32 Williams Road Bosham	Bosham	17/01783/FUL	Detailed PP	1	0	1	PDL	481407	105315	14/08/2017	Under Construction
Hove To Smugglers Lane Bosham	Bosham	17/02114/FUL	Detailed PP	1	1	0	PDL	481218	101955	14/11/2018	14/11/2021
Land Adjacent To Critchfield Cottage Viking Way Bosham	Bosham	18/03374/FUL	Detailed PP	1	0	1	Greenfield	480831	104204	08/02/2019	08/02/2022
Trippitt Villa Sunnyway Bosham	Bosham	18/01554/FUL	Detailed PP	2	1	1	PDL	480763	104031	07/05/2019	07/05/2022
Heron House Taylors Lane Bosham	Bosham	19/00877/FUL	Detailed PP	2	1	1	PDL	481186	103923	04/07/2019	04/07/2022
Merry Harbour Smugglers Lane Bosham	Bosham	19/01527/FUL	Detailed PP	1	1	0	PDL	480891	102122	28/08/2019	Under Construction
By-The-Brook Bosham Lane Bosham	Bosham	19/01890/FUL	Detailed PP	2	1	1	PDL	480714	104283	18/10/2019	18/10/2022
Trippitts Harbour Road Bosham	Bosham	19/02200/FUL	Detailed PP	1	1	0	PDL	480948	103930	13/11/2019	13/11/2022
1 Station Road Bosham	Bosham	20/00486/FUL	Detailed PP	2	2	0	PDL	481221	105346	13/07/2020	13/07/2023
The Malthouse Viking Way Bosham	Bosham	20/00876/FUL	Detailed PP	2	1	1	PDL	480790	104211	05/03/2021	05/03/2024
19 Crouch Cross Lane Boxgrove	Boxgrove	16/02182/FUL	Detailed PP	1	0	1	PDL	490564	107420	24/08/2016	Under Construction
Land South Of Deepdale Priors Acre Boxgrove	Boxgrove	18/02306/FUL	Detailed PP	1	0	1	Greenfield	490580	107147	05/12/2018	05/12/2021
Tinwood Estate Tinwood Lane Halnaker Boxgrove	Boxgrove	19/02557/FUL	Detailed PP	1	0	1	Greenfield	491287	108093	17/04/2020	17/04/2023
Land To Side And Rear Of 16 Crouch Cross Lane Boxgrove	Boxgrove	20/01269/FUL	Detailed PP	1	0	1	Greenfield	490531	107459	28/07/2020	28/07/2023
Brooklands Green Lane Bosham	Chidham and Hambrook	13/01398/FUL	Detailed PP	1	0	1	PDL	479960	105636	23/01/2014	Under Construction
Woodlands Drift Lane Bosham	Chidham and Hambrook	19/02643/FUL	Detailed PP	1	1	0	PDL	479427	106368	14/01/2020	Under Construction
Meadow Side Scant Road West Hambrook	Chidham and Hambrook	14/03941/FUL	Detailed PP	2	1	1	PDL	478978	106638	13/03/2015	Under Construction
Willows Drift Lane Chidham	Chidham and Hambrook	18/01505/FUL	Detailed PP	1	1	0	PDL	479358	105587	13/09/2018	Under Construction
Avenue Cottage Main Road Bosham	Chidham and Hambrook	18/02216/FUL	Detailed PP	1	1	0	PDL	479502	105386	23/11/2018	23/11/2021
The Nest 13 The Avenue Hambrook	Chidham and Hambrook	18/00810/FUL	Detailed PP	4	0	4	Greenfield	478901	106493	28/11/2018	28/11/2021
Cockleberry Farm Main Road Bosham	Chidham and Hambrook	18/01449/FUL	Detailed PP	2	0	2	Greenfield	479538	105357	02/11/2018	02/11/2021
Coastway Cottage Drift Lane Chidham	Chidham and Hambrook	19/00915/FUL	Detailed PP	1	0	1	Greenfield	479366	105674	09/07/2019	09/07/2022
Appleton House Farm Drift Lane Chidham	Chidham and Hambrook	19/02312/OUT	Outline PP	1	0	1	Greenfield	479393	105709	03/12/2019	03/12/2022
Middleton House Steels Lane Chidham	Chidham and Hambrook	20/03178/FUL	Detailed PP	1	1	0	PDL	479036	104080	01/02/2021	01/02/2024
Maybush Cot Lane Chidham	Chichester	20/03305/FUL	Detailed PP	1	1	0	PDL	478747	105245	01/03/2021	01/03/2024
Orchard Farm Drift Lane Chidham	Chidham and Hambrook	20/00164/OUT	Outline PP	1	0	1	Greenfield	479349	105460	29/03/2021	29/03/2024
Penny Plain 59 Grosvenor Road Donnington	Donnington	18/02044/FUL	Detailed PP	1	1	0	PDL	485853	103301	11/10/2018	11/10/2021
Land To The Rear 55 Stockbridge Road Donnington	Donnington	19/02324/FUL	Detailed PP	1	0	1	Greenfield	485734	103767	23/12/2019	23/12/2022
Bridge Courtyard Selsey Road Donnington	Donnington	20/02483/PA3Q	Prior Notification	2	0	2	Greenfield	485463	101839	30/03/2021	30/03/2024
120 Third Avenue Earnley	Earnley		Detailed PP	1	1	0	PDL	482595	97793	27/04/2006	Under Construction
Dragon Nursery Third Avenue Batchmere	Earnley	15/04244/PA3P	Prior Notification	1	0	1	PDL	482364	97923	10/02/2016	Under Construction
129A Third Avenue Almodington Earnley	Earnley	18/00789/FUL	Detailed PP	1	0	1	PDL	482610	97741	31/01/2018	Under Construction
Almodington Nurseries Batchmere Road Almodington Earnley	Earnley	17/02910/FUL	Detailed PP	3	0	3	Greenfield	482664	98549	18/04/2018	18/04/2021
111 Second Avenue Almodington	Earnley	18/02530/FUL	Detailed PP	1	0	1	Greenfield	482731	98255	19/12/2018	19/12/2021
136 Almodington Lane Almodington Earnley	Earnley	19/00611/FUL	Detailed PP	1	1	0	PDL	482122	97388	25/07/2019	25/07/2022
113 Second Avenue Almodington Earnley	Earnley	17/03461/PA3Q	Prior Notification	2	0	2	Greenfield	482449	98315	22/01/2018	22/01/2022
Orchid Answers Limited 113 Second Avenue Batchmere Chichester	Earnley	19/02956/FUL	Detailed PP	1	1	0	PDL	482449	98315	23/01/2020	Under Construction
The Paddocks Almodington Lane Almodington Earnley	Earnley	19/02627/FUL	Detailed PP	1	1	0	PDL	482638	97689	05/03/2020	Under Construction
Earnley Concourse Clappers Lane Earnley	Earnley	20/01610/FUL	Detailed PP	1	0	1	PDL	481540	96873	18/11/2020	18/11/2023
Bookers Barn Bookers Lane Earnley	Earnley	21/00029/PA3Q	Prior Notification	1	0	1	Greenfield	481344	97728	12/03/2021	12/03/2024
Southbrook West Bracklesham Drive Bracklesham Bay	East Wittering	19/02352/FUL	Detailed PP	1	1	0	PDL	480395	96409	18/10/2019	18/10/2022
The White House Longlands Road East Wittering	East Wittering	15/03827/FUL	Detailed PP	2	1	1	PDL	479742	96889	23/12/2015	Under Construction
Driftwood House East Bracklesham Drive Bracklesham	East Wittering	16/00946/FUL	Detailed PP	1	1	0	PDL	480717	96222	13/10/2016	Under Construction
Halcyon Charlemaid East Wittering	East Wittering	16/02337/FUL	Detailed PP	2	1	1	PDL	479967	96724	11/01/2017	Under Construction
Seabreeze East Bracklesham Drive Bracklesham	East Wittering	18/02384/FUL	Detailed PP	1	1	0	PDL	481182	96012	23/11/2018	23/11/2021
Dots Tamarisk Walk East Wittering	East Wittering	17/01672/FUL	Detailed PP	1	1	0	PDL	479733	96749	30/08/2017	01/05/2021
10-12 Meadows Road East Wittering	East Wittering	17/02107/FUL	Detailed PP	1	0	1	Greenfield	480056	97110	25/09/2017	01/05/2021
The Boathouse Longlands Road East Wittering	East Wittering	18/00365/FUL	Detailed PP	1	0	1	PDL	479758	96848	24/04/2018	24/04/2021

27 Coney Six East Wittering	East Wittering	18/00094/FUL	Detailed PP	2	1	1	PDL	479821	96732	04/05/2018	04/05/2021
Tigne East Bracklesham Drive Bracklesham	East Wittering	18/00092/FUL	Detailed PP	1	1	0	PDL	481196	95932	13/09/2018	13/09/2021
Sea Home 20 Meadows Road East Wittering	East Wittering	17/03043/FUL	Detailed PP	2	1	1	PDL	480081	97195	19/12/2018	19/12/2021
Domek Nad Morzem East Bracklesham Drive Bracklesham	East Wittering	19/00828/FUL	Detailed PP	1	1	0	PDL	481212	95924	29/05/2019	Under Construction
Andromeda 56 Oakfield Avenue East Wittering	East Wittering	18/02393/FUL	Detailed PP	1	0	1	PDL	479526	97107	19/12/2018	19/12/2021
26 Stocks Lane East Wittering	East Wittering	18/02062/FUL	Detailed PP	1	0	1	PDL	479785	97106	24/12/2018	24/12/2021
Belle Plage West Bracklesham Drive Bracklesham	East Wittering	18/02670/FUL	Detailed PP	2	1	1	PDL	480078	96593	16/01/2019	16/01/2022
The Elms Bracklesham Lane Bracklesham	East Wittering	18/03146/FUL	Detailed PP	3	1	2	PDL	480565	96474	12/03/2019	Under Construction
The Elms Bracklesham Lane Bracklesham	East Wittering	18/03146/FUL	Detailed PP	1	0	1	PDL	480565	96474	12/03/2019	Under Construction
9 Wessex Avenue East Wittering	East Wittering	19/00561/FUL	Detailed PP	1	1	0	PDL	480123	97128	17/06/2019	Under Construction
Neska Longlands Road East Wittering	East Wittering	20/02771/FUL	Detailed PP	1	0	1	Greenfield	479728	96861	22/12/2020	22/12/2023
Lorien West Bracklesham Drive Bracklesham	East Wittering	19/02542/FUL	Detailed PP	1	0	1	Greenfield	480069	96654	18/02/2020	Under Construction
Glanymor Barn Walk East Wittering	Chichester	20/00611/FUL	Detailed PP	1	1	0	PDL	479606	96891	27/05/2020	Under Construction
The Croft East Bracklesham Drive Bracklesham	East Wittering	20/01123/FUL	Detailed PP	1	1	0	PDL	480726	96264	20/08/2020	Under Construction
Land North Of 20 Wessex Avenue East Wittering	East Wittering	20/02362/FUL	Detailed PP	1	0	1	Greenfield	480116	97270	19/11/2020	19/11/2023
Downsea Nab Walk East Wittering	East Wittering	20/01034/FUL	Detailed PP	1	1	0	PDL	479714	96813	02/10/2020	02/10/2023
Shemara East Bracklesham Drive Bracklesham	East Wittering	20/02340/FUL	Detailed PP	3	1	2	PDL	481275	95903	19/03/2021	19/03/2024
Mans Rest Bracklesham Lane Bracklesham	East Wittering	20/02299/FUL	Detailed PP	1	0	1	Greenfield	480960	97511	31/03/2021	31/03/2024
First Floor 14 Shore Road East Wittering	East Wittering	20/01128/PA3O	Prior Notification	1	0	1	PDL	479468	97187	29/06/2020	29/06/2023
Lawrence Farm Fishbourne Road (West) Chichester	Fishbourne		Detailed PP	4	0	4	Greenfield	484680	104231	13/05/2004	Under Construction
Mill Pond Cottage Mill Lane Chichester	Fishbourne	15/02393/FUL	Detailed PP	1	1	0	PDL	483712	104570	07/10/2015	Under Construction
Land to East of Fairfield Halfrey Road Chichester	Fishbourne	14/02369/FUL	Detailed PP	1	0	1	Greenfield	483432	105406	09/07/2015	Under Construction
Avalon 22 Halfrey Road Fishbourne	Fishbourne	16/03464/FUL	Detailed PP	1	0	1	Greenfield	483474	105447	23/08/2017	01/05/2021
Land Adjoining 5 Salthill Road Fishbourne	Fishbourne	18/01202/FUL	Detailed PP	1	0	1	Greenfield	483502	104742	07/09/2018	07/09/2021
Land North Of Rothley Cottage 2 Blackboy Lane Fishbourne	Fishbourne	14/01967/FUL	Detailed PP	1	0	1	Greenfield	483173	104863	29/06/2015	Under Construction
Stockers Farm Salthill Road Fishbourne	Funtington	19/02841/FUL	Detailed PP	1	1	0	PDL	483291	106015	30/01/2020	30/01/2023
Ridge Farm Scant Road East Hambrook Funtington	Funtington	15/00957/COUPMB	Prior Notification	1	0	1	Greenfield	479447	106846	15/05/2015	Under Construction
Brick Bat Farm Clay Lane Funtington	Funtington	18/02884/FUL	Detailed PP	1	0	1	PDL	481846	106525	01/03/2019	Under Construction
Greenlands Two Southbrook Road West Ashling	Funtington	20/00949/FUL	Detailed PP	1	0	1	PDL	481087	106794	03/06/2020	03/06/2023
Land Adjacent To Greenlands House Southbrook Road West Ashling	Funtington	19/02514/FUL	Detailed PP	1	0	1	Greenfield	481087	106794	08/01/2020	08/01/2023
1 Clearwater Ratham Lane West Ashling	Funtington	20/02067/FUL	Detailed PP	1	1	0	PDL	480980	106650	16/11/2020	16/11/2023
Mudberry Farm Mudberry Lane Bosham	Funtington	18/02067/PA3Q	Prior Notification	2	0	2	Greenfield	480453	105877	11/10/2018	11/10/2021
Hunston Joinery Southover Way Hunston	Hunston	18/03073/FUL	Detailed PP	2	0	2	PDL	486396	101993	11/03/2019	Under Construction
Boxall Stud Village Road Kirdford	Kirdford	19/01269/FUL	Detailed PP	1	0	1	PDL	502145	126596	12/07/2019	Under Construction
Lower Barn (Near Chandlers Barn) Skiff Lane Wisborough Green	Kirdford	20/00389/FUL	Detailed PP	1	0	1	Greenfield	503194	127555	08/07/2020	08/07/2023
Tredalyn Heath Road Hammer Linchmere	Linchmere		Detailed PP	1	0	1	Greenfield	487555	132268	23/06/2006	Under Construction
Maddoxwood Cottage Lavant Road Chichester	Lavant	19/02724/FUL	Detailed PP	2	1	1	PDL	485613	107334	31/01/2020	Under Construction
Tokens Farm Guildford Road Loxwood	Loxwood		Detailed PP	3	0	3	Greenfield	503632	133061	13/08/2008	Under Construction
Abbotcroft (Hurstwood House) Roundstreet Common Loxwood	Loxwood	15/03553/FUL	Detailed PP	1	1	0	PDL	504380	130074	13/04/2016	Under Construction
Oakhurst Farm Oakhurst Lane Loxwood	Loxwood	18/02325/FUL	Detailed PP	1	0	1	PDL	503252	132860	09/11/2018	09/11/2021
Malden Farm Guildford Road Loxwood	Loxwood	17/02304/FUL	Detailed PP	1	1	0	PDL	504059	133066	15/11/2017	01/05/2021
Malden Farm Buildings Guildford Road Loxwood	Loxwood	17/02504/FUL	Detailed PP	2	0	2	PDL	504134	132964	17/11/2017	01/05/2021
Land East Of Rompin Down Pigbush Lane Loxwood	Loxwood	19/00722/FUL	Detailed PP	2	0	2	PDL	503878	133342	31/05/2019	31/05/2022
Walton Guildford Road Loxwood	Loxwood	20/00072/FUL	Detailed PP	2	1	1	PDL	503837	131604	25/06/2020	25/06/2023
Trenchmore Farm Drungewick Lane Loxwood	Loxwood	21/00082/PA3Q	Detailed PP	2	0	2	Greenfield	505657	129995	09/03/2021	09/03/2024
The Stables North Mundham Farm Church Road North Mundham	North Mundham		Detailed PP	1	0	1	PDL	487572	102309	16/12/2003	Under Construction
62 Brick Kiln Farm Merston Oving	North Mundham	17/01504/FUL	Detailed PP	2	0	2	Greenfield	488220	103944	08/09/2017	01/05/2021
Southgate Farm Fisher Lane North Mundham	North Mundham	19/01960/FUL	Detailed PP	2	0	2	Greenfield	487244	101433	04/10/2019	04/10/2022
North Honer Farm Honer Lane South Mundham	North Mundham	17/00603/FUL	Detailed PP	1	1	0	PDL	487850	99133	17/09/2015	Under Construction
Land Adjacent To The Spinney Pagham Road North Mundham	North Mundham	18/00381/FUL	Detailed PP	1	0	1	Greenfield	487944	102432	31/05/2018	31/05/2021
Delos Mill Lane Runcton	North Mundham	20/00369/FUL	Detailed PP	4	1	3	PDL	488068	102418	06/04/2020	06/04/2023
The Chalet Southgate Farm Fisher Lane North Mundham	North Mundham	15/04179/FUL	Detailed PP	1	1	0	PDL	487301	101470	01/04/2016	Under Construction
Fisher Lane Nursery Fisher Lane North Mundham	North Mundham	21/00097/FUL	Detailed PP	1	0	1	Greenfield	487504	101682	26/03/2021	26/03/2024
Nutfield Shopwhyke Road Shopwhyke Oving	Oving	18/02113/FUL	Detailed PP	1	1	0	PDL	487990	105027	25/10/2018	25/10/2021
Woodfield Farm Marlpit Lane Oving	Oving	20/00986/FUL	Detailed PP	1	0	1	Greenfield	489418	105190	09/06/2020	09/06/2023
Fritchings Farm Rickmans Lane Plaistow	Plaistow	13/01167/FUL	Detailed PP	1	0	1	PDL	501208	130293	12/06/2013	Under Construction
Kogala The Drive Ifold	Plaistow	14/02891/FUL	Detailed PP	3	1	2	PDL	502803	131229	01/12/2014	Under Construction
Furzedown The Ride Loxwood	Plaistow	17/02251/FUL	Detailed PP	1	1	0	PDL	502589	130765	14/11/2017	Under Construction
Thursford The Drive Ifold Loxwood	Plaistow	17/01490/FUL	Detailed PP	2	0	2	Greenfield	502797	130879	05/10/2017	01/05/2021
Land Adjacent To Waters Edge The Drive Ifold Loxwood	Plaistow	18/00508/FUL	Detailed PP	1	0	1	Greenfield	502797	131465	08/06/2018	08/06/2021
Valtony Loxwood Road Plaistow	Plaistow	18/02939/FUL	Detailed PP	1	1	0	PDL	501527	130885	24/04/2019	24/04/2022
Camperdown The Lane Ifold Loxwood	Plaistow	19/00782/FUL	Detailed PP	1	1	0	PDL	502436	131828	06/06/2019	06/06/2022
Foxbridge Golf Club Foxbridge Lane Plaistow	Plaistow	19/01645/FUL	Detailed PP	1	0	1	PDL	502087	130091	21/02/2020	21/02/2023
Hoveto Dunsfold Road Plaistow	Plaistow	20/00581/FUL	Detailed PP	1	1	0	PDL	499694	132661	10/07/2020	Under Construction
Winkins Wood Farm Shillinglee Road Plaistow	Plaistow	20/00777/PA3Q	Prior Notification	1	0	1	Greenfield	498393	131842	29/04/2020	29/04/2023
Foxhollow Nursery Priors Leaze Lane Hambrook	Southbourne		Detailed PP	1	0	1	Greenfield	478547	106400	04/04/2008	Under Construction
Springfield Hambrook Hill South Hambrook Chidham	Chidham and Hambrook	15/01036/FUL	Detailed PP	1	1	0	PDL	478785	107010	02/06/2015	Under Construction
Land East Of 1 Second Avenue Southbourne	Southbourne	16/01245/FUL	Detailed PP	1	0	1	PDL	476772	105907	05/07/2016	Under Construction
Winona 1 Maybush Drive Chidham Chichester	Chidham and Hambrook	16/03980/FUL	Detailed PP	1	1	0	PDL	478699	105244	03/04/2017	Under Construction
Thornley Main Road Nutbourne	Southbourne	18/00534/FUL	Detailed PP	3	0	3	Greenfield	477481	105590	12/07/2018	12/07/2021
The Garden House Main Road Nutbourne Chichester	Southbourne	18/01633/FUL	Detailed PP	1	0	1	Greenfield	477711	105574	24/09/2018	24/09/2021
Redwoods Farm Lane Nutbourne	Southbourne	18/00362/FUL	Detailed PP	1	0	1	PDL	477838	105427	26/06/2018	26/06/2021
Land East Of Redwoods Farm Lane Nutbourne	Southbourne	18/00456/FUL	Detailed PP	1	0	1	PDL	477838	105427	05/06/2018	Under Construction
Land North Of Good View Priors Leaze Lane Hambrook	Chidham and Hambrook	18/00243/FUL	Detailed PP	1	0	1	Greenfield	478733	106603	14/09/2018	14/09/2021
Linwood House Main Road Nutbourne	Southbourne	19/02614/FUL	Detailed PP	2	0	2	Greenfield	477617	105557	19/12/2019	19/12/2022
Brook Farm Priors Leaze Lane Hambrook Chidham	Southbourne	18/01469/FUL	Detailed PP	1	0	1	PDL	478148	106141	21/12/2018	21/12/2021
Downings Prinsted Lane Prinsted Southbourne	Southbourne	20/00122/FUL	Detailed PP	2	1	1	PDL	476548	105302	28/04/2020	28/04/2023
Workshop South Of Sunnydene Tuppenny Lane Southbourne	Southbourne	19/01964/FUL	Detailed PP	1	0	1	PDL	476106	105809	07/11/2019	07/11/2022
Wight Cottage The Barn Main Road Nutbourne	Southbourne	19/02153/FUL	Detailed PP	1	1	0	PDL	478478	105457	02/12/2019	Under Construction
Jutland House Kiln Drive Hambrook	Southbourne	19/02808/FUL	Detailed PP	2	0	2	PDL	478685	105794	20/02/2020	20/02/2023

Timber Cottage Lumley Road Southbourne	Southbourne		Detailed PP	1	1	0	PDL	475226	105992	28/09/2020	28/09/2023
Cooks Farm Cooks Lane Southbourne	Southbourne	20/01178/PA3Q	Prior Notification	3	0	3	Greenfield	477475	106132	14/07/2020	14/07/2023
The Fairways Brimfast Lane Sidlesham	Sidlesham	SI/10/01835/REM	Reserved Matter	1	1	0	PDL	485544	100063	27/10/2010	Under Construction
1 Coneleys Yard Jury Lane Sidlesham	Sidlesham		Detailed PP	1	4	-3	Greenfield	484767	100038	05/10/2010	Under Construction
Windward Nursery Chalk Lane Sidlesham	Sidlesham	19/00810/FUL	Detailed PP	1	0	1	Greenfield	485137	97123	09/08/2019	09/08/2022
Enborne Business Park Selsey Road Sidlesham	Sidlesham	15/03343/FUL	Detailed PP	1	1	0	PDL	485668	96715	09/12/2015	Under Construction
80 Fletchers Lane Sidlesham	Sidlesham	15/03930/PA3Q	Prior Notification	1	0	1	Greenfield	484594	99388	12/01/2016	Under Construction
80 Fletchers Lane Sidlesham Chichester	Sidlesham	16/00609/PA3Q	Prior Notification	1	0	1	Greenfield	484594	99388	13/04/2016	Under Construction
Chalk Lane Nursery Chalk Lane Sidlesham	Sidlesham	17/03417/FUL	Detailed PP	1	0	1	Greenfield	485149	96953	06/04/2018	06/04/2021
North Barn, Willowdene Fletchers Lane Sidlesham	Sidlesham	20/02191/FUL	Detailed PP	1	0	1	Greenfield	484724	99476	06/11/2020	06/11/2023
Jalna Jury Lane Sidlesham Common	Sidlesham	17/00502/FUL	Detailed PP	1	0	1	PDL	484862	100162	07/11/2017	01/05/2021
South Barn, Willowdene Fletchers Lane Sidlesham	Sidlesham	20/02176/FUL	Detailed PP	1	0	1	Greenfield	484724	99476	06/11/2020	06/11/2023
79 Fletchers Lane Sidlesham	Sidlesham	18/02348/FUL	Detailed PP	1	0	1	Greenfield	484598	99402	07/11/2018	07/11/2021
Katchadan Nursery Keynor Lane Sidlesham	Selsey	16/02872/PA3P	Prior Notification	1	0	1	PDL	486229	93888	20/10/2016	01/05/2021
Red Barn Selsey Road Sidlesham	Sidlesham	19/01545/FUL	Detailed PP	1	0	1	PDL	485569	97314	27/09/2019	Under Construction
84 Fletchers Lane Sidlesham	Sidlesham	17/03665/FUL	Detailed PP	1	0	1	PDL	484606	99224	27/07/2018	27/07/2021
27 Chalk Lane Sidlesham	Sidlesham	18/01492/FUL	Detailed PP	1	0	1	PDL	485142	97238	06/08/2018	06/08/2021
Land East Of 4 Cow Lane Sidlesham	Sidlesham	19/02349/FUL	Detailed PP	1	0	1	PDL	484858	97569	11/02/2020	11/02/2023
36 Chalk Lane Sidlesham	Sidlesham	18/02993/FUL	Detailed PP	1	0	1	PDL	485121	97682	15/01/2019	15/01/2022
Greatham Farm Ham Road Sidlesham	Sidlesham	18/03378/FUL	Detailed PP	2	0	2	Greenfield	483785	94981	07/08/2019	07/08/2022
Chalk Lane Nursery Chalk Lane Sidlesham	Sidlesham	19/02417/FUL	Detailed PP	1	0	1	Greenfield	485149	96953	05/02/2020	05/02/2023
The Fairways Brimfast Lane Sidlesham	Sidlesham	20/00434/FUL	Detailed PP	1	0	1	Greenfield	485496	100089	12/08/2020	12/08/2023
Melita Nursery Chalk Lane Sidlesham	Sidlesham	20/01802/FUL	Detailed PP	1	1	0	PDL	485076	97272	22/12/2020	22/12/2023
3 and 4 Melita Nursery Chalk Lane Sidlesham	Sidlesham	20/02566/FUL	Detailed PP	2	2	0	PDL	485047	97303	08/01/2021	08/01/2024
Land East Of 15 Chalk Lane Sidlesham	Sidlesham	21/00158/FUL	Detailed PP	2	0	2	Greenfield	484986	96925	31/03/2021	31/03/2024
Saltwinds 86 Fletchers Lane Sidlesham	Sidlesham	20/00938/PA3Q	Prior Notification	1	0	1	Greenfield	484565	99068	27/05/2020	27/05/2023
Unit F And G Green Lane Piggeries Ham Road Sidlesham	Sidlesham	20/01546/PA3PA	Prior Notification	1	0	1	PDL	484550	97774	12/08/2020	12/08/2023
11 Cow Lane Sidlesham	Sidlesham	20/02252/PA3Q	Prior Notification	1	0	1	Greenfield	484844	97049	01/12/2020	01/12/2023
64 Street End Lane Sidlesham	Sidlesham	20/02869/PA3Q	Prior Notification	1	0	1	Greenfield	485376	99302	22/12/2020	22/12/2023
14 Chalk Lane Sidlesham	Sidlesham	21/00376/PA3Q	Prior Notification	2	0	2	Greenfield	484946	96917	31/03/2021	31/03/2024
64 Street End Lane Sidlesham	Sidlesham	21/00333/PA3Q	Prior Notification	1	0	1	Greenfield	485376	99302	31/03/2021	31/03/2024
Land East Of 1 Grove Road Selsey	Selsey	17/01238/FUL	Detailed PP	1	0	1	PDL	485425	92910	04/08/2017	Under Construction
63 Kingsway Selsey	Selsey		Detailed PP	1	1	0	PDL	486420	92988	03/02/2010	Under Construction
Public Conveniences East Street Selsey	Selsey	14/03006/FUL	Detailed PP	1	0	1	PDL	485398	93211	04/03/2015	Under Construction
The Studio Chichester Road Selsey	Selsey	15/01484/FUL	Detailed PP	1	0	1	PDL	486067	95642	27/08/2015	Under Construction
28 Albion Road Selsey Chichester	Selsey	17/00939/FUL	Detailed PP	1	0	1	PDL	486123	92714	27/06/2017	Under Construction
High Croft 10 West Street Selsey	Selsey	17/02529/FUL	Detailed PP	3	0	3	PDL	485141	93116	16/11/2017	01/05/2021
3 Manor Farm Court Selsey	Selsey	17/02701/FUL	Detailed PP	2	1	1	PDL	485723	93814	16/11/2017	01/05/2021
Aussie 74 Manor Road Selsey	Selsey	18/00198/FUL	Detailed PP	1	1	0	PDL	485977	93556	21/03/2018	Under Construction
North Priory Rectory Lane	Selsey	17/01405/FUL	Detailed PP	4	0	4	PDL	487175	95455	18/05/2018	18/05/2021
La Palapa Lewis Road Selsey	Selsey	18/02138/FUL	Detailed PP	2	1	1	PDL	485584	93231	25/03/2019	25/03/2022
57 Cablands Selsey	Selsey	19/01564/FUL	Detailed PP	1	1	0	PDL	484968	93392	07/08/2019	07/08/2022
48 And 48A Manor Road Selsey	Selsey	19/02486/FUL	Detailed PP	2	2	0	PDL	485907	93356	31/01/2020	31/01/2023
Highfield Chichester Road Selsey	Selsey	20/01968/OUT	Detailed PP	1	0	1	PDL	485642	93777	08/12/2020	08/12/2023
Barclays 97 High Street Selsey	Selsey	19/03011/FUL	Detailed PP	1	0	1	PDL	485376	93286	20/07/2020	20/07/2023
St Georges 24 Park Lane Selsey	Selsey	20/02444/FUL	Detailed PP	1	1	0	PDL	486826	94027	21/12/2020	21/12/2023
Mulroy 117 East Beach Road Selsey	Selsey	20/02520/FUL	Detailed PP	1	1	0	PDL	486875	93751	09/03/2021	09/03/2024
Police House 27 Chichester Road Selsey	Selsey	20/01110/FUL	Detailed PP	4	1	3	PDL	485746	93968	31/03/2021	31/03/2024
Arun Posts Southern Road Selsey	Selsey	16/02196/FUL	Detailed PP	1	0	1	PDL	485542	92559	18/05/2017	Under Construction
Tangmere Cottage Tangmere Road Tangmere	Tangmere	14/00860/FUL	Detailed PP	1	0	1	PDL	490393	106435	23/07/2014	Under Construction
Land West Of Kimkaro Church Lane Tangmere	Tangmere	17/00468/FUL	Detailed PP	2	0	2	Greenfield	490337	106146	19/07/2017	Under Construction
Land To The West Of Neville Duke Way Tangmere	Tangmere	18/02658/FUL	Detailed PP	2	0	2	PDL	490780	106699	06/12/2018	06/12/2021
Lumley Barn Whitechimney Row Westbourne	Westbourne	14/02327/FUL	Detailed PP	1	0	1	PDL	475794	107127	09/10/2014	Under Construction
Little Hedges North Street Westbourne	Westbourne	15/03288/FUL	Detailed PP	1	0	1	Greenfield	475654	107994	15/12/2015	Under Construction
Westbourne Interiors Manchester House North Street Westbourne	Westbourne	19/02834/FUL	Detailed PP	1	0	1	PDL	475654	107595	04/02/2020	04/02/2023
Ellesmere Nursery North Street Westbourne	Westbourne	18/00491/FUL	Detailed PP	1	0	1	PDL	475678	107982	24/08/2018	24/08/2021
6 The Grove Westbourne	Westbourne	19/01697/FUL	Detailed PP	1	0	1	PDL	475624	107360	10/09/2019	10/09/2022
Mill Meadows House Mill Lane Westbourne	Westbourne	20/02181/FUL	Detailed PP	1	1	0	PDL	475561	107033	02/03/2021	02/03/2024
Little Hambrook Farm Common Road Hambrook Westbourne	Westbourne	20/01786/PA3Q	Detailed PP	1	0	1	Greenfield	477466	108357	24/09/2020	24/09/2023
Ash Keys 25 Stane Street Westhampnett Chichester	Westhampnett	19/00989/FUL	Detailed PP	1	0	1	Greenfield	488347	106243	24/07/2019	24/07/2022
Hadley House Claypit Lane Westhampnett	Westhampnett	20/02600/FUL	Detailed PP	1	1	0	PDL	488191	106301	07/12/2020	07/12/2023
Nab House Orchard Lane Itchenor Chichester	West Itchenor	14/00304/FUL	Detailed PP	1	1	0	PDL	480034	101223	24/03/2014	Under Construction
Inglewood Itchenor Road West Itchenor Chichester	West Itchenor	16/03543/FUL	Detailed PP	1	1	0	PDL	480326	99485	01/02/2017	Under Construction
South Corrie Spinney Lane Itchenor	West Itchenor	17/01885/FUL	Detailed PP	1	1	0	PDL	480402	100837	08/09/2017	01/05/2021
Wheelhouse Spinney Lane Itchenor	West Itchenor	18/01682/FUL	Detailed PP	1	1	0	PDL	480544	100926	18/11/2019	18/11/2022
Replacement 1 no. dwelling.	West Itchenor	18/02953/FUL	Detailed PP	1	1	0	PDL	480216	100289	15/03/2019	15/03/2022
Langley Itchenor Road West Itchenor Chichester	West Itchenor	19/00042/FUL	Detailed PP	1	1	0	PDL	480262	99566	18/03/2019	Under Construction
Old Helyers Farm Kirdford Road Wisborough Green	Wisborough Green	19/00124/FUL	Detailed PP	1	1	0	PDL	504154	126857	06/06/2019	06/06/2022
Old Pond Cottage Billingshurst Road Wisborough Green	Wisborough Green	19/01982/FUL	Detailed PP	1	0	1	PDL	505036	125917	30/10/2019	30/10/2022
Muttons Cottage Fittleworth Road Wisborough Green	Wisborough Green	20/01078/FUL	Detailed PP	1	0	1	Greenfield	503982	125077	14/08/2020	14/08/2023
Barn At Howfold Farm Newport Lane Wisborough Green	Wisborough Green	20/01036/PA3Q	Prior Notification	1	0	1	Greenfield	505690	126920	12/06/2020	12/06/2023
Dunhurst Barn Skiff Lane Wisborough Green	Wisborough Green	20/02460/PA3Q	Prior Notification	1	0	1	Greenfield	503522	127558	24/11/2020	24/11/2023
Unit 3 Pound Farm Road Chichester	Chichester	16/00458/FUL	Detailed PP	1	0	1	PDL	487061	104726	28/06/2016	Under Construction
79 Oving Road Chichester	Chichester	17/00763/FUL	Detailed PP	2	0	2	PDL	487363	104928	30/06/2017	Under Construction
First Floor Flat 11 Adelaide Road Chichester	Chichester	19/01289/FUL	Detailed PP	1	0	1	PDL	486660	105371	05/09/2019	05/09/2022
3 Turnbull Road Chichester	Chichester	20/00606/FUL	Detailed PP	1	1	0	PDL	486584	105215	05/05/2020	05/05/2023
28 Melbourne Road Chichester	Chichester	20/00697/FUL	Detailed PP	1	1	0	PDL	486798	105271	26/06/2020	26/06/2023
The Gables Lake Road Chichester	Chichester	20/00036/FUL	Detailed PP	2	1	1	PDL	487448	104727	12/11/2020	12/11/2023
Four Walls 51 Marine Drive West West Wittering	West Wittering	18/00804/FUL	Detailed PP	1	1	0	PDL	478626	97204	05/06/2018	Under Construction
Thatch End Seaward Drive West Wittering	West Wittering	19/02489/FUL	Detailed PP	2	1	1	PDL	478126	98142	05/02/2020	05/02/2023

Ellanore House Ellanore Lane West Wittering	West Wittering	18/03254/FUL	Detailed PP	1	1	0	PDL	477790	99385	13/03/2019	13/03/2022
Thessaly Roman Landing West Wittering Chichester	West Wittering	18/01995/FUL	Outline PP	1	0	1	PDL	477717	98649	28/09/2018	28/09/2021
38 Marine Drive West West Wittering Chichester	West Wittering	20/01818/FUL	Detailed PP	1	1	0	PDL	478681	97236	15/10/2020	15/10/2023
Soundings Seaward Drive West Wittering	West Wittering	17/02062/FUL	Detailed PP	1	1	0	PDL	477996	98179	21/11/2017	01/05/2021
Vikings West Strand West Wittering	West Wittering	17/01702/FUL	Detailed PP	1	1	0	PDL	477356	97906	10/11/2017	01/05/2021
Chapel Lane Barn Chapel Lane West Wittering	West Wittering	16/00610/PA3Q	Prior Notification	1	0	1	Greenfield	479568	98782	22/04/2016	Under Construction
45 Marine Drive West Wittering	West Wittering	20/00914/FUL	Detailed PP	1	1	0	PDL	479071	97023	11/06/2020	11/06/2023
Orizaba 37 Marine Drive West West Wittering	West Wittering	18/00561/FUL	Detailed PP	1	1	0	PDL	478730	97159	11/06/2018	11/06/2021
Larkfield 31 The Crescent West Wittering	West Wittering	18/00766/FUL	Detailed PP	1	1	0	PDL	479363	97179	27/07/2018	Under Construction
Nybhurst Cottage Snow Hill West Wittering	West Wittering	18/00498/FUL	Detailed PP	1	1	0	PDL	477399	98510	09/08/2018	09/08/2021
41 Marine Close West Wittering Chichester	West Wittering	18/01405/FUL	Detailed PP	1	1	0	PDL	479194	96972	15/08/2018	Under Construction
Pebble 31 Marine Drive West Wittering Chichester	West Wittering	18/01750/FUL	Detailed PP	1	1	0	PDL	479151	96983	25/09/2018	Under Construction
Coombe Cottage The Byeway West Wittering	West Wittering	18/03225/FUL	Detailed PP	1	0	1	Greenfield	478273	98169	22/02/2019	22/02/2022
Oak Trees Meadow Lane West Wittering	West Wittering	18/03457/FUL	Detailed PP	1	1	0	PDL	478536	98530	15/03/2019	Under Construction
Pellew Seaward Drive West Wittering	West Wittering	19/00123/FUL	Detailed PP	1	1	0	PDL	478174	98197	12/04/2019	12/04/2022
Laughing Waters And Strand End East Strand West Wittering	West Wittering	19/00383/FUL	Detailed PP	1	2	-1	PDL	478287	97385	10/05/2019	10/05/2022
Lerryn West Strand West Wittering	West Wittering	19/01932/OUT	Outline PP	1	1	0	PDL	477391	97802	23/09/2019	23/09/2022
Surbitonia 45 Howard Avenue West Wittering	East Wittering	20/00893/FUL	Detailed PP	2	1	1	PDL	478906	97259	07/08/2020	Under Construction
North Cottage And South Cottage Pound Road West Wittering	West Wittering	20/01929/FUL	Detailed PP	1	2	-1	PDL	477798	98521	30/09/2020	30/09/2023
16 Marine Drive West Wittering	West Wittering	20/02512/FUL	Detailed PP	1	0	1	Greenfield	479164	97060	08/12/2020	08/12/2023
Seahaven West Strand West Wittering	West Wittering	20/02489/FUL	Detailed PP	1	1	0	PDL	477417	97874	18/12/2020	18/12/2023
67 Broyle Road Chichester	Chichester	17/01848/FUL	Detailed PP	1	1	0	PDL	486009	106051	23/10/2017	01/05/2021
67 Broyle Road Chichester	Chichester	16/03264/FUL	Detailed PP	4	0	4	PDL	486009	106051	22/11/2016	Under Construction
Northwood Chestnut Avenue Chichester	Chichester	17/00154/FUL	Detailed PP	1	1	0	PDL	485859	107184	27/03/2017	Under Construction
Grey Cottage The Drive Chichester	Chichester	17/02235/FUL	Detailed PP	1	1	0	PDL	485841	107251	13/10/2017	01/05/2021
8 Fordwater Road Chichester	Chichester	17/01150/FUL	Detailed PP	4	1	3	PDL	486327	106886	11/10/2017	01/05/2021
Flint Cottage Rew Lane Chichester	Chichester	18/00033/FUL	Detailed PP	1	1	0	PDL	485981	107466	06/04/2018	06/04/2021
The Barn Little London Chichester	Chichester	18/01038/FUL	Detailed PP	1	0	1	PDL	486314	104828	20/07/2018	20/07/2021
Land North Of 1 Young Street Chichester	Chichester	18/02205/FUL	Detailed PP	1	0	1	Greenfield	486202	106502	28/11/2018	Under Construction
81 North Street Chichester	Chichester	18/02600/FUL	Detailed PP	1	0	1	PDL	486100	104896	28/01/2019	28/01/2022
Russett Cottage 95 Broyle Road Chichester	Chichester	19/02723/FUL	Detailed PP	2	1	1	PDL	485969	106299	09/01/2020	09/01/2023
110 The Hornet Chichester	Chichester	10/01694/EXT	Detailed PP	4	0	4	PDL	486857	104798	05/06/2007	Under Construction
146 Whyke Road Chichester	Chichester	16/03077/FUL	Detailed PP	4	0	4	Greenfield	486975	104241	26/01/2017	Under Construction
95 Cleveland Road Chichester	Chichester	17/01715/FUL	Detailed PP	1	0	1	PDL	486812	104405	05/09/2017	01/05/2021
2 West Pallant Chichester	Chichester	17/02197/FUL	Detailed PP	1	0	1	PDL	486107	104688	02/10/2017	01/05/2021
Providence Works Lyndhurst Road Chichester	Chichester	17/03357/FUL	Detailed PP	3	0	3	PDL	486612	104472	14/03/2018	Under Construction
31 Stockbridge Road Chichester	Chichester	18/00582/FUL	Detailed PP	1	1	0	PDL	485785	103975	03/05/2018	03/05/2021
56, 56A And 56B East Street Chichester	Chichester	18/00051/FUL	Detailed PP	2	0	2	PDL	486364	104766	12/07/2018	12/07/2021
2 And 3 North Pallant Chichester	Chichester	18/02161/FUL	Detailed PP	1	1	0	PDL	486168	104744	24/10/2018	24/10/2021
Whyke Grange 146 Whyke Road Chichester	Chichester	18/02735/FUL	Detailed PP	1	0	1	PDL	486968	104228	24/01/2019	24/01/2022
26 Caledonian Road Chichester	Chichester	19/00685/FUL	Detailed PP	1	1	0	PDL	486608	104542	24/05/2019	24/05/2022
14 Kings Avenue Chichester	Chichester	19/01153/FUL	Detailed PP	1	2	-1	PDL	485846	103833	01/07/2019	01/07/2022
8 West Pallant Chichester	Chichester	19/00843/FUL	Detailed PP	1	0	1	PDL	486141	104672	12/07/2019	12/07/2022
Hollybrook House 4 East Pallant Chichester	Chichester	19/01039/LBC	Detailed PP	1	0	1	PDL	486188	104647	18/06/2019	18/06/2022
The Mainline Rooms 35 Whyke Road Chichester	Chichester	19/02975/FUL	Detailed PP	4	0	4	PDL	487034	104371	22/06/2020	22/06/2023
7 Durnford Close Chichester	Chichester	17/02497/FUL	Detailed PP	1	1	0	PDL	485298	105227	26/06/2018	Under Construction
25 West Street Chichester	Chichester	19/02594/FUL	Detailed PP	1	0	1	PDL	485823	104875	17/01/2020	Under Construction
57 St Pauls Road Chichester	Chichester	19/00638/FUL	Detailed PP	1	0	1	PDL	485813	105466	29/05/2019	29/05/2022
33 Beech Avenue Chichester	Chichester	19/00858/FUL	Detailed PP	1	1	0	PDL	485178	104861	18/06/2019	18/06/2022
29-30 North Street Chichester	Chichester	19/00990/FUL	Detailed PP	1	0	1	PDL	486078	105016	12/06/2019	12/06/2022
12 & 13 Parchment Street Chichester	Chichester	19/01560/FUL	Detailed PP	2	1	1	PDL	485721	105381	06/11/2019	06/11/2022
Laura Ashley 32 North Street Chichester	Chichester	19/02193/FUL	Detailed PP	1	0	1	PDL	486078	105044	10/02/2020	10/02/2023
5 - 6 South Street Chichester	Chichester	19/02540/FUL	Detailed PP	3	0	3	PDL	486042	104780	17/02/2020	17/02/2023
115 Cedar Drive Chichester	Chichester	20/02643/FUL	Detailed PP	1	1	0	PDL	485340	105000	29/03/2021	29/03/2024

Table A.2 – Minor Sites with planning permission – 5-9 dwellings

Sites 5-9 dwellings													
Site Address	Parish	Planning Reference	Planning Status	Site Progress	Permitted dwellings (Gross)	WSCC demolitions	Total net dwellings	PDL/ Greenfield	X-Cord	Y-Cord	Site Details	Permission Date	Lapse Date
Elmsleigh 30 First Avenue Southbourne	Southbourne	16/00407/FUL	Detailed PP	Under construction	5	0	5	PDL	476746	105936	Erection of 5 no. three bedroom dwellings.	25/05/2016	25/05/2019
Land south of Reedbridge Farm	Hunston	18/01320/FUL	Detailed PP	Under construction	7	0	6	Greenfield	486571	102209	7 dwellings allocated in DPD. 1 delivered 20/21.	16/09/2018	16/09/2021
17-19 Seal Road, Selsey	Selsey	18/01629/FUL	Detailed PP	Under construction	7	2	2	Brownfield	485260	92506	Conversion 7 flats and 1 bungalow. 5 delivered 19/20.	03/12/2018	03/12/2021
98 Fishbourne Road West	Fishbourne	17/03564/FUL	Detailed PP	Under construction	6	0	6	PDL	483823	104718	Replacement building six, two bedroom apartments.	01/06/2018	01/06/2021
Land at Royal Close Chichester	Chichester	20/01703/FUL	Detailed PP	Under construction	8	0	8	Greenfield	487160	104510	Construction of 8 no. 1-bedroom older persons flats.	02/03/2020	02/03/2023
South Mundham Farm South Mundham Road	North Mundham	19/00677/FUL	Detailed PP	Under construction	6	0	6	Greenfield	487847	100741	COU to 6 residential units.	07/02/2020	07/02/2023
5-6 Southgate, Chichester,	Chichester	19/03021/FUL	Detailed PP	Under construction	5	0	5	PDL	485967	104404	Construction of 5 no. penthouse apartments.	17/03/2020	17/03/2023
3 The Boardwalk Northgate Chichester	Chichester	17/00974/FUL	Detailed PP	Not started	5	0	5	PDL	486142	105243	COU to restaurant ( A3), 4 maisonettes and 1 flat (C3).	23/11/2017	23/11/2020
99 - 101 High Street Selsey	Selsey	18/00951/FUL	Detailed PP	Not started	8	0	8	PDL	485377	93277	Erection of 8 dwellings, demolition of existing buildings.	05/03/2020	05/03/2023
98 Fishbourne Road West Fishbourne	Fishbourne	18/03401/FUL	Detailed PP	Not started	5	0	5	Greenfield	483823	104718	Erection of 5 no. age restricted bungalows.	30/08/2019	31/08/2022
10 Lavant Road Flats 1-3 Chichester	Chichester	19/00181/FUL	Detailed PP	Not started	7	3	7	PDL	485884	106757	Demolition of flats and erection of 6 flats and 1 dwelling.	20/09/2019	20/09/2022
Former Royal Oak Stocks Lane East Wittering	East Wittering & Bracklesham	20/02266/FUL	Detailed PP	Not started	7	0	7	PDL	479660	97169	COU public house, ground floor (CE) and 7 homes (C3).	17/03/2021	17/03/2024
Stone House 82 West Street Selsey	Selsey	18/01966/OUT	Outline PP	Outline	5	1	5	PDL	484672	93023	Construction of up to 5 no. dwellings.	29/03/2019	29/03/2022

Table B – Major sites (10+ dwellings) under construction

Site address	Parish	Local Plan Sub-Area	Planning permissions/ references	Category	Current planning status	2021 - 2022	2022 - 2023	2023 - 2024	2024 - 2025	2025 - 2026	2026 - 2027	2027 - 2028	2028 - 2029	2029 - 2030	2030 - 2031	2031 - 2032	2032 - 2033	2033 - 2034	2034 - 2035	2035 - 2036	Projected net dwellings 2021 - 2026	Projected net dwellings post 2026	Total projected net dwellings	Planning Status	X-Cord	Y-Cord	PDL/ Greenfield	Permitted dwellings (Gross)	Demolitions	
Land On The North Side Of, Shopwhyke Road, Shopwhyke	Oving	East-West Corridor	11/05283/OUT 15/03720/OUT 14/02826/REM 15/03964/REM 19/01234/REM 19/01235/REM 19/01984/REM 19/01983/REM	B	PP	60	60	60	60	60	20	0	0	0	0	0	0	0	0	0	0	300	20	320	Detailed permission	488000	105000	Greenfield	585	0
Land West Of Garsons Road	Southbourne	East-West Corridor	15/02505/OUT 17/01599/REM	B	PP	30	30	18	0	0	0	0	0	0	0	0	0	0	0	0	0	78	0	78	Detailed permission	476471	105870	Greenfield	125	0
Land North Of Main Road And West Of Inlands Road	Southbourne	East-West Corridor	14/02800/OUT 16/03018/REM 17/02776/FUL	B	PP	11	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	11	0	11	Detailed permission	477412	105632	Greenfield	159	0
Graylingwell (inc Kingsmead Avenue)	Chichester	East-West Corridor	08/03533/OUT 10/05597/OUT 14/01018/OUT 10/02926/REM 13/00907/REM 13/00837/REM 15/02506/REM 16/02253/FUL 16/02248/FUL 18/01623/REM	B	PP	45	45	45	45	45	19	0	0	0	0	0	0	0	0	0	0	225	19	244	Detailed permission	486688	106256	PDL	750	0
Land South Of Graylingwell Drive	Chichester	East-West Corridor	15/00743/OUT 17/02571/REM 19/01576/FUL	B	PP	36	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	36	0	36	Detailed permission	486429	106179	PDL	160	0
5-9 High Street	Selsey	Manhood Peninsula	14/02930/FUL	B	PP	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1	Detailed permission	485650	93720	PDL	10	0
Land North of Stane Street, Madgwick Lane	Westhampnett	East-West Corridor	15/03524/OUT/EA 18/01024/REM	B	PP	70	70	7	0	0	0	0	0	0	0	0	0	0	0	0	0	147	0	147	Detailed permission	487800	106200	Greenfield	300	0
Land West Of Centurion Way And West Of Old Broyle Road	Chichester	East-West Corridor	14/04301/OUT 18/01587/REM 19/01134/REM 20/02473/REM 20/01046/REM 19/03146/REM 19/02819/REM 19/02626/REM 19/01531/REM	B	PP	100	100	100	100	100	100	100	23	0	0	0	0	0	0	0	0	500	223	723	Detailed permission	484700	106000	Greenfield	750	0
Barr Homewes Ltd, Bognor Road	Chichester	East-West Corridor	07/04583/OUT 15/01731/REM	B	PP	30	11	0	0	0	0	0	0	0	0	0	0	0	0	0	0	41	0	41	Detailed permission	487618	104410	PDL	51	0
Barr Homewes Specialist Distribution Bognor Road	Chichester	East-West Corridor	15/02344/FUL	B	PP	42	13	0	0	0	0	0	0	0	0	0	0	0	0	0	0	55	0	55	Detailed permission	487618	104410	PDL	57	0
Land To The South Of Oving Road/ B2144, Shopwhyke	Oving	East-West Corridor	16/02254/OUT 19/01416/REM 20/02471/FUL	B	PP	40	40	40	13	0	0	0	0	0	0	0	0	0	0	0	0	133	0	133	Detailed permission	488000	105000	Greenfield	143	0
Land East Of Winterfold Durbans Road	Wisborough Green	Plan Area (North)	15/03366/OUT 17/03677/REM 19/00073/REM	B	PP	22	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	22	0	22	Detailed permission	505116	126219	Greenfield	22	0
South Downs Holiday Village Bracklesham Lane Bracklesham Bay Chichester	East Wittering & Bracklesham	Manhood Peninsula	18/00753/OUT 20/00336/REM	B	PP	10	40	35	0	0	0	0	0	0	0	0	0	0	0	0	0	85	0	85	Detailed permission	480842	97080	PDL	85	0
2 The Gardens College Lane Chichester	Chichester	East-West Corridor	19/01991/FUL	B	PP	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	2	Detailed permission	486287	105682	PDL	6	1
Abbas Combe Nursing Home 94 Whyke Road Chichester	Chichester	East-West Corridor	19/01286/FUL	B	PP	0	0	30	0	0	0	0	0	0	0	0	0	0	0	0	0	30	0	30	Detailed permission	486922	103752	PDL	55	1
St Wilfrids Hospice Grosvenor Road Donnington	Donnington	Manhood Peninsula	18/02109/FUL	B	PP	0	0	0	41	0	0	0	0	0	0	0	0	0	0	0	0	41	0	41	Detailed permission	485695	103555	PDL	75	0
<b>Table B Totals</b>						<b>499</b>	<b>409</b>	<b>335</b>	<b>259</b>	<b>205</b>	<b>139</b>	<b>100</b>	<b>23</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,707</b>	<b>262</b>	<b>1,969</b>							

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Table C – Major sites (10+ dwellings) with detailed permission

Site address	Parish	Local Plan Sub-Area	Planning permissions/ references	Category	Current planning status	2021 - 2022	2022 - 2023	2023 - 2024	2024 - 2025	2025 - 2026	2026 - 2027	2027 - 2028	2028 - 2029	2029 - 2030	2030 - 2031	2031 - 2032	2032 - 2033	2033 - 2034	2034 - 2035	2035 - 2036	Projected net dwellings 2021 - 2026	Projected net dwellings post 2026	Total projected net dwellings	Planning Status	X-Cord	Y-Cord	PDL/ Greenfield	Permitted dwellings (Gross)	Demolitions
Land at Highgrove Farm	Bosham	East-West Corridor	17/03148/FUL Site Allocation DPD Policy BO1	C	PP	0	0	50	0	0	0	0	0	0	0	0	0	0	0	0	50	0	50	Detailed permission	481807	105197	Greenfield	50	0
49-51 Fishbourne Road East	Chichester	East-West Corridor	17/01287/FUL	C	PP	37	0	0	0	0	0	0	0	0	0	0	0	0	0	0	37	0	37	Detailed permission	484312	104656	Brownfield	38	0
Land On The East Side Of Plaistow Road	Kirdford	Plan Area (North)	15/03367/FUL 19/00086/FUL	C	PP	0	0	27	27	0	0	0	0	0	0	0	0	0	0	0	54	0	54	Detailed permission	501450	127250	Greenfield	54	0
The Yews, City Fields Way	Tangmere	East-West Corridor	18/03143/FUL	C	PP	0	15	24	0	0	0	0	0	0	0	0	0	0	0	0	39	0	39	Detailed permission	491000	106900	Greenfield	39	0
Land East Of Manor Road Manor Road Selsey West Sussex	Selsey	Manhood Peninsula	19/00321/FUL	C	PP	35	60	60	38	0	0	0	0	0	0	0	0	0	0	0	193	0	193	Full PP subject to s106	486258	94216	Greenfield	193	0
Land South West Of Guildford Road Loxwood	Loxwood	Plan Area (North)	20/01481/FUL	C	PP	5	20	20	5	0	0	0	0	0	0	0	0	0	0	0	50	0	50	Full PP subject to s106	503816	131864	PDL	50	1
Former Portfield Quarry And Uma House Shopwhyke Road Shopwhyke Chichester	Chichester	East-West Corridor	19/02030/FUL	C	PP	0	0	0	44	44	0	0	0	0	0	0	0	0	0	0	88	0	88	Full PP subject to s106	487943	105136	PDL	88	0
Land At Nursery Green Loxwood	Loxwood	Plan Area (North)	19/01498/FUL	C	PP	0	0	0	0	10	0	0	0	0	0	0	0	0	0	0	10	0	10	Full PP subject to s106	503630	131811	PDL	10	0
Land East Of Breach Avenue	Southbourne	East-West Corridor	16/03569/OUT 20/01898/REM	C	PP	9	17	8	0	0	0	0	0	0	0	0	0	0	0	0	34	0	34	Detailed permission	477246	106632	Greenfield	34	0
<b>Table C Totals</b>						<b>86</b>	<b>112</b>	<b>189</b>	<b>114</b>	<b>54</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>555</b>	<b>0</b>	<b>555</b>						

Table D – Major sites (10+ dwellings) with outline permission

Site address	Parish	Local Plan Sub-Area	Planning permissions/ references	Category	Current planning status	2021 - 2022	2022 - 2023	2023 - 2024	2024 - 2025	2025 - 2026	2026 - 2027	2027 - 2028	2028 - 2029	2029 - 2030	2030 - 2031	2031 - 2032	2032 - 2033	2033 - 2034	2034 - 2035	2035 - 2036	Projected net dwellings 2021 - 2026	Projected net dwellings post 2026	Total projected net dwellings	Planning Status	X-Cord	Y-Cord	PDL/ Greenfield	Permitted dwellings (Gross)	Demolitions
Wandell, off Plainwood Close	Chichester	East-West Corridor	98/02043/OUT	D	PP	0	0	0	10	11	0	0	0	0	0	0	0	0	0	0	21	0	21	Outline permission & detailed permission	485600	106800	Greenfield	21	0
Land North of Cooks Lane Southbourne	Southbourne	East-West Corridor	18/03145/OUT	D	PP	0	0	30	50	50	50	19	0	0	0	0	0	0	0	0	130	69	199	Outline permission	477296	106373	Greenfield	199	0
Land South Of Loxwood Farm Place High Street Loxwood	Loxwood	Plan Area (North)	20/01617/OUT	D	PP	0	0	12	12	0	0	0	0	0	0	0	0	0	0	0	24	0	24	Outline permission	503810	131355	Greenfield	24	0
Land North East of Graylingwell Park (Phase 2 Westhampnett/NE Chichester SDL)	Chichester	East-West Corridor	16/03791/OUT 18/01911/FUL 19/03191/REM	D	PP	0	30	50	50	50	20	0	0	0	0	0	0	0	0	0	180	20	200	Outline & detailed permission	486900	106700	Greenfield	200	0
<b>Table D Totals</b>						<b>0</b>	<b>30</b>	<b>92</b>	<b>122</b>	<b>111</b>	<b>70</b>	<b>19</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>355</b>	<b>89</b>	<b>444</b>						

Table E – Local Plan allocations

Site address	Parish	Local Plan Sub-Area	Planning permissions/ references	Category	Current planning status	2021 - 2022	2022 - 2023	2023 - 2024	2024 - 2025	2025 - 2026	2026 - 2027	2027 - 2028	2028 - 2029	2029 - 2030	2030 - 2031	2031 - 2032	2032 - 2033	2033 - 2034	2034 - 2035	2035 - 2036	Projected net dwellings 2021 - 2026	Projected net dwellings post 2026	Total projected net dwellings	Planning Status	X-Cord	Y-Cord	PDL/ Greenfield	Permitted dwellings (Gross)	Demolitions	
West of Chichester SDL (Phase 2)	Chichester	East-West Corridor	Chichester Local Plan Policy 15	E	LP allocation	0	0	0	0	0	100	100	100	100	100	100	100	100	50	0	0	850	850	850	Allocation without pp	484700	106000	Greenfield	NA	0
Tangmere SDL	Tangmere	East-West Corridor	Chichester Local Plan Policy 18	E	LP allocation	0	0	0	34	144	144	144	144	144	144	144	144	112	0	0	180	1,120	1,300	Outline PP subject to s106	489800	106500	Greenfield	NA	0	
Land north of Little Springfield Farm, Ifold	Plaistow & Ifold	Plan Area (North)	Site Allocation DPD Policy PL1	E	DPD allocation	0	0	0	0	0	10	0	0	0	0	0	0	0	0	0	0	10	10	10	Allocation without pp	502650	130500	Greenfield	NA	0
<b>Table E Totals</b>						<b>0</b>	<b>0</b>	<b>0</b>	<b>34</b>	<b>144</b>	<b>244</b>	<b>244</b>	<b>244</b>	<b>244</b>	<b>244</b>	<b>244</b>	<b>244</b>	<b>212</b>	<b>50</b>	<b>0</b>	<b>180</b>	<b>1980</b>	<b>2160</b>							

Table F – Neighbourhood Plan allocations

Site address	Parish	Local Plan Sub-Area	Planning permissions/ references	Category	Current planning status	2021 - 2022	2022 - 2023	2023 - 2024	2024 - 2025	2025 - 2026	2026 - 2027	2027 - 2028	2028 - 2029	2029 - 2030	2030 - 2031	2031 - 2032	2032 - 2033	2033 - 2034	2034 - 2035	2035 - 2036	Projected net dwellings 2021 - 2026	Projected net dwellings post 2026	Total projected net dwellings	Planning Status	X-Cord	Y-Cord	PDL/ Greenfield	Permitted dwellings (Gross)	Demolitions
Land at Farm Close	Loxwood	Plan Area (North)	Loxwood NP Policy 4	F	NP allocation	0	0	0	0	0	17	0	0	0	0	0	0	0	0	0	0	17	17	Allocation without pp	504156	131281	Greenfield	NA	
Tangmere Academy	Tangmere	East-West Corridor	Tangmere NP Policy 4	F	NP allocation	0	0	0	0	0	0	15	0	0	0	0	0	0	0	0	0	15	15	Allocation without pp	490700	106825	PDL	NA	
Land to the West of Malcolm Road	Tangmere	East-West Corridor	Tangmere NP Policy 7	F	NP allocation	0	0	0	0	0	12	0	0	0	0	0	0	0	0	0	0	12	12	Allocation without pp	490000	106500	Greenfield	NA	
Clark's Yard, Billingshurst Road	Wisborough Green	Plan Area (North)	Wisborough Green NP Policy SS3	F	NP allocation	0	0	0	0	0	0	0	11	0	0	0	0	0	0	0	0	11	11	Allocation without pp	505420	125750	PDL	NA	
Land at the Roman Palace	Fishbourne	East-West Corridor	Fishbourne NP Policy SD2	F	NP allocation	0	0	0	0	0	0	15	0	0	0	0	0	0	0	0	0	15	15	Allocation without pp	483780	104950	Greenfield	NA	
Land at Townfield	Kirdford	Plan Area (North)	Kirdford NP Policy KSS2a	F	NP allocation	0	0	0	0	0	6	0	0	0	0	0	0	0	0	0	0	6	6	Allocation without pp	501500	126600	Greenfield	NA	
Land at Cornwood and/or School Court	Kirdford	Plan Area (North)	Kirdford NP Policy KSS5	F	NP allocation	0	0	0	0	0	9	0	0	0	0	0	0	0	0	0	0	9	9	Allocation without pp	501650	126600	Greenfield	NA	
<b>Table F Totals</b>						<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>44</b>	<b>30</b>	<b>11</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>85</b>	<b>85</b>						

Minor sites (<9 dwellings) Total dwellings (net)						109	104	104	0	0	0	0	0	0	0	0	0	0	0	0	0	317	0	317					
Major sites (10+ dwellings): Total deliverable dwellings (net)						585	551	616	531	514	507	393	278	244	244	244	244	212	50	0	2,797	2,416	5,213						
Allowance for minor (<9 dwellings) windfall sites						0	0	0	71	71	71	71	71	71	71	71	71	71	71	71	142	710	852						
Allowance for major (10+ dwellings) windfall sites						0	0	0	140	140	140	140	140	140	140	140	140	140	140	140	280	1,400	1,680						
Total projected housing supply (identified sites + windfall)						694	655	720	742	525	718	604	489	455	455	455	455	423	261	211	3,536	4,526	8,062						

Table A – Outline Permissions

Site Details	Current Permission On-site	Application Details	Details of conditions within permissions	Details of any conditions discharged
Land East of Breach Avenue, Southbourne, East-West Corridor	SB/16/03569/OUT	<p>Application for the development of up to 34 dwellings, access, retention of orchard, public open space and other associated works - <b>REFUSED</b>.</p> <p>Reasons for refusal:            1) The effect of the proposal on the development plan strategy for the location of residential development            2) Whether the council is able to demonstrate a five year supply of housing land - appellant puts the total supply at 4.28 years, Council contends its 5.05 years.</p> <p><b>Appeal granted 02/11/2017</b></p>	<ol style="list-style-type: none"> <li>1) Details of appearance, landscaping, layout and scale</li> <li>2) Application for approval of RM no later than 3 years from 02/03/2020</li> <li>3) Development no later than 2 years from approval of RM</li> <li>4) Accordance with plans</li> <li>5) Accordance with Condition 1 - removed</li> <li>6) Site wide surface drainage scheme - discharged</li> <li>7) Sustainable Urban Drainage System</li> <li>8) Details of a system of foul drainage - discharged</li> <li>9) Cycle storage provision</li> <li>10) Vehicle parking, turning spaces</li> <li>11) Scheme of archaeological investigation of the site - discharged</li> <li>12) CEMP - discharged</li> <li>13) Details of existing and proposed ground levels, finished floor levels, levels of paths, drives, garages and parking areas - discharged</li> <li>14) Travel Plan</li> <li>15) Bat, Bird and Reptile Mitigation Strategy - discharged</li> <li>16) Badger Survey - discharged</li> <li>17) Works to trees/vegetation outside bird breeding season</li> <li>18) Existing trees/hedges to be retained must be protected - discharged</li> <li>19) External Lighting</li> <li>20) Broadband Infrastructure</li> </ol>	<p><b>20/00831/DOC</b> - Discharge of Conditions 15 (Bat, bird and reptile mitigation) and 16 (Badger survey). <i>Permitted 17/04/20</i></p> <p><b>20/01803/DOC</b> - Discharge of condition 15 from planning permission SB/16/03569/OUT. <i>Permitted 15/09/20</i></p> <p><b>20/01835/DOC</b> - Discharge of condition 13 from planning permission SB/16/03569/OUT. <i>Appeal reference: APP/L3815/W/17/3173380. Permitted 07/10/20.</i></p> <p><b>20/01836/DOC</b> - Discharge of condition 6,7 and 8 of permission SB/16/03569. <i>Split Decision, 14/10/20 (6 and 8 discharged).</i></p> <p><b>20/02404/DOC</b> - Discharge of Condition 11 of permission SB/16/03569/OUT (APP/L3815/W/17/3173380). <i>Permitted 23/10/20</i></p> <p><b>20/02192/DOC</b> - Discharge of Condition 12 and 18 from planning permission SB/16/03569/OUT. <i>Permitted 02/12/20</i></p> <p><b>20/03343/OUT</b> - Outline with all matters reserved except access - development of up to 34 dwellings, access, retention of orchard, public open space and other associated works. Removal of Cond 5 of outline application SB/16/03569/OUT - Condition deemed unnecessary. <i>Permitted with S106 12/03/21</i></p>
Land North of Cooks Lane, Southbourne, East-West Corridor	SB/18/03145/OUT	<p>Application for the erection of 199 dwellings (including affordable housing) and associated development with all matters reserved except for access at Land North of Cooks Lane - <b>REFUSED</b>.</p> <p>Reasons for Refusal:            1) Differences in opinion on whether there is a 5YHLS - appellant suggests 3.5 years, Council considers 5.4 years. 5 years passed since Local Plan period started.            2) Whether the proposal would harm the settlement pattern in the area.</p> <p><b>Appeal granted 02/03/2020</b>            Ref. APP/L3815/W/19/3237921</p>	<ol style="list-style-type: none"> <li>1) Details of appearance, landscaping, layout and scale</li> <li>2) Application for approval of RM no later than 3 years from 02/03/2020</li> <li>3) Development no later than 2 years from approval of RM</li> <li>4) Accordance with plans</li> <li>5) Maximum 199 dwellings</li> <li>6) CEMP submitted</li> <li>7) Written scheme of archaeological investigation has been submitted - discharged</li> <li>8) Details of proposed overall site wide surface water drainage scheme</li> <li>9) Sustainable Urban Drainage System</li> <li>10) Reptile Mitigation Strategy</li> <li>11) All existing trees/hedges to be retained have been protected</li> <li>12) No dwelling constructed above damp proof course level</li> <li>13) Travel Plan</li> <li>14) External Lighting</li> <li>15) Roads, footways, car-parking, turning areas</li> <li>16) Secure cycle parking spaces</li> <li>17) No construction on Sundays/Public Holidays</li> <li>18) Land Contamination</li> <li>19) Parking Provision in accordance with West Sussex County Council</li> <li>20) Vehicular access serving development</li> <li>21) Tactile paving and dropped kerbs</li> <li>22) Keep clear markings</li> <li>23) System of foul drainage</li> </ol>	<p><b>21/01746/DOC</b> - Discharge of Condition 7 (Written Scheme of Archaeological Investigation), <i>Permitted 01/07/21</i></p>
Land South of Loxwood Farm Place, High Street, Loxwood	20/01617/OUT	<p>20/01617/OUT - Outline application with all matters reserved, except for access for the erection of up to 24 residential dwellings. Permit with S106, 15/10/20</p> <p>21/02093/REM - Application for the approval of reserved matters (Appearance, Layout, Scale) pursuant to application LX/20/01617/OUT (above) - Pending Consideration, validated 14/07/21</p>	<ol style="list-style-type: none"> <li>1) Details of the layout, scale, appearance and landscaping.</li> <li>2) Development begun 2 years from the date of approval</li> <li>3) Accordance with submitted plans</li> <li>4) Construction and Environmental Management Plan (CEMP)</li> <li>5) Plans showing existing and proposed ground levels, floor levels, paths, drives, garages, parking and the proposed completed height of the development.</li> <li>6) Details of foul water sewerage disposal, including associated off-site infrastructure improvements.</li> <li>7) Details of site-wide surface water drainage.</li> <li>8) Mitigation and ecological enhancements carried out in accordance with specific details and a timetable for implementation.</li> <li>9) Written scheme of archaeological investigation - discharged</li> <li>10) Full details of the maintenance and management of the SuDS system</li> </ol>	<p><b>21/00978/DOC</b> - Discharge of Condition 9 (Archaeology), <i>Permitted 21/05/2021</i></p>

Table B – Local Plan Allocations (with outline permission)

Site Details	Current Permission On-site	Application Details	Details of conditions within permissions	Details of any conditions
Land North East of Graylingwell Park (Phase 2 Westhampnett/NE Chichester SDL), Chichester East-West Corridor	CC/16/03791/OUT & 18/01911/FUL (access) & 19/03191/REM (appearance, landscaping, layout and scale) <b>All permitted.</b>	16/03791/OUT - Residential development comprising up to 200 no. dwellings, including an element of affordable housing, associated landscaping and open space, Lavant Valley Linear Greenspace, surface water attenuation and ancillary works and vehicular access from the area known as 'Phase 4 of the Graylingwell Park development.' <b>Permit with S106, 08/11/2018</b>	<b>16/03791/OUT</b> 1i) Approval of details of layout, housing mix, scale, appearance, access, landscaping. ii) Reserved matters within 3 years 2) Development begun in 2 years of RM approval 3) Accordance with approved plans 4) No built development located within Flood Zones 2/3. <i>Pre-commencement:</i> 5) No development until a 10 metre wide buffer zone has been provided along the River Lavant - pending consideration 6) Site-wide foul water drainage scheme and off site foul sewerage disposal - pending consideration 7) Design Strategy including character areas, materials, architecture - discharge 8) Internal access roads and footpath layouts - pending consideration 9) Full details of access to Phase 4 Grayling Park 10) Temporary access and highway works 11) Proposed location, installation and maintenance of 6 fire hydrants 12) External lighting - pending consideration 13) Schedule of materials and finishes for external walls/roofs 14) Site levels 15) Environmental Construction Management Plan - discharged 16) Site-wide surface water drainage scheme 17) Contamination of land/groundwater 18) In accordance with the submitted Ecology Report 19) Full details of SUDs system 20) Archaeological Investigation of the site - discharged 21) Connections to relevant utilities and services infrastructure networks 22) Objectives of Policy 50 of Chichester Local Plan (Sustainable Development) <i>Pre-construction</i> 23) External noise management <i>Pre-occupation</i> 24) Travel Plan 25) Covered and secure cycle parking spaces, refuse and recycling bin provision 26) Adequate wastewater treatment facilities 27) Car parking spaces 28) Surface water drainage onto highway 29) Pedestrian and cycle access to Fordwater Road, as part of Lavant Valley Linear Greenspace <i>During construction</i> 30) Hours of construction <i>During completion</i> 31) Garages only used for private domestic garages	<b>16/03791/OUT:</b> 18/03104/DOC - Condition 20 (Scheme of Investigation for Archaeological Evaluation) <i>Permitted 19/12/2018</i> 20/02734/DOC - Condition 15 (CEMP) <i>Refused, 29/01/2021</i> 21/00588/DOC - Condition 15 (CEMP) <i>Permitted 25/02/2021</i> 21/01597/DOC - Condition 20 (remaining requirement of Archaeological investigation) <i>Permit 25/07/2021</i> 21/01629/DOC - Condition 12 (Street Lighting) and 21 (Utilities and Services), <i>Validated 24/05/2021, Pending Decision</i> 21/01905/DOC - Condition 8 (Internal Access Roads and Footpath Layouts) and 9 (Details of Access to Phase 4), <i>Validated 17/06/2021, Pending Decision</i> 21/01904/DOC - Conditions 7 (Design Strategy) and 13 (Schedule of Materials), <i>Permitted 21/07/2021</i> 21/01932/DOC - Condition 5 (Landscape and Linear Greenspace Management and Maintenance Plan), <i>Validated 21/07/2021, Pending Consideration</i> 21/02080/DOC - Conditions 6 (Scheme of Foul Drainage and Sewerage), 14 (Site Levels), 16 (Surface Water Drainage Scheme), <i>Validated 13/07/2021, Pending Consideration</i>
		18/01911/FUL - A minor road to provide access between Phase 2 of the Westhampnett / North East Chichester Strategic Development Location (application ref: CC/16/03791/OUT) and the Graylingwell Park Development. <b>Permitted 06/11/2018</b>	<b>18/01911/FUL</b> 1) Accordance with plans <i>Pre-occupation</i> 2) No dwelling on Phase 2 Westhampnett/North East Chichester Strategic development site (16/03791/OUT) shall be occupied until access has been provided with plans, road markings, visibility splays and a timetable and specification of final wearing course.	No record of discharges for 18/01911/FUL
		19/03191/REM - Application for reserved matters (appearance, landscaping, layout and scale) for residential development comprising up to 200 no. dwellings, including an element of affordable housing, associated landscaping and open space, Lavant Valley Linear Greenspace, surface water attenuation and ancillary works and vehicular access from the area known as 'Phase 4 of the Graylingwell Park development permission CC/16/03791/OUT. <b>Permit with S106, 01/07/2021</b>	<b>19/03191/REM</b> 1) Accordance with the submitted plans 2) Protective fencing around trees, shrubs and other natural features <i>Pre-commencement</i> 3) Full accordance with mitigation measures and ecological enhancements set out in the Ecological Mitigation and Management Plan, with details and a timetable for implementation to be submitted before work commences. 4) Final details of the surfacing materials for internal roads 5) Scheme of waymarking for the Lavant Valley Linear Greenspace footpath and cycle path 6) Before construction of any dwelling above slab level, technical specification of the active Electric Vehicle (EV) charging point facilities shall be submitted and approved 7) No development above slab level until verge details for all roofs have been submitted and approved 8) No construction above slab level until a detailed scheme of soft landscaping for the whole site has been submitted and approved 9) No development above slab level until detailed plans have been submitted to show electricity generation levels have been met <i>Pre-occupation:</i> 10) Consumption of wholesome water limits met. 11) Associated roads, footways, casual parking areas are constructed, surfaced and drained. 12) North-south and east-west foot and cycle paths have been constructed 13) Perimeter fencing of the allotment submitted and approved. 14) No part of the site used for sales or marketing purposes until details submitted and approved by Council.	No record of discharges for 19/03191/REM

Site Details	Current Permission On-site	Application Details	Details of conditions within permissions	Details of any conditions
<p>WSSC Ref. ZV244 West of Chichester SDL (<b>Phase 2</b>) - Chichester Local Plan Policy 15 <i>Allocated for 1,600 homes, 6ha of B1 employment land, neighbourhood centre/community hub, open space and green infrastructure.</i></p>	<p>Application in progress, not yet submitted.</p>	<p>Phase 1 - 14/04301/OUT - Outline planning application with all matters reserved (except for access) for the first phase of development for up to 750 homes with access from Old Broyle Road, temporary access from Clay Lane, a local centre (with associated employment, retail and community uses), primary school, informal and formal open space (including a Country Park), playing pitches, associated landscaping, utilities and drainage infrastructure with on site foul sewage package treatment plant or pumping station with connection to Tangmere Waste Water Treatment Works.</p> <p><b>Phase 2</b> - Public Consultation took place 1st July - 22nd July 2021, and submission of outline application aimed to be <b>late summer/early autumn 2021</b>. Phase 2 will include the remaining 150 homes, including affordable; new employment provision; additional public open space including a Country Park; expanded facilities in the Local Centre and Southern Access Road providing a link between Old Broyle Road to the north and south of Chichester.</p>		
<p>WSSC Ref. TG086 Tangmere SDL <i>Local Plan Policy 18, allocated for a mixed use development comprising 1,000 homes, community facilities, open space and green infrastructure.</i></p>	<p>20/02893/OUT <b>Permit with s106, 31/03/2021</b> <b>CPO Inquiry held 07/09/21-09/09/21.</b> <b>CPO confirmed 11/11/2021.</b></p>	<p>20/02893/OUT - Outline planning application for a residential-led mixed use development comprising up to 1,300 dwellings (Use Class C3), an expanded village centre (comprising flexible units suited to Use Class E and pubs or drinking establishments and/or takeaways in Use Class Sui Generis), community uses, primary school, informal and formal open space, playing pitches, footpaths, cycleways, associated landscaping, utilities and drainage infrastructure, including on-site pumping station(s) with connection to the Strategic Foul network; associated infrastructure and groundworks; with all matters reserved except for the principal access junctions from the A27 grade-separated junction and Tangmere Road and the secondary access at Malcolm Road.</p> <p>Site position as at 31/03/21:</p> <ul style="list-style-type: none"> <li>• Site allocated in Local Plan</li> <li>• Countryside named as development partner, development agreement signed 15/05/19.</li> <li>• Outline application for the Tangmere SDL was reported to Planning Committee on 31/03/21 and benefits from a resolution to grant.</li> <li>• Draft Section 106 is currently being prepared, understood to be at an advanced stage with the bulk in agreement.</li> <li>• The Council made a Compulsory Purchase Order in respect of the Tangmere SDL in November 2020, in order to facilitate the delivery of the development of the site.</li> <li>• Status of negotiations between the three main landowners and Countryside: <ul style="list-style-type: none"> <li>- Church Commissioners – heads of terms agreed</li> <li>- Pitts Family – heads of terms agreed</li> <li>- Heaver Family – negotiations continuing.</li> </ul> </li> <li>• Planning statement (November 2020) estimates initial works, including infrastructure to commence in 2022. First occupation anticipated in 2023, approximately 12-18 months after commencement on site. Average build out estimated at 144 dwellings per annum, and site to be completed over an anticipated period of 10-12 years (2022-2032/34). (Phasing in position statement pushed back by 1 year to allow for possible delays).</li> </ul> <p>Site updates post 31/03/21:</p> <ul style="list-style-type: none"> <li>• Public inquiry was held into the CPO on 7<sup>th</sup>-9<sup>th</sup> September 21.</li> <li>• The Inspectors decision to confirm the CPO was published 11/11/21.</li> </ul>		
<p>Land north of Little Springfield Farm, Ifold Site Allocation DPD (Policy PL1), <i>allocated for 10 dwellings.</i></p>	<p>None at present.</p>	<p>There was an application (ref. 19/02182/FUL) submitted in October 2019 at Little Springfield Farm (<b>south of this site</b>) for part demolition of existing outbuildings retaining one industrial unit, erection of 8 detached dwellings. However, it was refused due to it not being an allocated site, is located in designated countryside and the housing was not required due to local need. Character was too suburban, detracting from rural nature of the site, and no provision of payment was to be made for affordable housing. This follows another refusal on 26/06/2015 for the erection of 3 detached dwellings, for which an appeal was also dismissed.</p>		

Table D – Neighbourhood Plan Allocations

Site Details	Current Permission On-site	Application Details	Details of conditions within permissions	Details of any conditions
Land at Farm Close, Loxwood Loxwood Neighbourhood Plan Policy 4 <i>Allocated for a mixed development of affordable and market houses with community facilities. Minimum 17 houses.</i>	None at present.	An application was submitted in August 2017 (Ref. 17/02370/FUL) which covered the allocated site, but was refused due to the proposed mix of market and affordable dwellings, and housing size not in-keeping with surrounding character, and no S106 agreement to secure on site affordable housing.		
Tangmere Academy, Tangmere Tangmere Neighbourhood Plan Policy 4 <i>Redevelopment for housing will be supported, subject to requirements, including that there is a replacement school in operation prior to planning consent being implemented. (At time of main spreadsheet, no timescale for producing new school).</i>	None at present.			
Land to the West of Malcolm Road Tangmere Neighbourhood Plan Policy 7 <i>Guidance states that proposals will be supported provided they are not only housing uses, contribute to the creating the "Village Main Street", and retain part of open land as amenity open space. No capacity given, estimated at 12 in spreadsheet.</i>	None at present.			
Clark's Yard, Billingshurst Road, Wisborough Green Wisborough Green Neighbourhood Plan Policy SS3, <i>allocates site for approx. 11 dwellings for the period 2015-2020.</i>	None at present.			
Land at the Roman Palace, Fishbourne Fishbourne Neighbourhood Plan Policy SD2. <i>Allocated to deliver up to 15 dwellings to facilitate improvements to the existing cycle network and visitor numbers to Fishbourne Roman Palace.</i>	None at present.			
Land at Townfield, Kirdford Kirdford Neighbourhood Plan Policy KSS2a <i>allocates the site to deliver 6-10 units on land, providing a sufficient amount of affordable units.</i>	21/00466/OUT - includes the allocation. <b>Validated 23/02/2021, Pending Consideration</b>	21/00466/OUT - Outline Application (with all matter reserved except Access) for the development of up to 70 new homes, of which 30% would be affordable, new community sporting facility, new vehicular access and associated parking and landscaping.		
Land at Cornwood and/or School Court, Kirdford Kirdford Neighbourhood Plan Policy KSS5, <i>allocates a minimum of 9 units including a market housing element.</i>	None at present.			



Table A – C3 housing

Site address	Parish	Local Plan Sub-Area	Planning permissions/ references	Current planning status	2021 - 2022	2022 - 2023	2023 - 2024	2024 - 2025	2025 - 2026	2026 - 2027	2027 - 2028	2028 - 2029	2029 - 2030	2030 - 2031	2031 - 2032	2032 - 2033	2033 - 2034	2034 - 2035	2035 - 2036	Projected net dwellings 2021 - 2026	Projected net dwellings post 2026	Total projected net dwellings	Permitted at 1 April 2021	X-Cord	Y-Cord	PDL/ Greenfield	Permitted dwellings (Gross)	Notes
Field North West Of The Saltings, Crooked Lane	Birdham	Manhood Peninsula	13/01391/FUL 16/01809/FUL	PP	0	0	0	0	0	15	0	0	0	0	0	0	0	0	0	0	15	15	Yes	482017	100017	Greenfield	15	Planning permission granted November 2013 for 15 affordable dwellings. Rural exception site under CDLP 1999 Policy H9. Site in one RSL ownership. Development has commenced but completions considered unlikely within current 5 year period.
Greenways Nursery, Kirdford Road	Wisborough Green	Plan Area (North)	13/00744/FUL	PP	0	0	0	0	0	0	4	4	0	0	0	0	0	0	0	0	8	8	Yes	504630	126504	Greenfield	10	Planning permission granted on appeal Dec 2014 for stationing of 10 caravans. All hardstandings built. 1 delivered 2018-2019, 8 remaining.
Land adjacent to Chantry Hall, Foxbury Lane	Westbourne	East-West Corridor	Westbourne Neighbourhood Plan Submission Draft Policy SS3	Draft NP allocation	0	0	0	0	0	6	0	0	0	0	0	0	0	0	0	0	6	6	NA	476100	107550	Greenfield	0	Site allocated for 6 dwellings in Westbourne Neighbourhood Plan Submission Draft (Policy SS3). Site suitability for housing and deliverability considered during preparation of draft Plan, which is currently subject to examination not yet concluded.
Land to the west of Monk's Hill	Westbourne	East-West Corridor	Westbourne Neighbourhood Plan Submission Draft Policy SS1	Draft NP allocation	0	0	0	0	0	6	0	0	0	0	0	0	0	0	0	0	6	6	NA	475550	108200	Greenfield	0	Site allocated for 6 dwellings in Westbourne Neighbourhood Plan Submission Draft (Policy SS1). Site suitability for housing and deliverability considered during preparation of draft Plan, which is currently subject to examination not yet concluded.
Pinewood House Answorth Close Chichester	Chichester	East-West Corridor	20/01915/FUL	PP	0	0	0	0	0	16	0	0	0	0	0	0	0	0	0	0	16	16	No	486584	106451	PDL	16	Change of use from student accommodation (Sui Generis) to create 16 no. residential units (C3 Use Class) with associated car parking and hard and soft landscaping.
Former Lowlands Nursery Lagness Road North Mundham	North Mundham	East-West Corridor	20/01686/FUL	PP	0	0	0	0	0	19	20	0	0	0	0	0	0	0	0	0	39	39	No	487108	102274	PDL	39	Erection of 39 no. dwellings and associated development, including landscaping, highways and parking.

Table B – C2 accommodation

Site address	Parish	Local Plan Sub-Area	Planning permissions/ references	Current planning status	2021 - 2022	2022 - 2023	2023 - 2024	2024 - 2025	2025 - 2026	2026 - 2027	2027 - 2028	2028 - 2029	2029 - 2030	2030 - 2031	2031 - 2032	2032 - 2033	2033 - 2034	2034 - 2035	2035 - 2036	Projected net dwellings 2021 - 2026	Projected net dwellings post 2026	Total projected net dwellings	Permitted at 1 April 2021	X-Cord	Y-Cord	PDL/ Greenfield	Permitted dwellings (Gross)	Notes
Phase 3A (Shopwhyke Care Site) Land On The North Side Of Shopwhyke Road Shopwhyke	Oving	East-West Corridor	21/00258/FUL	PP	0	0	0	0	0	45	0	0	0	0	0	0	0	0	0	0	45	45	No	488136	105508	Greenfield	80	Contribution for C2 (Care Home) equivalent of 1.8 units to 1 dwelling (based on HDT ratios).
Graylingwell Hospital Chichester	Chichester	East-West Corridor	14/01018/OUT	PP	0	0	0	0	0	0	33	0	0	0	0	0	0	0	0	0	33	33	Yes	486688	106256	PDL	60	Contribution for C2 (Care Home) equivalent of 1.8 units to 1 dwelling (based on HDT ratios).

Figure 1 - Housing Trajectory

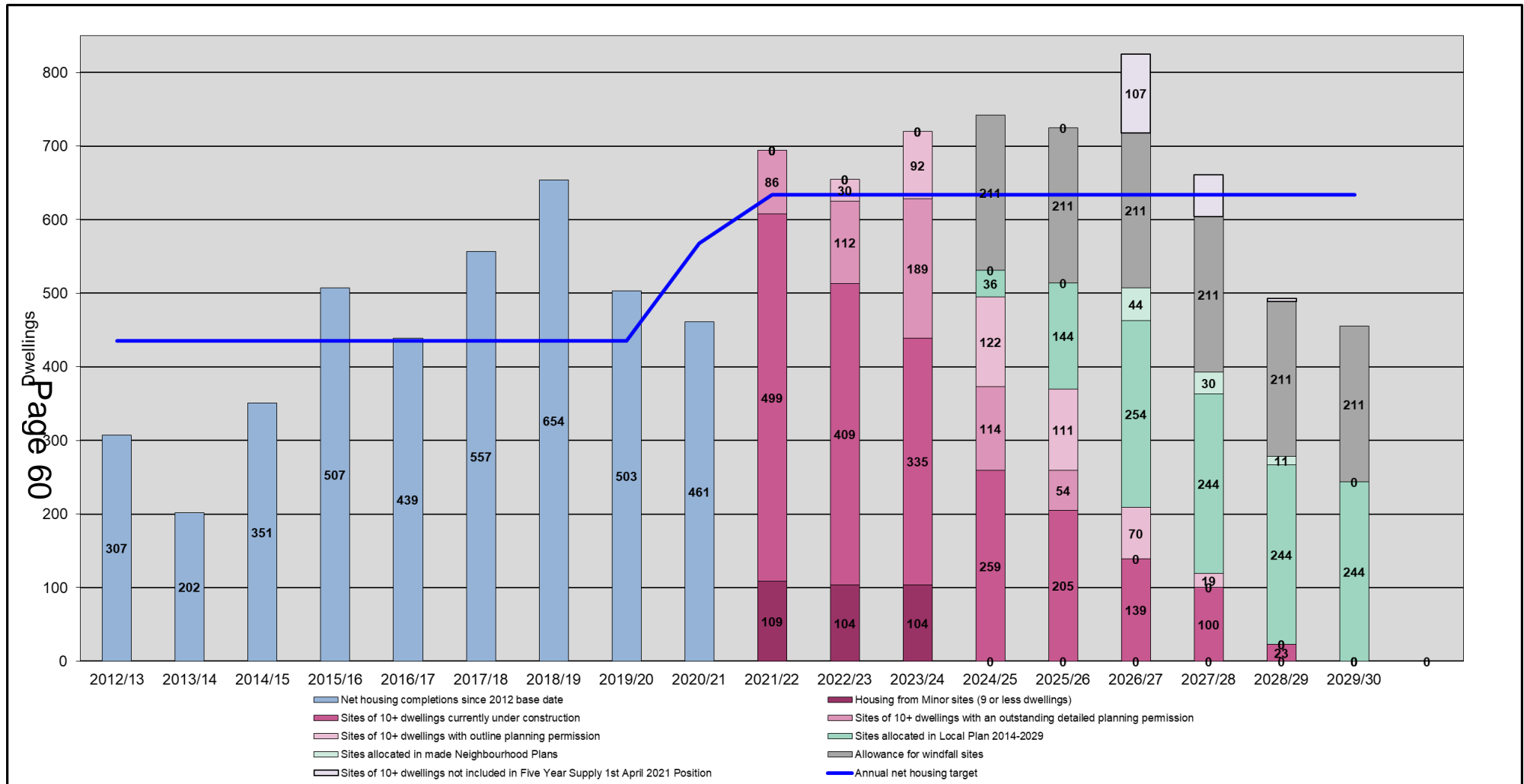
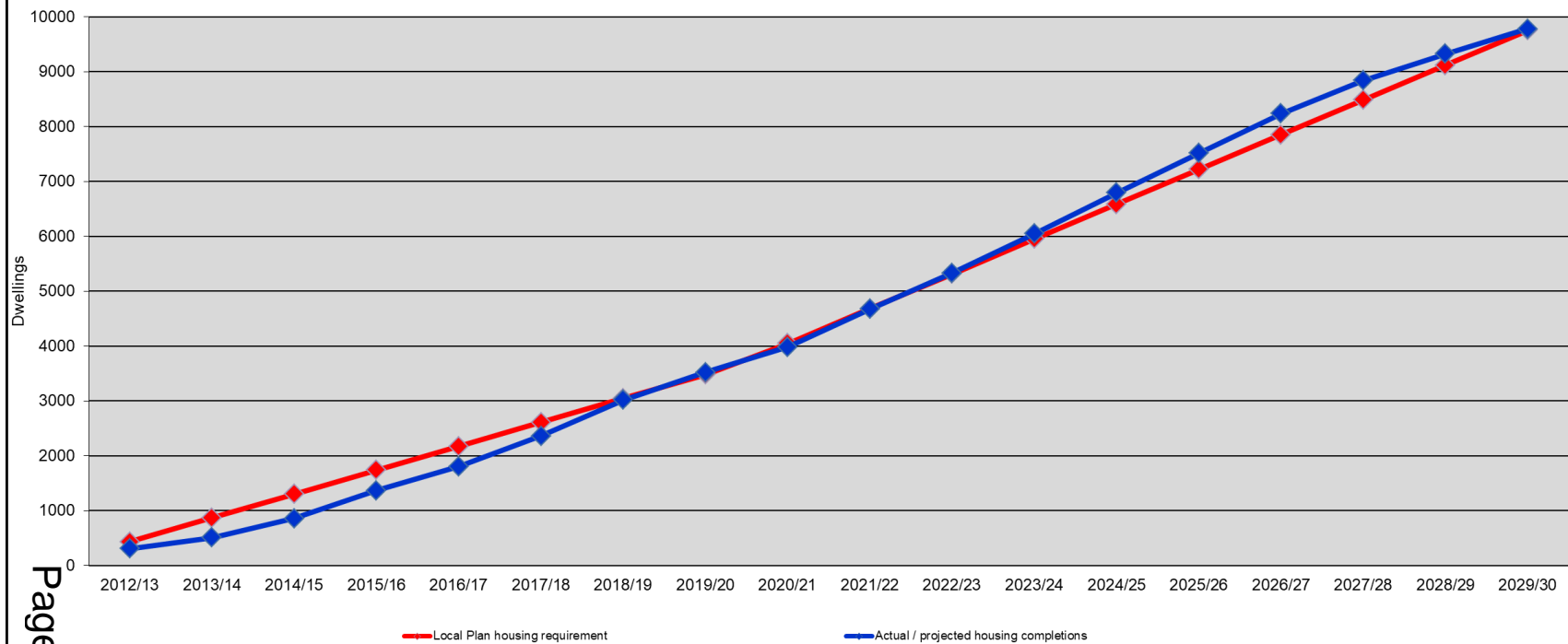




Figure 2 : Actual / projected housing completions against housing target 2012-2029



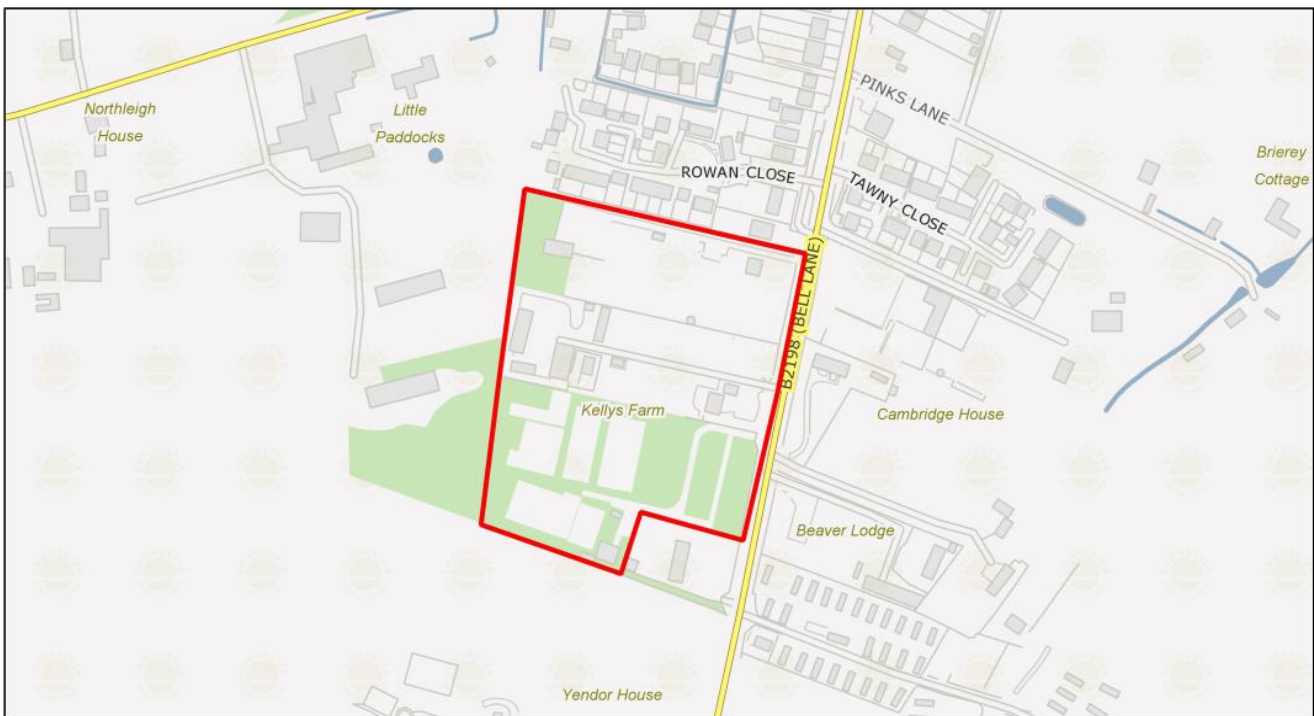
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Parish: Birdham	Ward: The Witterings
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**BI/20/02066/OUT**

<b>Proposal</b>	<b>Outline Application with all matters reserved apart from access for the erection of up to 73 dwellings, open space and associated works, Class E(g) business floorspace and Class E(a) retail floorspace.</b>		
<b>Site</b>	Koolbergen, Kelly's Nurseries And Bellfield Nurseries Bell Lane Birdham Chichester West Sussex PO20 7HY		
<b>Map Ref</b>	(E) 481700 (N) 99103		
<b>Applicant</b>	Mr and Mrs Paul Knappett	<b>Agent</b>	Mr Richard Stubbs

**RECOMMENDATION TO REFUSE**



	<b>NOT TO SCALE</b>	<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>
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## **1.0 Reason for Committee Referral**

This application was deferred at the 8 September 2021 meeting of the Planning Committee for further information on the following grounds:

- To request attendance at the Committee by Southern Water in respect of foul drainage issues at Bell Lane and the wider cumulative impact of development
- To request attendance at the Committee by National Highways in respect of the wider cumulative impact of development on the A27
- Attendance at the Committee by WSCC Highways regarding the local highway impact
- Information from WSCC Education on local school places
- Clearer information showing the 3 metre buffers to the boundary watercourses for maintenance purposes

In the intervening period the Council has published its 5 year housing land supply position for 2021-2026 (updated position at 1 April 2021) which now reveals that the Council benefits from a supply of 5.3 years. The implication of this changed position is the need to re-appraise the planning application and following on from that a necessary re-structuring of the report submitted to the Planning Committee in September in order to reflect the revised recommendation.

## **2.0 The Site and Surroundings**

- 2.1 The application site is located on the western side of Bell Lane, comprises approximately 3 hectares and is flat and roughly rectangular in shape. It is within the countryside, outside of but adjacent to the settlement boundary for Birdham (as extended in the made Birdham Neighbourhood Plan). Abutting the northern site boundary is the former Rowan Nursery which following a successful appeal has been re-developed with 25 new dwellings. The site is 1.3km from Chichester Harbour and therefore falls within the 5.6km zone of influence relating to the Chichester and Langstone Harbours Special Protection Area. The site is approximately 150 m away from the Somerley Conservation Area which is to the south. It is outside the AONB boundary which follows the northern edge of the A286 approximately 250 m to the north.
- 2.2 The site comprises 3 horticultural nurseries albeit only Bellfield Nursery continues trading as such. Within the overall site is a mix of glasshouses (some of which are redundant for growing purposes), outdoor storage areas, parking areas, a storage barn and light industrial units, the footings and the floor base of a new farm shop (Kelly's Nursery), a nursery with a small shop (Bellfield Nursery) and one residential dwelling at Bellfield Nursery. The existing dwelling and its associated curtilage at Kelly's Nursery is retained and does not form part of the red lined application site. The derelict glasshouses on the southern part of the site at the former Koolbergen Nursery have been largely cleared away and the land left to rough scrub. Trees and hedgerows form the majority of the boundaries of the site apart from the east boundary with Bell Lane which is predominantly open. A high evergreen tree screen part lines the site's southern boundary. Surface water drainage ditches are found on the eastern and western boundaries. The whole site is located in Flood Zone 1.

2.3 There are three existing vehicular accesses into the site from Bell Lane: one serving Bellfield Nursery and its existing dwelling; one serving Kelly's Nursery, the existing dwelling there and the existing storage barn/light industrial area adjacent to the rear (west) boundary; and the third now disused one into the Koolbergen Nursery site. Bungalows abut the site to the north-east boundary and a 2-storey house (Seldens) is adjacent to the site in the south-east corner. Tawny Nursery and caravan site and Bell Caravan Park with associated dwellings are sited on the east side of Bell Lane. Farmland, woodland and paddocks abut the site to the south and west.

### **3.0 The Proposal**

- 3.1 The proposal is to clear the site of all existing buildings and structures including the dwelling house at Bellfield Nursery and to carry out a residential-led mixed use development comprising the following main components:
- the erection of 73 new dwellings - a net gain overall of 72 dwellings - with associated open space and landscaping and an equipped children's play area.
  - a separate retail unit comprising a minimum of 150 sqm floorspace with dedicated parking court and landscaped area.
  - an employment building for uses within Use Class B1 of not less than 700 sqm floorspace, again with its own dedicated parking court and landscaped area.
- 3.2 The application is submitted in outline with all matters reserved apart from access. The proposal is for 3 no. vehicular accesses from Bell Lane. The existing access serving the dwelling house at Kelly's Nursery would be retained and slightly re-aligned to the north to serve as the vehicular access to the parking court for the proposed retail building. It is proposed to be configured as a simple priority arrangement T junction with an 8 metre bellmouth radii and a 6 metre wide access extending into the site. The second vehicular access is proposed to the south of the dwelling house at Kelly's Nursery. This will form the main vehicular access into the development again with a simple priority arrangement T junction with an 8 metre bellmouth radii and a 6 metre wide entrance. Via a short spur to the south of this access an access will be provided to the parking court for the proposed business employment units. The third vehicular access is proposed in the north-east corner of the site in approximately the same position as the existing vehicular access to Bellfield Nursery and will serve 1 dwelling, indicated illustratively on the submitted site layout as a 3 bedroom bungalow.

- 3.3 The main part of the application is for 73 dwellings comprising both market and affordable housing in the following mix:

Market Housing

1 x 1 bed  
16 x 2 bed  
24 x 3 bed  
11 x 4 bed  
Total 52

Affordable Housing

4 x 1 bed (all rent)  
10 x 2 bed (6 rent, 4 shared ownership)  
6 x 3 bed (3 rent, 3 shared ownership)  
1 x 4 bed (rent)  
Total 21

The application provides 21 affordable units with a mixed tenure. The Council's 30% affordable housing policy requirement requires 21.6 units and the applicant has therefore agreed to provide the extra 0.6 of a unit as a commuted sum in line with the calculations in the Planning Obligations and Affordable Housing SPD.

- 3.4 The approximate density of the residential component of the development on the basis of the illustrative layout and after deducting from the overall site area the servicing and landscaping areas of the proposed retail and employment uses and the footprint of the associated buildings as shown on the illustrative layout, is approximately 27 dph.
- 3.5 The proposed parking for the development as shown on the illustrative site plan and accepting that the application is submitted in outline with 'layout' as a reserved matter, suggests the following provision; 182 spaces for the residential component with 4 no. visitor spaces (so an average of 2.4 spaces per dwelling), 16 spaces for the retail unit plus provision for cycle parking and 22 spaces for the employment building.
- 3.6 The applicant has confirmed that surface water drainage will be conveyed via SuDS with infiltration to ground via soakaways as the proposed method. Foul drainage will be via connection to the existing off site mains sewerage system with foul water being conveyed to Sidlesham WwTW.
- 3.7 Whilst the application is submitted in outline and no specific details are provided at this stage of the development's sustainability measures, the applicant has confirmed that the proposals will commit to delivering on the Council's objectives in Local Plan policy 40 to provide a minimum 19% reduction in carbon emissions from a fabric first approach together with a further 10% energy saving through renewable energy in the form of solar panels or air source heat pumps. Furthermore there is a commitment to restricting water consumption to a maximum of 110 litres per person per day and the installation of electric vehicle charging points.

#### 4.0 History

14/02662/OUT	REF	Outline application for the erection of 81 houses, B1 floor space, retail and open space with the retention of 1 dwelling.
16/00933/OUT	REF	Erection of 77 houses B1 floorspace, retail and open space with retention of 1 dwelling. APPEAL DISMISSED

#### 5.0 Constraints

Listed Building	NO
Conservation Area	NO
Rural Area	YES
AONB	NO
Tree Preservation Order	NO
EA Flood Zone	FZ1
- Flood Zone 2	NO
- Flood Zone 3	NO
Historic Parks and Gardens	NO

#### 6.0 Representations and Consultations

##### 6.1 Birdham Parish Council

###### Comments received 05.07.2021

Birdham Parish Council's Further Objection to Planning Application 20/02066/OUT.

Birdham Parish Council wishes to concur with the point raised by East Wittering and Bracklesham Parish Council in its objection to Planning Application 21/01376/OUT Land West Of Bracklesham Lane Bracklesham PO20 8SR. The cumulative effect of the planning applications on the Western Manhood is so significant that this application cannot be considered in isolation.

The total number of proposals of which we are aware is:

- 65 homes Land West of Bracklesham Lane Bracklesham PO20 8SR (21/01376/OUT)
- 100 homes Land South of Clappers Lane (20/03125/OUT)
- 65 homes Land West of Church Road (20/02491/OUT)
- 320 homes at Stubcroft Farm (21/01090/EIA)
- 73 homes at Koolbergen, Kelly's Nurseries And Bellfield Nurseries Bell Lane Birdham Chichester West Sussex PO20 7HY (20/02066/OUT)
- 25 homes at The South Side Of Church Lane Birdham West Sussex (20/03034/OUT)
- 30 homes at Earnley Concourse (20/02236/OUT)
- 5 homes at Earnley Gardens (20/03289/FUL)
- 160 homes. Whitecroft Farm, Main Road Birdham. At pre-application stage.

This is a total of 843 houses.

The latest proposed local plan housing allocation (Letter, 26 November 2020) for the Western Manhood is 200, all allocated to Birdham (unfairly, for a village of 200 houses, and in contravention of the Settlement Hierarchy). To be considering plans for 843 houses without the benefit of an overall plan is fundamentally unsound, as the infrastructure cannot be shown by CDC to be capable of supporting any of the proposed developments. It is, therefore, the Parish Council's view that this planning application, and all others on the Western Manhood, must be refused until the Local Plan has progressed to a point where a realistic number of houses can be accommodated with suitable infrastructure, properly taking into account the environmental importance of the Manhood Peninsula.

#### Comments received 23.06.2021

A previous planning application for a similar number of houses on this site was refused in 2016 (16/00933).

The reasons for our objection are as follows:

1. Birdham Parish Council is currently carrying out a review of its Neighbourhood Plan, which became out of date when the Local Plan became out of date. As part of this review, a call for sites was made, and 19 sites in the Parish are currently being evaluated. This site is included in the evaluation and it would be premature to approve this site before the call for sites evaluation has been completed, and consulted upon, so that the most suitable sites in the village can be utilised, rather than those first proposed.

2. A source of major concern highlighted by the review of the Birdham Neighbourhood Plan, is the very poor level of sewerage- service new developments in the village receive. There have been many complaints along these lines:

"Our sewage system backs up and things such as toilets, sinks and showers do not drain. In many cases boilers stop working as the condensate system is plumbed into the mains drainage and because of the backup, the boilers experience back pressure and shut down, leaving residents with no heating".

Southern Water's response to this application does not inspire any confidence that they have the capacity to serve existing clients, let alone a significant new development. All planning applications that feed to the Sidlesham WWTP will feature similar objections, and it is high time the District Council took its responsibilities seriously and refused all planning applications until proper infrastructure is provided.

3. As far back as 2002, a report by the Halcrow Group identified that "the increase in population and economic activity have created a demand for transportation that now exceeds the capacity of the transport infrastructure on the Peninsula".

The intervening years have seen little significant improvement in transport infrastructure on the Western part of the Peninsula.

Further developments have continued to be approved on the grounds that only a small increase in traffic movements will occur. However, as the table below shows, the cumulative effect of these approvals has seen a 9% increase in total traffic on the A286 up to 2016, the latest date for which figures are available. Anecdotally, the traffic has increased considerably since 2016. *[Planning Officer Comment: the table referred to was not included with the Parish Council's representation]*

There has been a marked deterioration in road safety. Between 2015 and 2020 there were 5 fatalities and 5 serious injuries on the A286, with a further 15 serious injuries and 2 fatalities on the B2179 and B2178.



Clearly the A286 has become an increasingly congested and dangerous road. Traffic movements in the summer are undoubtedly higher than shown above, as vehicles head along the Birdham Straight for the beaches. This results in disrupted bus timetables, traffic hold ups when vehicles need to turn off against the oncoming flow and causes long tailbacks when cyclists cannot be overtaken. There is sufficient evidence to oppose any further house building served by the A286, both in Birdham and Bracklesham/East Wittering, unless radical changes are made to increase the capacity and safety of the A286, or an alternative traffic corridor is developed such as a properly segregated cycle route connecting the Witterings, Birdham and Chichester.

4. The Parish Council does not consider that this project is deliverable in a 5 year time frame. One of the sites is still operating as a successful nursery, and there is no reason for this to change in the foreseeable future.

5. This is an outline planning application. It is our understanding that during the period where there is no current local plan the local authority will be giving preference to detailed planning consents. In the absence of a detailed consent, the local authority should be looking to condition the application with reference to a design code in order to protect this sensitive area (with close proximity to the AONB). The Parish is in the process of developing a design code to be attached to the new Neighbourhood Plan and would welcome the opportunity to participate in this process.

The development is overly dense in this location. The site is 2.34 hectares, and the 77 houses gives a supposed density of 32.9 per hectare, but which in fact will be higher as some of the space is taken by a retail unit and some light industrial units. Unacceptably high for this location.

6. The outline scheme does not clearly identify car parking allocated to each use.

7. It is possible that this site will score well in terms of suitability in our call for sites report. Currently the application is not a full application, and the layout looks particularly unsuitable for a rural location. Should the application be refused, and the site be approved as suitable for inclusion in our revised Neighbourhood Plan, the Parish Council undertakes to work with the developer to deliver a plan which will suit all parties, subject to proper sewerage and road improvement plans being implemented.

8. The Parish Council receives many complaints about the danger and unpleasantness of walking along the A286 in the village. Should the District Council be minded to approve this application, this should be on condition that the speed limit through the village is decreased to 30mph. The road layout should also be reviewed to assess whether the available space is being used to the best advantage of all road users.

## Comments received 20.10.2020

Birdham Parish Council OBJECTS to this application on the following grounds:

- Residential development in this location is not in accordance with the current neighbourhood plan and it is premature for BPC to comment on this as it is currently reviewing this Plan. Similarly, CDC is finalising its Local Plan both of which are instrumental to any decisions of BPC. However, the site proposed in this application will be put into the Call for Sites for the Birdham Neighbourhood Plan review and considered alongside other sites to see whether it is suitable in light of the recently published HEELA.
- There is insufficient information provided and much of it appears to be contradictory.
- The access is not in accordance with current standards required as set out by WSCC
- Infrastructure improvements required by a development of this nature need to be identified, deliverable and funded
- There is insufficient educational capacity at Birdham Primary School to accommodate the requirements generated by this development
- The Parish require there to be a design code agreed at the stage of the outline planning application. This is to ensure that the development is of the quality commensurate to the rural location
- The development is overly dense in this location. The site is 2.34 hectares, and the 77 houses gives a supposed density of 32.9 per hectare, but which in fact will be higher as some of the space is taken by a retail unit and some light industrial units. Unacceptably high for this location
- The draft proposals do not identify where uses will be located on the site
- The outline scheme does not clearly identify car parking allocated to each use
- There is insufficient open space identified. We need to agree a statement and baseline for this at this stage
- The impact of a further 77 homes (undesigned in size) on the road infrastructure has not been assessed
- The site should be deliverable within two years but a third of the land area of this application does not belong to the applicant and it would seem unlikely that the time scale is achievable.

The waste water/sewage explanation assumes that the local water treatment works can accommodate the additional volume for this proposed MAJOR development together with the other current and proposed developments in the Manhood catchment area.

### 6.2 Earnley Parish Council

At its meeting on 22 October Earnley Parish Council resolved to fully support the objection comment and its contents submitted by Birdham Parish Council.

### 6.3 West Itchenor Parish Council

West Itchenor Parish Council supports Birdham Parish Council in all of its objections to this application. Although the Parish Council is fully aware it is not a statutory consultee it hopes that the District Council will take into account comments made as the proposed development will have a significant impact on other villages on the western side of the Peninsula.

#### 6.4 East Wittering and Bracklesham Parish Council

EWBPC recently added an environmental incident reporting page to our website to assist us in gathering evidence when considering current planning applications and in anticipation of likely planning appeals. Please find attached the most recent extract of the data we have captured. We have also recorded the data on the Parish Online mapping system, and where residents have submitted photographic evidence, this has also been appended to the map file.

We have only been collecting information for a few weeks, but it is already yielding results with regards to evidencing resident's concerns, and shows the scale of the sewage and foul water problems that occur after only minimal rainfall.

Please can you ensure that this information is lodged against all of the following planning applications, to which it is directly, materially relevant.

*[Planning Officer Comment: the 'data' referred to above is an environmental record of incidents in the Witterings, Bracklesham, Selsey, Apuldram and Birdham and is attached to the Parish Council's online comments. It includes five references in 2021 to tankering of sewage from the Pinks Lane pumping station]*

#### 6.5 Selsey Parish Council

Objection on the basis of the impact on the inadequate local infrastructure as follows:

- (i) there is not sufficient road infrastructure to handle the traffic for the additional 73 houses;
- (ii) not enough potential school places, especially at the Selsey Academy as it is already at 87% capacity;
- (iii) the site is within 9km of a SSSI
- (iv) the inadequate sewerage infrastructure

#### 6.6 Highways England

No objection on the basis that the applicant will make a relevant contribution to the agreed Local Plan mitigations as provided in the Council's adopted SPD 'Approach for securing development contributions to mitigate additional traffic impacts on the A27 Chichester Bypass'. As the development impacts the A27 Stockbridge Roundabout in the same way that a development at East Wittering / Bracklesham would, a contribution (using the standard formula) of £237,104 (73 x £3,248) is required.

*[Planning Officer Comment: A representative from National Highways (formerly Highways England) will attend the Planning Committee]*

## 6.7 Natural England

Your authority has measures in place to manage the potential impacts from recreational disturbance at the Chichester Harbour Special Protection Area(s) and Ramsar Site(s) through the agreed strategic solution which we consider to be ecologically sound. Subject to the appropriate financial contribution being secured, Natural England is satisfied that the proposal will mitigate against the potential recreational impacts of the development on the site(s).

*[Planning Officer Comment: Notwithstanding the 'no objection' comment from Natural England (NE) subject to securing the necessary mitigation contribution (£45,419) to the Bird Aware Solent scheme, the proposed development has been assessed under the Habitat Regulations]*

## 6.8 Southern Water

Additional comments received 17.11.2021

### Tankering in Birdham

We can confirm that tankers are still required for Birdham during wet weather due to the wastewater pumping station (WPS) being overwhelmed by excess flows entering the network.

We believe the main issue in the area is groundwater infiltration which is causing the WPS's not to cope in wet weather.

The tankers are a temporary solution until the larger issue is addressed.

Unfortunately, without the tankers, residents in the surrounding area tend to flood, lose the use of their facilities and their electrics cut out leaving them with no heating.

There is a scheme planned to electroscan survey the Birdham area this winter. This is scheduled to start beginning of January and finish by the end January, but this is subject to variables such as the groundwater conditions at the time. This will allow Southern Water to identify public sewers which may be letting groundwater in through poor pipe joints and overwhelming the sewerage system. Once we have identified the leaking pipes, we will then be able to determine a forward plan to seal these, which is normally done by lining through the existing network to make the joints watertight. Once the surveys are complete, we will know more about the cause and start to address the issue.

### Complaints Received

We can confirm we have had the following contacts recorded in relation to pollution incidents, backing up or flooding in the vicinity of the application site on Bell Lane PO20 7HY.

*[Planning Officer Comment: the consultation response then reports that there were 35 no. contacts recorded by Southern Water between 4 March 2019 and 4 February 2021 regarding sewage incidents – backing up in customers properties, blocked drains and toilets, manholes full, sewage over-flowing. The list of these contacts is attached to Southern Water's online comments. For data protection reasons it does not include names or any other information which could lead to the identification of individuals or their addresses.]*

## Original comments

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. 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. 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 wastewater network capacity is available to adequately drain the development.

### 6.9 Sussex Police

I have no objections about this amendment [*the reduction from 77 to 73 dwellings and the changed illustrative layout*] and therefore no further comments to make from a crime prevention perspective.

### 6.10 Chichester Harbour Conservancy

Objection. The proposal for this mixed housing / industrial estate / retail development on previously used agricultural land would physically change the character of the site within the countryside area, creating a clearly urban form of development in appearance and form which is out-of-place and out-of-keeping with this countryside location on the fringe of the nearby but visually important AONB.

## 6.11 WSSC - Highways

### Additional Comments received 16.11.2021

The applicants for planning application 21/01376/OUT Land West of Bracklesham Lane have submitted new traffic counts, queue length surveys and video footage of the Bell Lane/Main Road/B2179/Chaffinch Close junction. WSSC Highways are now of the opinion that the junction modelling provided does not require the use of adjustments factors to enable it to replicate existing conditions (as has previously been used in the Land South of Clappers Lane assessment planning application 20/03125/OUT). From the further information submitted any queues that did form appear to be from the platooning of traffic behind slow moving vehicles rather than as a result of the junctions operation. The information submitted for the prospective development 21/01376/OUT Land West of Bracklesham Lane includes the now refused applications of Land South of Clappers Lane 20/03125/OUT and Land West of Church Road 20/02491/OUT and as such the [Bell Lane] development would not result in a severe impact on the junction or require mitigation either when assessed as a standalone scheme or cumulatively with all live or consented applications. The Land South of Clappers Lane was modelled as 30AM and 36PM trips through the junction and has now been refused. The Kellys Nursery site would generate a comparable trip generation and WSSC would be confident that the effects of the development have been assessed. WSSC as Highway Authority would not seek further mitigation at the Bell Lane/Main Road/B2179/Chaffinch Close junction from these applications.

### Original comments

Essentially the latest application is a re-submission of the above. The applicant has resubmitted all the material which was subsequently agreed as part of the original 16/00933/OUT application. During the subsequent appeal process, the appellant was able to address the highway reason for refusing the application - i.e. that the proposal failed to demonstrate that safe and suitable access could be achieved for all people, and that the development would not result in a severe residual cumulative impact upon the operation of both the Local and Strategic Road Networks - and the highway reason for refusal was subsequently withdrawn. The S.106 agreement that would have been required in the event that planning permission had been granted for the previous application would still be required as part of this current application in order to secure the following: a shared pedestrian cycle link on the west side of Bell Lane between the site access road and the A286/B2179 junction as well as a scheme of associated street lighting; bus laybys to the south of the site access road on either side of Bell Lane; a bus shelter commuted sum.

## 6.12 WSSC - Lead Local Flood Authority

Current surface water flood risk based on 30year and 100year events: Low risk  
Modelled groundwater flood hazard classification: High risk  
Ordinary watercourses nearby: Yes  
Records of any flooding within the site: No

### 6.13 WSSC - Fire and Rescue Service

Additional fire hydrant(s) required to service the development. To be secured by condition.

### 6.14 WSSC – Education

Currently there is sufficient capacity within the local schools to accommodate the anticipated increase in pupil numbers, therefore, for this particular proposed development contributions would be sought through CIL.

*[Planning Officer Comment: For clarification an IBP bid through CIL would be required for any necessary expansion to accommodate the future child product from the proposed development but in this instance WSSC has confirmed this is not required.]*

### 6.15 CDC - Coastal And Drainage Engineer

Site is wholly within flood zone 1 (low risk) however we are aware of localised flooding in the surrounding area. Therefore although we have no objection in principle to the proposed use, scale or location based on flood risk, surface water drainage will need to be dealt with carefully to ensure no increase in flood risk on or off site. There are also watercourses abutting all sides of the site. The layout must ensure there is a 3 metre clear buffer from the top of each bank to ensure that the duties and responsibilities, as required under the Land Drainage Act 1991, and amended by the Flood and Water Management Act 2010, can be fulfilled without additional impediment following the development completion. A suitable maintenance plan for this including controls over fencing will also need to be in place, but can be controlled through condition. The surface water drainage system should be designed to cope with the 1 in 100 year plus 40% climate change event. Drainage conditions recommended regarding - full details of the proposed surface water drainage scheme based on SuDS including management and maintenance; layout shall not be agreed until such time that arrangements for the future access and maintenance of any watercourse or culvert (piped watercourse) crossing or abutting the site has been agreed by the LPA.

### 6.16 CDC - Housing Enabling Officer

A net increase of 72 dwellings is proposed which would require 21.6 units to be delivered as affordable housing in accordance with Policy 34 of the Chichester Local Plan. 21 units are proposed to be delivered on site which meets this requirement. Therefore the 0.6 unit should be delivered as an affordable housing financial contribution calculated in accordance with the planning obligations and affordable housing SPD. The proposed mix is broadly in line with the Housing and Economic Development Needs Assessment (HEDNA) 2018 mix requirements, albeit a slight departure on the provision of 1 bedroom dwellings which would usually account for 5%. The proposed mix is therefore acceptable. The affordable dwellings should not be clustered in groups of more than 10 and should not be externally distinguishable from the market dwellings. The Housing Delivery Team raises no objections to this proposal.

## 6.17 CDC - Economic Development

### Comments received 11.08.2021

EDS recognises the importance which the Parish Council attaches to retention of small scale horticultural nurseries within the Parish, but equally recognises that the delivery of 700sqm minimum of B1 floorspace together with a retail unit of not less than 150sqm potentially offers greater employment opportunities locally and a more diverse employment base longer term. On this basis and subject to the commercial uses being subject to an appropriate marketing strategy secured through the Section 106 agreement, the application is considered capable of support.

### Comments received 09.12.2020

Economic Development acknowledges that Koolbergen and Kelly's Nurseries are no longer viable as nursery premises. They are both largely derelict and have not operated as nurseries for some time. Bellfield Nursery however is a thriving nursery. The owner of Bellfield Nursery has recently confirmed to Economic Development that they are doing well despite the pandemic and do not intend to give up their business in the next 10 years, due to a surge in the interest in gardening due to Covid. Employment is provided at the site, with 5 FTE and seasonal workers as required. The recent change to the Use Classes Order means that both the retail and office would fall under Class E. This will give the commercial space the ability to provide a variation to retail or office. For example, a light industrial business or gym could locate here under Class E.

*[Planning Officer Comment: Following receipt of the above consultation, a letter from the owner of Bellfield Nursery was provided to the Council to confirm that he fully supported the inclusion of his land in the proposals and of his total commitment to the application. He also confirmed he was aware of the requirement of the timeframe in paragraph 4.2 of the Interim Position Statement on Housing i.e. that sites should be deliverable at the time they are put forward for planning permission.]*

## 6.18 CDC - Archaeology

The archaeological potential of this site would justify a staged process of investigation which would probably be best undertaken following clearance of the site. This can be secured by condition.



## 6.19 CDC - Environmental Strategy

Bats - 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. 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.

Reptiles - A reptile activity survey and the mitigation strategy (if required) will need to be conditioned.

Nesting Birds - vegetation clearance on the site should only be undertaken outside of the bird breeding season which takes place between 1st March -1st October.

Ecological Enhancements - include: hedgehog nesting boxes; bat and bird boxes; wildflower meadow planting; log piles on site; fill gaps in tree/hedgerow lines; gaps under fences for small mammals.

Recreational Pressure - contribution required to Bird Aware Solent.

Policy 40 - scheme needs to demonstrate how objectives will be achieved

## 6.20 97 (total) Third Party Objections

- inadequate infrastructure, services already buckling and cannot cope e.g. schools, medical services
- serious road network issues on strategic A27 and local A286 both in terms of safety and congestion
- will exacerbate existing problems with foul sewage system which is not fit for purpose
- loss of popular thriving local nursery and employment
- what has changed since previous refusal
- area is already prone to surface water flooding this will make it worse
- site is in countryside outside settlement boundary
- development will urbanise rural Birdham
- greedy developers exploiting CDC failure to develop a Local Plan
- most house buyers are from outside the area, these will be second homes
- will result in loss of wildlife
- air pollution from increased traffic levels
- harm to AONB and Chichester Harbour
- too much development for this rural village
- harm to Somerley Conservation Area by almost eliminating gap with Birdham
- Frequent tankering of sewage from Pinks Lane pumping station during/after heavy rainfall to avoid overflowing and backing up in local residents properties

## 6.21 Agents Supporting Information

The application is accompanied by a number of reports which can be read in detail on the Council's website. The reports address the following matters: Planning Statement; Design Statement; Transport Assessment; Road Safety Audit; Heritage Statement; Arboricultural Report; Ecological Appraisal and preliminary Roost Assessment Survey; Bat Emergence Survey; Foul Sewage and Utilities Assessment.

## **7.0 Planning Policy**

### The Development Plan

- 7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029, the CDC Site Allocation Development Plan Document and all made neighbourhood plans. The Birdham Parish Neighbourhood Plan 2014-2029 was made on 19th July 2016 and forms part of the Development Plan against which applications must be considered.
- 7.2 The principal policies of the Chichester Local Plan 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 5: Parish Housing Sites 2012- 2029

Policy 6: Neighbourhood Development Plans

Policy 8: Transport and Accessibility

Policy 9: Development and Infrastructure Provision

Policy 33: New Residential Development

Policy 34: Affordable Housing

Policy 39: Transport, Accessibility and Parking

Policy 40: Sustainable Design and Construction

Policy 42: Flood Risk and Water Management

Policy 45: Development in the Countryside

Policy 47: Heritage and Design

Policy 48: Natural Environment

Policy 49: Biodiversity

Policy 50: Development and Disturbance of Birds in Chichester and Langstone Harbours  
Special Protection Areas

Policy 52: Green Infrastructure

Policy 54: Open Space, Sport and Recreation

## The Birdham Parish Neighbourhood Plan

7.3 The principal policies of the neighbourhood plan relevant to the consideration of this application are as follows:

- Policy 1 - Heritage Assets and Their Setting
- Policy 3 - Habitat Sites
- Policy 4 - Landscape Character and Important Views
- Policy 5 - Light Pollution
- Policy 7 - Integration and Sense of Community
- Policy 9 - Traffic Impact
- Policy 10 - Footpaths and Cycle Paths
- Policy 11 - Village Severance
- Policy 12 - Housing Development
- Policy 13 - Settlement Boundary
- Policy 15 - Rural Area Policy
- Policy 16 - Housing Density and Design
- Policy 17 - Housing Need
- Policy 19 - SUDS Design and Management
- Policy 20 - Surface Water Run-off
- Policy 21 - Wastewater Disposal
- Policy 22 - Development for Business Use
- Policy 23 - Retention of Businesses

7.4 Preliminary work to review the neighbourhood plan is now underway by the Parish Council. However, it is at a very early stage and can therefore attract no weight in terms of decision making on planning applications consistent with government policy in paragraph 48 of the NPPF.

### Chichester Local Plan Review Preferred Approach 2016 - 2035 (December 2018)

7.5 Chichester District Council adopted the Chichester Local Plan: Key Policies 2014- 2029 on 14 July 2015. The Council is currently reviewing and updating its Local Plan as required by Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012, to provide up to date planning policies which are consistent with the National Planning Policy Framework (NPPF) 2019. The Council consulted on the Local Plan Review 2016-2035 Preferred Approach (LPR) document between December 2018 and February 2019 under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. Following consideration of all responses to the consultation, significant further work has been identified and the Council is currently reviewing its Local Development Scheme (LDS). The revised LDS timetable now anticipates adoption of the LPR in March 2023.

7.6 Relevant policies from the published Local Plan Review 2035 Preferred Approach are:

**Part 1 - Strategic Policies**

- S1: Presumption in Favour of Sustainable Development
- S2: Settlement Hierarchy
- S3: Development Hierarchy
- S4: Meeting Housing Needs
- S5: Parish Housing Requirements 2016-2035
- S6: Affordable Housing
- S12: Infrastructure Provision
- S20: Design
- S23: Transport and Accessibility
- S26: Natural Environment
- S27: Flood Risk Management

**Part 2 - Development Management Policies**

- DM2: Housing Mix
- DM3: Housing Density
- DM8: Transport, Accessibility and Parking
- DM9: Existing Employment Sites
- DM16: Sustainable Design and Construction
- DM18: Flood Risk and Water Management
- DM27: Historic Environment
- DM28: Natural Environment
- DM29: Biodiversity
- DM30: Development and Disturbance of Birds in Chichester, Langstone and Pagham Harbours Special Protection Areas
- DM34: Open Space, Sport and Recreation including Indoor Sports Facilities and Playing Pitches

## National Policy and Guidance

7.7 Government planning policy now comprises the revised National Planning Policy Framework (NPPF 2021), which took effect from 20 July 2021 and related policy guidance in the NPPG.

7.8 Paragraph 11 of the revised Framework states that plans and decisions should apply a presumption in favour of sustainable development, and 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<sup>8</sup>, granting permission unless:*

*i. the application of policies in this Framework that protect areas of 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.*

<sup>8</sup> This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.

7.9 The following sections of the revised NPPF are relevant to this application: 2, 4, 5, 8, 9, 11, 12, 14, 15, 16 and Annex 1. The relevant paragraphs of the National Planning Practice Guidance have also been taken into account.

## Other Local Policy and Guidance

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

- Surface Water and Foul Drainage Supplementary Planning Document (SPD)
- Planning Obligations and Affordable Housing SPD
- Interim Position Statement for Housing Development
- Somerley Conservation Area Character Appraisal and Townscape Analysis Map

## Interim Position Statement for Housing Development

7.11 In accordance with national planning policy, the Council is required to regularly prepare an assessment of its supply of housing land. The Council's most recent assessment of its Five Year Housing Land Supply was published on 24 November 2021 and provides the updated position as at 1 April 2021. The assessment identifies a potential housing supply of 3,536 net dwellings over the period 2021-2026. This compares with an identified housing requirement of 3,329 net dwellings (equivalent to a requirement of 666 homes per year). This results in a housing surplus of 207 net dwellings, equivalent to 5.3 years of housing supply. Notwithstanding the benefit of having a housing supply which is considered to be robust, the Council nevertheless recognises the importance of maintaining and where appropriate reinforcing the supply with appropriate new development.

7.12 To help pro-actively manage the Council's housing supply and ensure that it maintains in a positive balance prior to the adoption of the Local Plan Review, the Council will continue to use the Interim Position Statement for Housing Development (IPS), which sets out measures to help increase the supply of housing by encouraging appropriate housing schemes in appropriate locations. A draft IPS was originally approved for use by the Planning Committee at its meeting on 3 June 2020 at a time when the Council could not demonstrate that it had a 5 year housing land supply. Following a period of consultation and subsequent revisions it was reported back to the 4 November 2020 Planning Committee, where it was approved for use with immediate effect. Whilst the Council, with a 5 year housing supply, can rely on the provisions of the development plan for decision making up until a new plan is adopted, new housing proposals such as this application will also continue to be considered under the IPS and assessed against the 13 criteria set out in the IPS document. The IPS is a development management tool to assist the Council in delivering appropriate new housing. It is not a document that is formally adopted and neither does it have the status of a supplementary planning document, but it is a material consideration in the determination of relevant planning applications. It is a document that the decision maker shall have regard to in the context of why it was introduced and in the context of what the alternatives might be if it wasn't available for use. New housing proposals which score well against the IPS criteria where relevant and where there is no conflict with relevant policies in the development plan are likely to be supported by officers.

7.13 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
- Encourage and support people who live and work in the district and to adopt healthy and active lifestyles
- Support and empower communities and people to help themselves and develop resilience
- Support communities to meet their own housing needs
- Support and promote initiatives that encourage alternative forms of transport and encourage the use of online services
- 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 issues arising from this proposal are:

- i) Principle of development and the policy position
- ii) Highway Impact
- iii) Layout
- iv) Landscape Impact
- v) Drainage
- vi) Employment and Retail Uses
- vii) Loss of Horticulture
- viii) Other Matters (ecology and biodiversity, Habitat Regulations Assessment, heritage impact, residential amenity and sustainability of location)

i) Principle of development and the policy position

8.2 The primacy of the development plan and the plan-led approach to decision-taking is a central tenet of planning law and is enshrined in section 38(6) of the Planning and Compulsory Purchase Act 2004 (PCPA 2004) which states that applications:

*'should be determined in accordance with the development plan unless material considerations indicate otherwise'*

8.3 For certainty and clarity a plan-led approach to decision making on planning applications relies on a development plan which is up-to-date, particularly with regard to its housing policies and the proposed delivery of that housing. When assessed against the policies of the adopted Local Plan, the current application is considered to be contrary to policies 2 and 45 in that it is proposing new housing outside the settlement boundary for Birdham and in the countryside or Rest of Plan Area and it would not meet an "essential, small scale and local need" (policy 45). Additionally, the proposal would be considerably in excess of the indicative housing numbers for the Parish of Birdham, as set out in Policy 5 of the Local Plan (50 homes plus any small windfalls) particularly when it is considered cumulatively with the completed developments at Rowan Nursery, Bell Lane (25 dwellings), Tawny Nursery, Bell Lane (30 dwellings) and Chichester Marina (Opal Building) (9 dwellings). Whilst acknowledging that the 5 year period set by the Local Plan Inspector to review the policies of the Local Plan has now passed, the Council is nevertheless in the midst of reviewing the future housing distribution in the Plan area as part of the Local Plan Review process. However, that process is not yet complete, and, with a 5 year housing land supply there is a need to wait for the plan led approach to establish the appropriate distribution of new housing. It is too early to make assumptions – the Council's Preferred Approach has not been tested at examination and does not have enough weight in decision making. Therefore, following a s.38(6) development plan approach, this application is clearly contrary to policy.

- 8.4 The Committee will note from the Planning History above that this application is on the same site where an outline application for 77 dwellings, a retail unit and B1 employment space was refused and then dismissed at appeal in November 2018 (Planning Inspectorate reference APP/L3815/W/17/3182355). Three years later and with the Council once again able to demonstrate a 5 year housing land supply which crucially it could not demonstrate when Members considered the application at the September 2021 Planning Committee, it should follow that the planning decision on what is a very similar application albeit for 4 fewer dwellings should result in the same outcome. In a balanced appeal decision, the Inspector placed weight on the fact that the Council could demonstrate a 5 year housing supply, albeit that supply was marginal (he found that the supply was 5.2 years), and the proposals were in direct conflict with the objectives of the settlement hierarchy as set out in policies 2, 5 and 45 of the Local Plan. That situation has not changed. With a demonstrable housing supply the 'tilted balance' in paragraph 11 d) of the NPPF i.e. the presumption in favour of permitting sustainable development is not engaged and the Council is not required by 11 d) ii) to assess whether the adverse impacts of issuing a permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
- 8.5 The development plan also comprises the Birdham Parish Neighbourhood Plan (BPNP) which was made in July 2016. The made BPNP also only contains policies and allocations relevant to meet the now out of date housing requirements for Birdham in the adopted Local Plan. In the context of neighbourhood planning, the Parish Council is understood to be in the early stages of reviewing the draft requirements for future housing allocations in the parish, but as the Parish housing figures for the Local Plan Review have yet to be confirmed by the Council, that process is not sufficiently advanced for any weight to be attached to it. A technical study commissioned by the Parish Council and carried out between December 2020 and April 2021 as part of the evidence base being used to prepare the Birdham Neighbourhood Plan Review, looked at 19 potential future housing sites and ranked them according to their suitability to provide new housing. The 19 sites were assembled from a combination of the Parish Council's 'Call for Sites' exercise and the Council's Housing and Employment Land Availability Assessment (HELAA) in March 2021. Out of the 19 sites assessed the application site ranked third most suitable, potentially delivering 75 new homes.
- 8.6 The Council's HELAA is a technical background document and has identified the site as capable of achieving around 70 dwellings plus 850sqm of employment uses. Its significance is as a tool to assist the Council in its consideration of potential future housing as part of the LPR which is not yet complete. The HELAA in conjunction with the Parish Council's site suitability study whilst potentially indicating a future direction of travel in the allocation of new housing sites in Birdham, are not policy documents. They cannot therefore be afforded any weight in decision making on the current application particularly at a time when the Council is able to show it is demonstrably producing enough dwellings to satisfy the government's housing requirement.
- 8.7 The Council has acknowledged that the Local Plan in terms of its housing policies for the supply of new housing are out-of-date but this is now balanced out by the fact that the Council has enough housing to demonstrate a 5 year housing supply. In order to ensure that this housing supply is maintained on a rolling year on year basis, the Council has committed to using the Interim Position Statement for Housing Development (IPS). It is relevant to consider the application against each of the IPS criteria in turn:



**1) The site boundary in whole or in part is contiguous with an identified Settlement Boundary (i.e. at least one boundary must adjoin the settlement boundary or be immediately adjacent to it).**

The north site boundary (Bellfield Nursery) adjoins the extended settlement boundary for Birdham which is now formed by the southern boundary of the housing development at Rowan Nursery now known as Rowan Close. The criterion is satisfied.

**2) The scale of development proposed is appropriate having regard to the settlement's location in the settlement hierarchy.**

Birdham is a sustainably located settlement defined as a Service Village in the Local Plan (Policy 2) and draft Policy S2 in the LPR. In the context of the previous appeal for 77 homes on the site, the Inspector found that the site is in a sustainable location and would provide economic benefits in terms of the employment use. In this context the proposed development is considered appropriate and the criterion is therefore satisfied.

**3) The impact of development on the edge of settlements, or in areas identified as the locations for potential landscape gaps, individually or cumulatively does not result in the actual or perceived coalescence of settlements, as demonstrated through the submission of a Landscape and Visual Impact Assessment.**

It is considered that the development meets this point. There is no actual or perceived coalescence likely to arise from permitting this development. The development maintains an approximate 150m gap to the boundary of the Somerley Conservation Area to the south from which it is screened with hedgerow and a high coniferous screen on the sites southern boundary. There is no direct inter-visibility. The criterion is considered to be satisfied.

**4) Development proposals make best and most efficient use of the land, whilst respecting the character and appearance of the settlement. The Council will encourage planned higher densities in sustainable locations where appropriate (for example, in Chichester City and the Settlement Hubs). Arbitrarily low density or piecemeal development such as the artificial sub-division of larger land parcels will not be encouraged.**

Whilst 'layout' is a reserved matter on the application, on the basis of the illustrative layout submitted with the application, the proposals would result in a density of approximately 27 dwellings per hectare. The application site is in different ownerships but would be developed in its entirety on a phased basis. There is no artificial sub-division in that regard. In the context of the rural edge of settlement location, this level of development compares favourably with the Council's 'benchmark' density value of 35dph for greenfield sites and is considered acceptable. The proposal meets this criterion.

**5) Proposals should demonstrate consideration of the impact of development on the surrounding townscape and landscape character, including the South Downs National Park and the Chichester Harbour AONB and their settings. Development should be designed to protect long-distance views and inter-visibility between the South Downs National Park and the Chichester Harbour AONB.**

See section on landscape impact below but it is considered that the proposal would comply with the above criterion.

**6) Development proposals in or adjacent to areas identified as potential Strategic Wildlife Corridors as identified in the Strategic Wildlife Corridors Background Paper should demonstrate that they will not affect the potential or value of the wildlife corridor.**

The application site is outside of the proposed Strategic Wildlife Corridors set out in the draft Local Plan Review. The criterion is not therefore applicable in this instance.

**7) Development proposals should set out how necessary infrastructure will be secured, including, for example: wastewater conveyance and treatment, affordable housing, open space, and highways improvements.**

Wastewater disposal will be through the statutory undertaker. It is accepted by Southern Water that there are existing problems with the off-site network in the vicinity of the application site and these are discussed in more detail later in the report. Affordable housing, open space, and highways improvements would all be secured through a Section 106 agreement and/or by planning conditions were the application recommended for approval. Following the September Planning Committee officers have consulted with WSCC Education whose response confirms that there is sufficient capacity within the existing system as outlined in the comments in paragraph 6.14 above.

**8) Development proposals shall not compromise on environmental quality and should demonstrate high standards of construction in accordance with the Council's declaration of a Climate Change Emergency. Applicants will be required to submit necessary detailed information within a Sustainability Statement or chapter within the Design and Access Statement to include, but not be limited to:**

- Achieving the higher building regulations water consumption standard of a maximum of 110 litres per person per day including external water use;
- Minimising energy consumption to achieve at least a 19% improvement in the Dwelling Emission Rate (DER) over the Target Emission Rate (TER) calculated according to Part L of the Building Regulations 2013. This should be achieved through improvements to the fabric of the dwelling;
- Maximising energy supplied from renewable resources to ensure that at least 10% of the predicted residual energy requirements of the development, after the improvements to the fabric explained above, is met through the incorporation of renewable energy; and
- Incorporates electric vehicle charging infrastructure in accordance with West Sussex County Council's Car Parking Standards Guidance.

The applicant has advised that the development will meet this criterion through a combination of fabric first, air source heat pumps and/or solar PV panels. The application is submitted in outline and the details could be secured by condition through the subsequent reserved matters application/s to ensure the criterion is met. There is no reason to suggest that this criterion could not be complied with.

**9) Development proposals shall be of high quality design that respects and enhances the existing character of settlements and contributes to creating places of high architectural and built quality. Proposals should conserve and enhance the special interest and settings of designated and non-designated heritage assets, as demonstrated through the submission of a Design and Access Statement.**

The development is submitted in outline with 'appearance' and 'layout' as reserved matters. There is no reason to suggest on this application that an appropriate high quality design and layout using materials appropriate to the context in Birdham could not be secured. In the absence of evidence to the contrary it is considered that this criterion could be satisfied.

**10) Development should be sustainably located in accessibility terms, and include vehicular, pedestrian and cycle links to the adjoining settlement and networks and, where appropriate, provide opportunities for new and upgraded linkages.**

Birdham is defined in the extant Local Plan and in the draft LPR as a 'Service village'. In terms of its proximity to existing services and facilities, the site lies approximately 500 m walking distance from the local Nisa shop/post office, 600 m to the village hall and recreation ground and 1 km to the village primary school. In terms of sustainable transport links the site is within 300 m walking distance of an existing bus stop to the south and a new bus stop with layby and shelter for the Stagecoach 52/53 service (Chichester/East and West Wittering) is to be provided as part of the application proposals at the site frontage on each side of Bell Lane. The proposals also incorporate a shared footpath/cycle way on Bell Lane to link the site with the existing settlement and its facilities to the north. The distances to facilities and services are less than the 1.6 km which the recent National Travel Survey (2019) indicates the majority of walking distances made are within and are not considered prohibitive in terms of walking and/or cycling. The site is therefore sustainably located and the criterion is complied with.

**11) Development must be located, designed and laid out to ensure that it is safe, that the risk from flooding is minimised whilst not increasing the risk of flooding elsewhere, and that residual risks are safely managed. This includes, where relevant, provision of the necessary information for the LPA to undertake a sequential test, and where necessary the exception test, incorporation of flood mitigation measures into the design (including evidence of independent verification of SUDs designs and ongoing maintenance) and evidence that development would not constrain the natural function of the flood plain, either by impeding flood flow or reducing storage capacity. All flood risk assessments should be informed by the most recent climate change allowances published by the Environment Agency.**

This criterion is considered to be satisfied (refer to the assessment below). The site is located within EA flood zone 1, as an area with the lowest level of flood risk. The drainage system is to be designed through SuDS to satisfactorily manage the discharge of surface water from the development.

**12) Where appropriate, development proposals shall demonstrate how they achieve nitrate neutrality in accordance with Natural England's latest guidance on achieving nutrient neutrality for new housing development.**

The site will discharge its foul water flows to the Sidlesham WwTW away from the vulnerable protected waters of the Chichester Harbour SPA and Solent Maritime SAC. There is currently no nitrate issue in this regard. The criterion is not applicable.

**13) Development proposals are required to demonstrate that they are deliverable from the time of the submission of the planning application through the submission of a deliverability statement justifying how development will ensure quicker delivery. The Council will seek to impose time restricted conditions on planning applications to ensure early delivery of housing**

The applicant has stated his intention to bring forward the land for development as soon as possible following the grant of planning permission and a separate letter submitted with the application from the owner of Bellfield Nursery confirms commitment to the proposals although the consultation response from the Council's Economic Development Officer suggests some uncertainty over the timeframe (paragraph 6.17 above). A reduced time frame of 2 years in which to submit the reserved matters following a grant of outline planning permission and a 2 year period thereafter in which to begin implementation of the approved details is accepted. It is acknowledged that clearance of the existing structures on the site including demolition of the existing dwelling house at Bellfield Nursery and the potential relocation of the existing employment uses at the rear of the site could potentially delay construction.

- 8.8 At the September Planning Committee in the absence of a 5 year housing land supply there was a need to apply the tilted balance and under those circumstances the proposals were considered to address the relevant IPS criteria. That situation has now changed. The Council now benefits from a 5 year housing land supply and there is no requirement to apply the tilted balance. With a 5 year housing land supply and a revised neighbourhood plan in progress, the distribution, allocation and scale of potential new housing sites outside the settlement boundary should follow the plan led system. The following paragraphs of this report assess whether there would be any adverse impact from material considerations relevant to the proposal to deliver new development on the site.

ii) Highway Impact

- 8.9 Highway issues in terms of access, safety and the cumulative impact of traffic generation upon the operation of both the local and strategic road networks comprised a reason for the Council refusing the previous application for 77 dwellings on the site in February 2017 but these matters were subsequently addressed prior to the public inquiry taking place. WSCC Highways withdrew its objection on highway grounds subject to conditions and securing infrastructure improvements through the S.106 agreement. On this application, which is for 4 fewer dwellings, WSCC Highways has re-affirmed that it has no objection to the proposals being approved, provided that the mitigation measures secured in the previous S.106 agreement are again secured. The measures necessary to make the proposals acceptable from a highways perspective are set out in the S.106 Agreement section of this report and include provision of a bus stop and shelter on each side of Bell Lane and a combined pedestrian cycleway on the west side of Bell Lane from the main site entrance north along Bell Lane to the point where it meets the A286 roundabout. Whilst the Parish Council's request for a Traffic Regulation Order (TRO) speed restriction on Bell Lane to 30mph down from its current 40mph is noted, this is not something which WSCC Highways has required to make the development acceptable in highway terms following its consideration of the application and the submitted road safety audits.

- 8.10 Three years on from determination of the previous appeal on the site in respect of the application for 77 dwellings, neither WSCC or Highways England on consultation under the current application have identified that the proposals would result in severe cumulative impacts on the road network sufficient to refuse development on highway grounds which is the relevant test to be applied in terms of NPPF paragraph 111. Highways England has advised it will require a developer contribution to the A27 junction improvements as per the requirements of the Council's SPD and this would be secured through a S.106 agreement in the event that the application were to be permitted.
- 8.11 At the September meeting of the Planning Committee further information and clarification was sought on both the individual and cumulative impacts of the proposed development on the local highway network as well as the strategic highway network in terms of the A27. A further consultation response has been provided by WSCC Highways which has considered the impact of the proposed development and the summary response of this is provided at paragraph 6.11.
- 8.12 WSCC has analysed traffic information provided by the applicant for the concurrent outline application EWB/21/01376/OUT for 65 dwellings on Land West of Bracklesham Lane. This information includes the use of video footage of traffic movements at the roundabout junction of Bell Lane with the A286/Chaffinch Close/B2179. It also factors in the cumulative impacts on this junction of potential developments at Land South of Clappers Lane 20/03125/OUT and Land West of Church Road 20/02491/OUT (both refused, the latter of which has been appealed). On the basis of the traffic information provided for the Land West of Bracklesham proposals, WSCC is now satisfied that the current application at Bell Lane either as a standalone proposal or cumulatively would not result in a severe impact on the junction (the test which must be applied and satisfied by paragraph 111 of the NPPF). No junction mitigation is therefore required or sought.
- 8.13 Subject to recommended conditions being imposed and S106 obligations secured in the event that the application were permitted, the proposals are considered acceptable by the highways authorities from a highway safety and capacity point of view and no objection is raised.

iii) Layout

8.14 'Layout' is not a matter put forward for consideration by the applicant under this outline application, however the applicant has submitted illustratively what in essence is a proving layout to demonstrate that the quantum of development being applied for as well as the infrastructure necessary to service it - the estate roads, landscaping and open space - can all be fitted into the available space. The illustrative layout originally submitted with the application was considered to be particularly poor and given the emphasis placed on design considerations in the NPPF, it has been amended. The layout now shows a perimeter block arrangement with dwellings with short front gardens fronting onto the internal roads and a large more centrally located area of open space with equipped children's play area. A small number of bungalows are shown in the north-east corner of the site fronting onto Bell Lane which reflects the character of existing development immediately to the north. The proposed retail and employment use buildings are shown fronting but set back from Bell Lane. The proposals on the basis of the illustrative layout achieve a housing density of development of approximately 27dph. Whilst this appears somewhat short of the Council's suggested benchmark figure of 35dph, the form of the development, located as it is on the outer southern rural edge of Birdham, does not appear as an inefficient use of the available land. Following the Committee's request at the September meeting a revised illustrative layout has been provided which demonstrates that the quantum of proposed housing in addition to the employment building and retail building could all be accommodated on the site whilst allowing for the required 3 metre buffers on the boundaries to allow for periodic maintenance of the watercourses.

iv) Landscape Impact

8.15 Despite being in the countryside area the application site does not comprise 'open' countryside. Much of the site has been subject to some degree of development predominantly of a horticultural nature. The site's southern and western boundaries are well screened, by dense trees and hedgerows which prevent any intervisibility with the countryside beyond. The development would therefore not be seen other than from Bell Lane or from Birdham's built-up area. In the previous appeal, the Inspector identified that the sites 'semi-rural' character would be changed to being more urban and that the development would therefore cause some harm to the area's character and appearance. However the Inspector balanced this by finding that *"...the site is part of a village fringe area which is visually distinct from the more open country surrounding it. This part of Bell Lane is characterised mainly by plant nurseries, caravan sites, scattered dwellings and small-scale employment uses. On the appeal site itself, although the extensive glasshouses, polytunnels and covered growing areas are recognisably agricultural or horticultural in nature, visually they give much of the site at least a partly developed appearance. This impression is further reinforced by the two existing dwellings, and by the brick-built garage/office building at Kelly's Nursery, and the former barns and mobile home to the rear."* This led the Inspector to go on to conclude *"...the harm that the proposed development would cause to the area's character and appearance would be quite limited. Whilst the protection of landscape character is one of the aims behind the CLP's countryside policies, none of those policies seeks to insulate the whole of the District outside settlement boundaries from any change at all. NPPF paragraph 170 [174 in the July 2021 NPPF revision] advocates that the countryside's intrinsic character and natural beauty should be recognised, but this does not necessarily mean protecting sites where those qualities are lacking."*

8.16 The Inspector's conclusion on the issue of landscape impact was that the development would cause limited harm to the area's character and appearance and that it did not add significant weight to the case against the proposal. The site is approximately 250 metres south of the A286, the northern edge of which marks the boundary of the AONB. Given the amount of intervening development between the site and the AONB boundary it is not considered that there would be any harmful impact on its setting from the proposed development. It is noted that the Inspector did not raise or have any specific concerns about the setting of the AONB being impacted. In terms of the overall planning balance the effect was considered to be 'neutral'. Officers agree that the impact of the proposed development on the character and appearance of the area is not a matter on which this outline application could be refused in principle. The precise details would fall to be considered through any future reserved matters application dealing with 'layout', 'appearance' and 'landscaping'.

v) Drainage

8.17 Surface Water Drainage - The proposed development is to dispose of surface water via SuDS and the principle of on-site infiltration through soakaways. Surface water will naturally filter into the drainage ditches on the site boundaries from where it will be gravity fed towards the ditch on the west side of Bell Lane which then drains to the south. The site lies in flood zone 1 i.e. with the least probability of flooding and there are no recorded incidents of flooding on the site itself. The Council's Drainage Engineer has raised no objection in principle to the proposals subject to the layout maintaining a 3m buffer to the water drainage ditches on the site boundaries for maintenance purposes which the latest iteration of the illustrative layout indicates can be achieved. There is no objection to the proposals on the grounds of surface water disposal such as could not be controlled through the imposition of appropriate conditions.

8.18 Foul Water Drainage - The proposed development would connect to the existing off-site mains sewer system in Bell Lane via a new pumping station to be erected on the site. This will pump sewage from the site north into the existing system along Bell Lane from where it will be directed east and then south-east to the Sidlesham WwTW where there is sufficient capacity to accept the additional foul flows. Southern Water has indicated in its consultation response that there may need to be some network reinforcement associated with the development to avoid a potential increased risk of flooding. These works would be part funded through the New Infrastructure Charge with the remainder funded through Southern Water's Capital Works programme. Southern Water advise that occupation of the development would need to be phased and implemented to align with the delivery by Southern Water of any sewerage network reinforcement required to ensure that adequate wastewater network capacity is available to adequately drain the development. The applicant's foul water pumping station is indicatively shown on the submitted site plan to the north of the proposed employment building and is complete with a service lay-by. The pumping station would also include a 24 hour holding facility in case of failure.

8.19 Officers note the concern of Birdham Parish Council with regard to the foul drainage implications arising from the proposed development and those of third parties including the reference to reported pollution incidents local to the application site and elsewhere in the village. However, on the basis of the evidence available, the Local Planning Authority is confident that there is capacity at the Sidlesham WwTW to accommodate the additional foul flows and ultimately it is the statutory duty of Southern Water to ensure that the off-site infrastructure leading to the WwTW is fit for purpose, that the development is satisfactorily drained, and that the proposed development does not lead to problems elsewhere in the system. If Southern Water is not performing its statutory function then the recourse is to the industry regulator OFWAT. Any failings on behalf of Southern Water to deliver required improvements to the offsite network are failings under Part 4 of the Water Industry Act 1991 not under the Town and Country Planning Act. Southern Water has no objection to this planning application subject to network reinforcements carried out under its own statutory regime.

8.20 Following the September Planning Committee, Officers have engaged further with Southern Water and a representative has agreed to attend the Committee meeting. In its additional consultation response at paragraph 6.8, Southern Water acknowledges that there are existing issues at the Pinks Lane pumping station. These have been well documented and reported by local residents. The Pinks Lane pumping station would service the proposed development on the application site. Southern Water recognises that its current practise of tankering sewage from the pumping station during periods of heavy or sustained rainfall in order to prevent pollution incidents locally is not a long term sustainable solution. Going forward the Committee will note that Southern Water has programmed in an electroscan survey of Birdham which it intends to complete by the end of January 2022. This is to enable Southern Water to identify the public sewers which may be letting groundwater in through poor pipe joints, ultimately causing the system to become overwhelmed. Southern Water advise that once the survey work has identified the leaking pipes it will determine a forward plan to seal them. This is normally done by lining through the existing network to make the joints watertight. The statutory undertaker is therefore clearly aware of the issues and operational failings and is to take steps to rectify these. In the context of this planning application therefore, officers are satisfied that the documented issues do not constitute a planning reason for refusing the application.

vi) Employment and Retail Uses

8.21 Whilst the application is residential led it is for a mixed use development and also comprises a proposed B1 Use Class building and a retail unit. Both are shown on the illustrative site plan located adjacent to the Bell Lane site frontage. As with the scheme which was dismissed at appeal, the proposed Class B1 building would provide 700 sqm of light industrial space, in one or more units. The appeal Inspector identified that a building of this size and type would have the potential to accommodate a variety of small enterprises, possibly including start-ups or existing small firms seeking to expand and that it might also be suitable for the relocation of some of the businesses currently operating from the former barns located on the west boundary of the appeal site. Local Plan policy 3 supports the provision of a flexible supply of employment land and premises to meet the District's needs including a wider range of opportunities in the rural area. Policy 22 of the BPNP also encourages small-scale development for business use, albeit this is directed to sites within the village boundary. The proposal finds support in the NPPF which seeks to support a prosperous rural economy, through sustainable growth and expansion of businesses in rural areas, including well-designed new buildings (paragraph 84).



- 8.22 The appeal Inspector adjudged that because the commercial space proposed was only a minor element of the development proposed, there was no requirement in terms of the Local Plan for marketing evidence to have been produced to show that there was a local need, particularly given the supportive policy background. The appeal Inspector's conclusion was that an employment use in this location was a potential benefit to the local economy and therefore carried some weight in the overall planning balance.
- 8.23 The appeal Inspector drew similar conclusions to the proposed employment use in respect of the proposed retail unit which was the same as proposed again on this current application. In the Inspector's judgment, *"A unit of around this size [150sqm minimum] would be sufficient to provide a small convenience store or similar type of local retail business..... There is no evidence that the proposed unit would adversely affect Birdham's existing small supermarket, or that it would be unable to attract an operator..... In the context of the appeal scheme as a whole, it seems to me that the proposed retail unit could potentially provide a useful, small-scale local service, not only for future occupiers of the proposed development itself, but also for other residents of Birdham. As such, it would help to sustain the local community and add to its vitality."* As with the employment use building, the appeal Inspector regarded the retail unit as a modest benefit of the scheme overall to be again factored into the planning balance. Part of that balancing exercise was an assessment of the weight to be attached to the loss of the existing horticultural uses on the site which would result from the granting of planning permission for alternative development, and it is to that key matter the report now turns.

vii) Loss of Horticulture

- 8.24 The presence of small scale horticultural uses has been a characteristic part of the warp and weft of Birdham life for many years. In recent years some of those former nurseries have been re-developed with new housing either in whole or in part. Rowan Nursery which adjoins the application site to the north and Tawny Nurseries on the opposite side of Bell Lane were both re-developed for housing at a time in 2014 when the Council was not able to demonstrate that it had a 5 year housing land supply and again both sites were outside of the settlement boundary. In the case of Tawny Nurseries which was determined at appeal, the Inspector found that, *"The Council is unable to demonstrate a 5-year supply of deliverable housing land. In these circumstances the NPPF advises that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole. There would be some minor harm to the character and appearance of the area... However, in the absence of the 5 year housing supply, the site would provide a deliverable supply of much needed land for housing in an accessible location [that] would be a considerable benefit of the scheme. The adverse effects of granting planning permission would not, therefore, significantly and demonstrably outweigh the benefits which are considerable when assessed against the policies of the NPPF when taken as a whole."*

- 8.25 The judgment of the 2014 appeal Inspector on the Tawny Nurseries site was made in the context of the Council not having a 5 year housing land supply and the Inspector was therefore required to consider the applications favourably unless the adverse impacts of doing so significantly and demonstrably outweighed the benefits. Quite plainly the Council is now in a different situation in respect of this application. It has a 5 year housing land supply and so the application must - in accordance with section 38 (6) - be considered in the context of a plan led approach to decision making. There is no requirement to engage the tilted balance.
- 8.26 In the context of the development plan it is relevant to this application to note that both the Tawny Nurseries and Rowan Nursery decisions were made prior to the emergence of policy 23 of the BPNP which seeks amongst other things to support and to avoid adverse impacts on local businesses in certain specific sectors, one of which is the horticultural industry, together with the farming, tourism and marine sectors. The development now proposed would mean the loss of a currently active and well supported horticultural business at Bellfield Nursery and would mean that although horticultural uses have ceased at Kelly's Nursery even though the existing glasshouses are in generally good condition, there would be no prospect of a similar use recommencing there. The Inspector in the previous appeal on the application site considered this point and found that, *"I conclude that the proposed development would have a significant adverse impact on the local horticultural industry, due to the loss of the existing business at Bellfield Nursery, and the loss of any prospects for the resumption of horticultural use at Kelly's Nurseries. These adverse impacts bring the appeal proposals into conflict with BPNP Policy 23."* Although finding that the loss of the horticultural use weighed against permitting the appeal proposals, the Inspector also recognised that this loss would be tempered to an extent by the proposed provision of the B1 employment uses and the retail unit.
- 8.27 The Committee will note that the Council's Economic Development Service (EDS) has considered the application. EDS recognises the importance which the Parish Council attaches to retention of small scale horticultural nurseries within the Parish, but equally recognizes that the delivery of 700sqm minimum of B1 floorspace together with a retail unit of not less than 150sqm potentially offers greater employment opportunities locally and a more diverse employment base in the longer term.
- 8.28 In light of the Council now being able to demonstrate a 5 year housing land supply and therefore not being required to carry out the tilted balance under paragraph 11 d) of the NPPF, the weight which the loss of the horticultural use attracts must be re-appraised. In terms of now being able to once again follow a plan led approach under section 38 (6) the Council does not have to attach a level of significance or otherwise to retaining the horticultural use. It can follow the plan led approach. The plan led approach in this instance is policy 23 of the made Birdham Neighbourhood Plan. The current application would result in the total loss of horticultural uses which is contrary to that policy. The equation for the Council as it was for the Planning Inspector in 2018 is therefore greatly simplified. Development contrary to the development plan when there is no longer an overriding issue to be addressed such as the absence of a 5 year housing land supply should be refused. Officers particularly note the Planning Inspector's conclusion that this loss would have a *'significant adverse impact'* and consider now that with a 5 year housing supply in place, the planning balance remains in supporting the horticultural use and the objectives of BNP policy 23.

## viii) Other Matters

### Ecology and Biodiversity

8.29 The application site is subject to no particular ecological designation. The well-screened tree and hedgerow boundaries are potentially a rich source of biodiversity with the ecological value stemming from their grouping rather than as individual specimens. They also provide potentially important wildlife corridors. The Council's Environment Officer has assessed the proposals and made a number of recommendations (see paragraph 6.16) to ensure the protection of wildlife and to secure site enhancements to encourage wildlife, all of which can be secured by condition.

### Habitat Regulations Assessment

8.30 The site is located within the 5.6km buffer zone of the Chichester and Langstone Harbours Special Protection Area. The proposal would result in an increase in population living on the site, which could result in recreational pressure on the SPA and disturbance to protected bird populations. In the event that planning permission were given for the development, a financial contribution towards the Bird Aware Solent Scheme would be required in order to mitigate recreational disturbance as a result of the proposal. The contribution is based on the number of dwellings proposed and the different size of dwellings in terms of bedrooms. For the development proposed a contribution of £45,419 would be sought and secured through a S106 agreement. Natural England has confirmed that this provides acceptable mitigation against the potential recreational impacts of the development on the protected site.

8.31 There is no requirement for the application to address the issue of Nitrates and Nitrate Neutrality given that the development would send its foul water flows to the Sidlesham WwTW with discharges thereon away from the protected waters of the Solent Maritime SAC and Chichester Harbour SPA. Officers have completed an Appropriate Assessment in terms of the recreational pressure issue.

### Heritage Impact

8.32 The edge of the proposed development would be approximately 150 metres to the north of the Somerley Conservation Area. The southern boundary of the application site is heavily screened by hedgerow and tall trees which permit no intervisibility between the site and the Conservation Area. The southern part of the site was formerly a horticultural nursery (Koolbergen) until recently most of the dilapidated glasshouses erected on it were cleared. The application site is not mentioned in the wider context of the Somerley Conservation Area Character Appraisal in terms of proximity or in terms of any negative impact or other impact or association, nor does it appear on the associated Townscape Analysis Map as a negative feature and nor does the application site feature in the outer reaches of 'Adopted views' out from the Conservation Area. Officers are satisfied that there is no conflict with Local Plan policy 47 in terms of the setting of the Conservation Area and the listed buildings within - the setting of the heritage assets. In terms of the NPPF, the circumstances of the proposed development i.e. the presence of a significant separation gap and significant boundary screening mean that the development does not even reach the test of having to assess whether it causes less than substantial harm to the heritage assets.

### Residential Amenity

8.33 The application site adjoins the re-developed former Rowan Nursery site to the north, now Rowan Close. It is separated from that site by a line of trees and hedging which follow the line of the drainage ditch and whilst the residents of that new development would clearly be aware of the proposals it is considered that subject to the approval of a satisfactory layout including landscaping and scale (height) of buildings, the residential amenity of that development could be safeguarded. Similarly, the existing amenity of the detached dwelling 'Seldens' adjacent to the south-east corner of the site which is located within a large well screened curtilage could be satisfactorily protected through additional screening and control over the layout and orientation of the proposed dwellings.

### Sustainability of Location

8.34 The application site is considered to be sustainably located in terms of it being adjacent to the settlement boundary of a Service Village which the development strategy of the Local Plan and the development strategy of the draft LPR accept as settlements appropriate for some new housing development. Officers are aware of the Committee's concerns more generally on the Manhood Peninsula regarding housing proposals which are just housing proposals and which provide nothing more in terms of other infrastructure or facilities such as for example employment opportunities or highway improvements. This application is not just for housing but is also proposing a minimum of 700 sqm of new employment space and a retail unit both of which are measures improving the sustainable nature of the area. The application also offers transport benefits – two new bus stops and shelters and a combined pedestrian/cycle link from the site entrance to the roundabout at the north end of Bell Lane and the roundabout junction with the A286. The CIL contribution realised from the development could contribute to medical and/or education requirements where required and identified through the Infrastructure Business Plan 2021-26 which WSCC partake in.

8.35 The appeal Inspector less than 3 years ago commented that, *'There is no dispute that the site is close to the existing facilities in Birdham. Those facilities are not very numerous, but they do include a primary school, convenience shop, village hall and recreation ground. Bell Lane is also served by existing bus services. The opinion surveys carried out for the BPNP did not appear to show any strong public objection to development in this part of the village.'* He also commented that, *'...the proposed new pedestrian and cycle path, the new bus lay-bys, and the public open space and play area, would all be of some benefit to the local community, over and above the need to mitigate the development's own impacts.'* The current application would realise the same benefits. The application cannot therefore be refused on the grounds of sustainability.

### Significant Conditions

8.36 The application is recommended for refusal.

## Section 106 Agreement

8.37 The application is recommended for refusal. In the event that the application is permitted it would attract the need for a section 106 agreement. The anticipated heads of terms in such circumstances would be:

- 30% Affordable Housing 21 units (requirement is 21.6 units) with a tenure split as set out in paragraph 3.3 above
- A commuted sum for the 0.6 of an affordable unit not provided and calculated in accordance with the Council's Planning Obligations and Affordable Housing SPD
- Financial contribution of £237,104 (£3,248 per dwelling) towards the A27 Local Plan mitigation works in line with the Council's SPD 'Approach for securing development contributions to mitigate additional traffic impacts on the A27 Chichester Bypass'.
- Financial contribution of £45,419 for recreational disturbance mitigation at Chichester and Langstone Harbours SPA in accordance with Local Plan Policy 50 and Planning Obligations and Affordable Housing SPD.
- Public Amenity Open Space including a Local Area of Play (LAP) (minimum of 232 sqm), provision, management and on-going maintenance.
- Highway Works: Stage 2 and 3 safety audit; shared pedestrian cycle link on west side of Bell Lane between site access road and the A286/B2179 junction; street lighting improvement for Bell Lane between the site access and the A286/B2179 junction; bus laybys to south of site access road on either side of Bell Lane
- Bus Shelter contribution of £11,000 (this is the figure previously agreed on the earlier appeal scheme. A revised/updated figure is still to be finalised for this application)
- Provision of B1 employment building (700 sqm minimum) and retail building (150 sqm minimum)
- Marketing requirements for B1 employment building and retail building
- S106 monitoring fee of £5,106

## Conclusion

- 8.38 This application is being considered a full 3 years since an application for the same proposal was refused at appeal - albeit it is now with 4 fewer dwellings – and 3 months since the Planning Committee considered the officers recommendation to permit the development. However, since the September 2021 Planning Committee there has been a fundamental shift in the Council's housing land supply situation from a position where the 5 year housing land supply which was at 4.3 years, is now at 5.3 years supply. With the benefit of a positive housing supply the tilted balance in paragraph 11 d) of the NPPF i.e. the presumption in favour of permitting sustainable new development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits is no longer engaged. With the advent of a housing supply the need to permit further housing on unidentified sites ahead of adoption of the Local Plan Review is substantially changed. The planning balance has shifted back to a plan-led determination of new housing applications and the officers recommendation on this application is therefore necessarily changed from permit to refuse.
- 8.39 In pursuing a plan led approach to decision making, the conflict identified at the time of the planning appeal in terms of the loss of the horticultural use at Bellfield Nursery and to a lesser extent at Kelly's Nursery remains a significant weakness in the current scheme in that it would result in the permanent loss of horticulture in this part of Birdham, contrary to policy 23 of the BPNP. The appeal Inspector on this important issue found that, *"...the proposed development would have a significant adverse impact on the local horticultural industry, due to the loss of the existing business at Bellfield Nursery, and the loss of any prospects for the resumption of horticultural use at Kelly's Nurseries. These adverse impacts bring the appeal proposals into conflict with BPNP Policy 23."* Despite also acknowledging that the potential benefits arising from the scheme were numerous, the Inspector concluded that, *"...even when these are all added together, they are not compelling."* The appeal scheme failed to accord with the development plan.
- 8.40 At the time of the appeal the Council had a 5 year housing land supply and there was nothing that was so material as to necessitate moving away from a plan-led approach to decision-taking as required by section 38(6) of PCPA 2004, and hence the appeal was refused. That situation in respect of the housing supply situation is now replicated for the current application. The application has been tested against the relevant 13 criteria in the IPS and there are no significant or demonstrably adverse consequences that would result from the development being permitted. However, compliance with the IPS which is a development management tool rather than a policy document does not circumvent the overriding positive 5 year housing land supply figure given the additional conflict identified with BPNP policy 23. In setting out his concluding remarks on the appeal the Inspector stated, *"A 5-year supply of housing land has been demonstrated, and none of the relevant policies [2 and 45 of the Local Plan and 13, 15 and 23 of the BPNP] have been shown to be out-of-date or inconsistent with the NPPF. There is therefore no reason for me to give any of these policies less than full weight, or to apply the 'tilted balance' in NPPF paragraph 11."* *"The scheme would therefore cause harm not only to the planning strategy for the area, but also to the principle of plan-led decision-making, which is central to the NPPF and to the whole planning system."*
- 8.41 In re-evaluating this application since it was considered by the Planning Committee in September officers have no reason to reach a different conclusion from the Inspector. The application is therefore recommended for refusal.

## Human Rights

8.42 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**

- 1) The site lies outside of the Settlement Boundary for Birdham and in the designated countryside or Rest of Plan Area wherein the policies of the development plan state that development will only be permitted where it requires a countryside location and meets an essential, small scale and local need which cannot be met within or immediately adjacent to the existing settlement. The Council is able to demonstrate that it has a 5 year housing land supply and has made full provision for its parish housing numbers set out in Local Plan policy 5 through the Birdham Neighbourhood Plan on sites within the existing settlement boundary. The proposed housing, business floorspace and retail unit, located outside the settlement boundary, would be in conflict with policies 1, 2, 5 and 45 of the Chichester Local Plan: Key Policies 2014-2029 and policies 12, 13 and 15 of the made Birdham Parish Neighbourhood Plan (March 2016). The proposal should be determined in accordance with the development plan and in accordance with paragraphs 11, 12 and 47 of the NPPF.
- 2) The proposed development would result in the total loss of the existing horticultural use on the site. This is contrary to policy 23 of the made Birdham Parish Neighbourhood Plan for the period 2014 – 2029 which seeks to retain and protect this key aspect of the local rural economy from development proposals for redevelopment or for a change of use.
- 3) The proposal fails to make adequate and proper provision (via a section 106 Agreement) for affordable housing and to mitigate the impact of the proposed development on local infrastructure in respect of providing measures for sustainable transport improvements and the implementation, management and maintenance of the proposed landscaping areas and open space including equipped play space. The proposal would also fail to make provision for meeting the burden which would be placed on Chichester and Langstone Harbours Special Protection Area as a result of an increase in recreational disturbance. The proposal is therefore contrary to national planning policy contained within the NPPF, policies 8, 9, 33, 34, 39, 50 and 54 of the Chichester Local Plan: Key Policies 2014-2029 and the Council's Supplementary Planning Document (SPD) on Planning Obligations and Affordable Housing (January 2016).

### Informatives

- 1) This decision refers to the following plans: PI-03 REV 2\_2; PI-04 REV 2\_2; PI-01 REV 2\_7 (25/09/21); 2017-4143-001 REV C; 2017-2449-0016 REV C

For further information on this application please contact Jeremy Bushell on 01243 534734.

To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QF7QFCERMUA00>

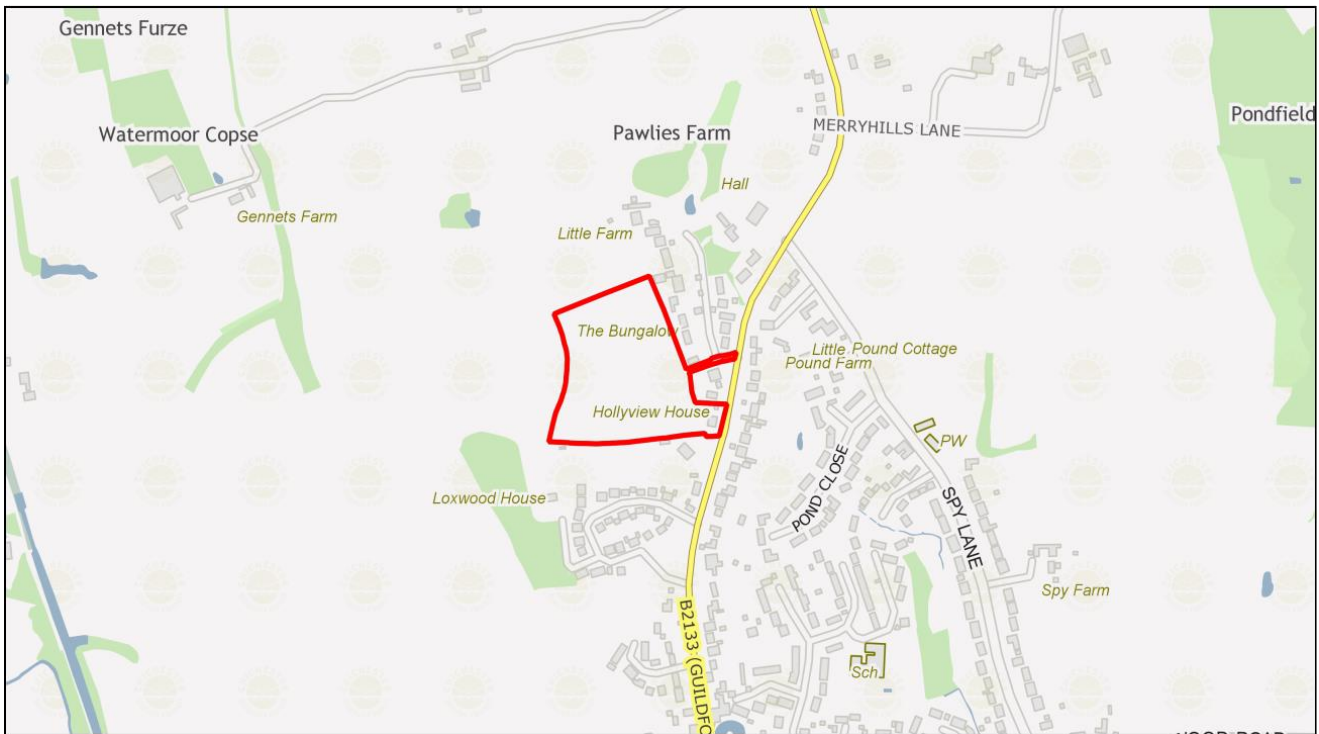


Parish: Loxwood	Ward: Loxwood
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## LX/21/02054/FUL

<b>Proposal</b>	Demolition of existing dwelling and the erection of 50 dwellings to include 35 private units and 15 affordable units, creation of proposed vehicular access, internal roads and footpaths, car parking, sustainable drainage system, open space with associated landscaping and amenity space (resubmission of planning application reference LX/19/01240/FUL) - Variation of Condition 6 of planning permission LX/20/01481/FUL - to amend the wording and change the trigger point for this condition.		
<b>Site</b>	Land South West Of Guildford Road Loxwood West Sussex		
<b>Map Ref</b>	(E) 503718 (N) 131983		
<b>Applicant</b>	Stonewater	<b>Agent</b>	Miss K Gilbert

### RECOMMENDATION TO PERMIT



	<b>NOT TO SCALE</b>	<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>
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## **1.0 Reason for Committee Referral**

Parish Objection - Officer recommends Permit

## **2.0 The Site and Surroundings**

- 2.1 The application site is located to the west of Guildford Road on the north-western outskirts of Loxwood. It comprises approximately the southern two-thirds of a single field of rough pasture of approximately 2.9ha and is currently grazed by sheep. The northern boundary and the land immediately beyond that boundary is separated from the site by a stock proof post and wire fence. It is currently in use as a series of rectilinear paddocks for equine grazing and schooling. The site is bounded to the east by the residential rear gardens of those detached dwellings which front onto Pond Copse Lane, a private road which also defines the line of public footpath no. 811/1. The west site boundary is defined by a screen of hedging and mature trees including major oaks. Beyond the west boundary are fields in arable farming use. The south site boundary is marked by a line of mature trees beyond which is a pony paddock and the house and curtilage of Hawthorn Cottage. The south-east corner of the site is occupied by Hollyview House, a detached 2 storey property, its curtilage and outbuildings which front onto the B2133 Guildford Road.
- 2.2 The site has a pronounced slope rising from East to West broadly levelling to a plateau about two-thirds of the way up. In terms of its wider topography it actually occupies the western most side of a shallow valley orientated N-S with the eastern ridge of this valley defined by the line of PROW no. 796. A high voltage overhead cable crosses the south-east corner of the site. The site is located in the Environment Agency's Flood Zone 1 i.e. in an area least likely to be the subject of flooding.
- 2.3 The majority of the site is outside of but adjacent to the west boundary of the current made Neighbourhood Plan settlement boundary for Loxwood. The boundary passes across the rear part of the gardens of those houses fronting Pond Copse Lane. Hollyview House and most of its curtilage is within the settlement boundary as is the proposed cycle/pedestrian link to Guildford Road which passes to the south of Oakfield Cottage. In policy terms therefore the majority of the site is in the countryside or 'Rest of Plan' area.

## **3.0 The Proposal**

- 3.1 The current application is submitted under section 73 of the Town and Country Planning Act and is an application to vary condition 6 attached to planning permission reference LX/20/01481/FUL permitted on 30 October 2020 which is for the re-development of the application site to provide 50 new dwellings as more fully described in the description of 'Proposal' at the beginning of this report.
- 3.2 Condition 6 on planning permission LX/20/01481/FUL relates to the proposals for the disposal of foul water from the development. Condition 6 as currently worded on the planning permission reads:

6) **No development shall commence** unless and until details of the proposed means of foul water sewerage disposal including the proposals for the associated off-site infrastructure improvements have been submitted to and been approved in writing by the Local Planning Authority, in consultation with Southern Water. Thereafter all development shall be undertaken in accordance with the approved details. No occupation of any dwelling shall take place until the approved off-site works have been completed or, in the event that the agreed off-site works are not completed in full by the time of first occupation, detailed interim on-site measures for the disposal of foul water sewerage shall be first agreed in writing by the Local Planning Authority in consultation with Southern Water and implemented in full.

*Reason: To ensure adequate provision for drainage. It is considered necessary for this to be a pre-commencement condition as such details need to be taken into account in the construction of the development and thus go to the heart of the planning permission.*

3.3 The applicant is seeking to amend the wording of this condition so that it is not a pre-commencement condition as currently drafted. It is proposed to be amended so that the condition is triggered instead by occupancy of the first new dwelling on the site. The applicant has produced an alternative wording (in bold type) for condition 6 as follows:

**Works shall be carried out in accordance with details of the proposed means of foul water sewerage disposal including the proposals for the associated off-site infrastructure improvements submitted to the local planning authority and as consulted with Southern Water.** No occupation of any dwelling shall take place until the approved off-site works have been completed or, in the event that the agreed off-site works are not completed in full by the time of first occupation, detailed interim on-site measures for the disposal of foul water sewerage shall be first agreed in writing by the Local Planning Authority in consultation with Southern Water and implemented in full.

#### 4.0 History

18/02467/EIA	EIANR	Screening opinion - Proposed residential development of up to 60 no. units.
19/01240/FUL	REF	Demolition of existing dwelling and the erection of 50 dwellings to include 35 private units and 15 affordable units, creation of proposed vehicular access, internal roads and footpaths, car parking, sustainable drainage system, open space with associated landscaping and amenity space.
20/01481/FUL	PER106	Demolition of existing dwelling and the erection of 50 dwellings to include 35 private units and 15 affordable units, creation of proposed vehicular access, internal roads and footpaths, car parking, sustainable drainage system, open space with associated landscaping and amenity space (resubmission of planning application reference LX/19/01240/FUL).

20/03194/OBG	PER106	Proposed S.106 Deed of Variation in respect of mortgagee in possession clauses for development permitted under ref. LX/20/01481/FUL
21/00138/NMA	PER	Non-material amendment to planning permission 20/01481/FUL- alteration of the southern fence line of plots: 1, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15.
21/00937/DOC	PER	Discharge of condition 3 of permission 20/01481/FUL.
21/00960/DOC	SPLIT	Discharge of Conditions 5 (Surface Water Drainage) & 6 (Foul Water Sewerage Disposal) of planning permission LX/20/01481/FUL.
21/00961/DOC	PER	Discharge of condition 4 of permission LX/20/01481/FUL.
21/00974/DOC	PER	Discharge of Condition 12 of planning permission LX/20/01481/FUL - Sustainable Urban Drainage System.
21/00984/DOC	PER	Discharge of Conditions 7 and 13 of planning permission LX/20/01481/FUL - Ecology Mitigation and Enhancement Plan.
21/01109/NMA	PER	Non material amendment for permission 20/01481/FUL - removal of garages (except four-bedroom units) and amending rear doors from bi-fold to a French window style.
21/01175/DOC	PER	Discharge of condition 11 of permission 20/01481/FUL.
21/01176/DOC	REF	Discharge of Condition 16 of planning permission LX/20/01481/FUL - Travel Plan Statement.
21/01177/DOC	PER	Discharge of condition 17 of planning permission LX/20/01481/FUL.
21/01178/DOC	PER	Discharge of condition 26 to permission 20/01481/FUL.
21/01413/DOC	REF	Discharge of Condition 8 of planning permission LX/20/01481/FUL - Schedule of materials.
21/01414/DOC	PER	Discharge of condition 9 (verge details for all roofs) of planning permission LX/20/01481/FUL.

21/01415/DOC	PER	Discharge of Condition 10 of planning permission LX/20/01481/FUL - Compliance with Energy Statement
21/01416/DOC	PER	Discharge of condition 14 to planning permission 20/01481/FUL.
21/02340/DOC	PER	Discharge of condition 16 of permission 20/01481/FUL.
21/02477/ADV	PDE	1 no. non-illuminated totem sign.
21/02922/DOC	PER	Discharge of condition 8 of permission 20/01481/FUL.

## 5.0 Constraints

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

## 6.0 Representations and Consultations

### 6.1 Parish Council

Object - Development has already started on 1st July 2021 and therefore there is a breach of condition 6. Loxwood Parish Council support the original wording of the conditions until Southern Water have agreed the off-site works.

### 6.2 Southern Water

Southern Water has no objection to the commencement of construction of the development, if approved by the local planning authority. Southern Water is currently in process of designing and planning delivery of offsite sewerage network reinforcements. Occupation of the development has to be coordinated with the delivery of sewerage infrastructure in order to prevent the increased risk of flooding from sewerage network. In line with this Southern Water would like to maintain the condition:

*No occupation of any dwelling shall take place until the approved off-site works have been completed or, in the event that the agreed off-site works are not completed in full by the time of first occupation, detailed interim on-site measures for the disposal of foul water sewerage shall be first agreed in writing by the Local Planning Authority in consultation with Southern Water and implemented in full.*

### 6.3 1 Third Party Objection

Agree with Loxwood PC. Developers appear to be jumping the gun destroying wildlife habitat and significant trees far in advance of approval being given.

## 7.0 Planning Policy

### The Development Plan

7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029 (CLP) adopted by the Council on 14th July 2015 and all made neighbourhood plans. The Loxwood Neighbourhood Plan 2013 - 2029 (LNP) was made on 14.07.2015. A *Revised* LNP for the period 2019 - 2037 is currently at Regulation 16 stage. The made LNP forms part of the Development Plan against which applications must be considered.

7.2 The principal policies of the Chichester Local Plan relevant to the specific context of this application are as follows:

#### **Chichester Local Plan 2014-2029:**

Policy 1 Presumption in Favour of Sustainable Dev

Policy 9 Development and Infrastructure Provision

Policy 25 Development in North of the Plan area

Policy 33 New Residential Development

7.3 The policy of the made LNP relevant to the specific context of this application is:

Policy 8 - Infrastructure Foul Water

#### **Chichester Local Plan Review Preferred Approach 2016 - 2035 (December 2018)**

7.4 Work on a Review of the Local Plan to consider the development needs of the Chichester Plan Area through to 2036 is well underway. The remaining timeline for the Local Plan Review as set out in the Local Development Scheme envisages publishing the Plan for all to make comments in Spring 2022, submitting the Plan for Examination in Summer 2022 with Examination and Adoption taking place between August 2022 and Spring 2023. The current draft policies relevant to the application albeit carrying little weight in decision making at this time are:

S1 Presumption in Favour of Sustainable Development

S12 Infrastructure Provision

S31 Wastewater Management and Water Quality

DM16 Sustainable Design and Construction

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

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

## 8.0 Planning Comments

- 8.1 The principle of development of the application site with 50 new homes has already been agreed through full planning permission LX/20/01481/FUL which was permitted on 30 October 2020 and remains extant until 30 October 2023. As the Planning History section of the report reveals, the applicant has been diligently working through discharging the pre-commencement planning conditions on the permission in order to make a material start on site. This application is not therefore an opportunity to revisit the principle of whether a 50 dwelling development should be permitted on this site. That matter has been dealt with. The narrow focus of this application is solely in respect of whether it is appropriate to amend the wording of condition 6 on the extant permission relating to the provision of foul drainage.
- 8.2 Condition 6 on the permission is a pre-commencement condition. As currently drafted the condition relies on the details of the associated off-site infrastructure improvements to the foul sewerage network being first submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. The proposed amendment to the condition submitted by the applicant seeks to dispense with the pre-commencement requirement in favour of having an acceptable off-site drainage solution in place before first *occupation* of any dwelling on the site (see applicant's proposed re-wording of the condition above in section 3.3 of this report.) If the off-site infrastructure improvements to service the foul water drainage needs of the development are not in place by the time the first new dwelling on the site is ready to be occupied, the remainder of condition 6 requires that an interim on site solution to be first agreed by the Local Planning Authority in consultation with Southern Water is implemented in full. As part of the applicant's suggested amendments that second part of the planning condition would not change.
- 8.3 The applicant's suggested re-working of the first part of the condition whilst removing the existing pre-commencement requirement is considered to lack sufficient clarity and precision and does not therefore satisfy the required tests of a planning condition in this regard. In consultation with Southern Water, the statutory consultee has confirmed that it has no objection to commencement of the development taking place before the off-site infrastructure improvements are completed subject to a key safeguard being built into the second part of the planning condition. Southern Water confirms that its requirements as statutory undertaker would be fulfilled by imposition of a condition worded as follows:

*'No occupation of any dwelling shall take place until the approved off-site works have been completed or, in the event that the agreed off-site works are not completed in full by the time of first occupation, detailed interim on-site measures for the disposal of foul water sewerage shall be first agreed in writing by the Local Planning Authority in consultation with Southern Water and implemented in full'*

8.4 The applicant makes two main points in support of the application to vary the planning condition. The first is that it is unreasonable for the Council to impose a condition preventing *any* development taking place on the site when the foul drainage implications of that condition will only become a material consideration once the first dwelling is built and ready to be occupied. A lot of other development on the site could take place before this point is reached. Secondly, and related to the first point, is that the wording of condition 6 requires the developer to submit to and have approved by the Local Planning Authority in consultation with Southern Water details of the off-site infrastructure improvements. The difficulty here is that it is the statutory undertaker Southern Water who sets the timetable for approving the technical details as well as implementing the off-site improvements. The developer has no control over how quickly this process is carried out and in the meantime is unable to progress any aspect of the development. In essence the developer's implementation of its lawful planning permission is dependent on the timetable of a third party over which it cannot be expected to have control.

8.5 In light of the above, the condition is potentially ultra vires (i.e. not lawful). Officers have reviewed the wording of the condition and are of the opinion that it does not meet the legal tests of conditions as set out in the National Planning Practice Guidance (NPPG). Paragraph 16 of the NPPG (Reference ID: 21a-016-20140306) states that a condition should not be reliant on a third party:

*'It is not appropriate to require in a condition that a development should be carried out to the satisfaction of a third party as this decision rests with the local planning authority.'*

Condition 6 as currently drafted is clearly reliant on Southern Water because it relies on Southern Water's satisfaction/approval of the details prior to approval by the local planning authority. Southern Water advised in its consultation response on the planning permission for 50 dwellings (LX/20/01481/FUL) that the typical overall time needed to provide off-site network reinforcement was a 2 year period from a firm commitment by the developer to commence construction on site.

8.6 The developer of the site - Stonewater - in conjunction with development partner Thakeham Homes have been diligently discharging the pre-commencement conditions on the planning permission in readiness to start construction on the development and the applicant has advised officers that a formal notification of intent to commence construction was served on Southern Water on 2 November 2020 which in effect kick starts the necessary off-site infrastructure design and improvement process. To that end Southern Water are just over a year into their anticipated 2 year programme to design and deliver the necessary off-site infrastructure.

8.7 Officers are aware of the Parish Council's objection to a variation of condition 6 and associated concerns about the possible installation of an interim on-site facility to temporarily manage foul water discharges should homes be ready for occupation in advance of the off-site works being completed. However, Southern Water as the statutory undertaker for foul drainage has a statutory duty to respond to the developers notice served on it on 2 November 2020 and to construct any off-site sewer improvements in order to facilitate occupations by 2 November 2022 i.e. in accordance with its 2 year delivery programme. Southern Water has agreed to provide a representative at the Committee meeting to give a progress update on the scheduling of the works.



8.8 Mindful of the above, the wording of condition 6 is proposed to be amended so that it affords the developer the opportunity to implement the lawful permission for 50 dwellings on the site whilst at the same time ensuring that the separate statutory responsibilities of Southern Water are respected, that there are adequate safeguards to protect established residential amenity and that pollution of the environment is prevented. Condition 6 is therefore proposed to be re-worded as follows:

***No occupation of any dwelling shall take place until the off-site improvement works necessary to provide foul drainage for the whole development have been approved by the Local Planning Authority in consultation with Southern Water and have been completed or, in the event that the approved off-site improvement works are not completed in full by the time of first occupation, detailed interim on-site measures for the disposal of foul water sewerage shall be first agreed in writing by the Local Planning Authority in consultation with Southern Water and shall be implemented in full. The interim on-site measures shall be managed and maintained thereafter in accordance with details to be submitted to and approved in writing by the Local Planning Authority.***

***Reason: To ensure adequate provision for foul drainage and to prevent pollution of the environment.***

8.9 The Council's Planning Enforcement Officer has looked into the comment by the Parish Council that works have already commenced on site and so the developer is already in breach of condition 6. No breach of the planning permission has been identified. The accompanying section 106 agreement for the purposes of defining the 'commencement' of development specifically allows for the following activities to take place without triggering commencement: site surveys (including intrusive ground investigations); site clearance and/or demolition; ecological survey; archaeological survey; remediation; the diversion or laying of services; erection of fences or hoardings; the temporary display of site notices or advertisements; erection of a site compound including access and haulage routes and associated ancillary uses. The developer has engaged in some of the above activities as a pre-cursor to commencing the development but the development has not commenced and this is not a breach of the planning permission.

#### Significant Conditions

8.10 As this is an application submitted under S.73 of the Act to vary one of the 26 conditions on planning permission LX/20/01481/FUL it is necessary for completeness to repeat those previous conditions (and informatives) but with the appropriate amendments made to the wording of condition 6 as detailed above in paragraph 8.8.

#### Section 106 Agreement

8.11 The permission reference LX/20/01481/FUL which is being varied by this application was accompanied by a S.106 Agreement. The drafting of that agreement is such that no additional Deed of Variation is required to link the current S.73 application back to its provisions. The amended permission will still be subject to the same S.106 obligations.

## Conclusion

- 8.12 The revision to condition 6 addresses what on review appears to be a condition which is potentially ultra vires because it prevents the developer from commencing any material part of the approved development until Southern Water has effectively approved the off-site infrastructure improvements to the foul drainage network which are necessary to service the development. Southern Water has a separate process as the statutory undertaker potentially spanning a two year period in which to design and undertake the off-site works. This places the developer in a position where a time limited lawful planning permission cannot be implemented because it is dependent on the approval process of a third party over which the developer has no control. That is unreasonable.
- 8.13 The proposed variation to the condition is still compromised to an extent in that it relies on third party approval but crucially it now allows for the development to commence. The developer, in recognition of the Parish Council's concerns over foul drainage issues in Loxwood more generally, is prepared to accept that position. Officers consider that the re-drafting is an appropriate compromise. Importantly it maintains the safeguard of having a temporary on-site foul drainage solution in the event that Southern Water's timetable slips and homes are ready for occupation.

## 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 permit is justified and proportionate.

## **RECOMMENDATION**

**PERMIT** subject to the following conditions and informatives:-

- 1) The development hereby permitted shall be begun before 30 October 2023.

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

- 2) The development hereby permitted shall not be carried out other than in accordance with the following approved plans:

T051\_P01; T051\_P02; T052\_P10 Rev C; T051\_P11 Rev C; T051\_P12 Rev C;  
T051\_P13 Rev B; T051\_P35 Rev B; T051\_P50 Rev B; T051\_P51 Rev B;  
T051\_P100; T051\_P101; T051\_P102; T051\_P103; T051\_P104; T051\_P105;  
T051\_P106 Rev B; T051\_P107; T051\_P108; T051\_P109; T051\_P110 Rev A;  
T051\_P111; T051\_P112; T051\_P113; T051\_P114; T051\_P115; T051\_P116;  
T051\_P117; T051\_P118; T051\_P119; T051\_P120; T051\_P121; T051\_P122;  
T051\_P123; T051\_P124; T051\_P125; T051\_P126; T051\_P127; T051\_P128;  
T051\_P129; T051\_P130; T051\_P131 Rev B; T051\_P132; T051\_P133;  
T051\_P134; T051\_P135.

Reason: For the avoidance of doubt and in the interests of proper planning and to ensure the development complies with the planning permission.

3) **No development shall commence**, including any works of demolition, until a Construction and Environmental Management Plan (CEMP) comprising a schedule of works and accompanying plans for that Phase has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved CEMP shall be implemented and adhered to throughout the entire construction period unless any alternative is agreed in writing by the Local Planning Authority. The CEMP shall provide details of the following:

- (a) the phased programme of demolition and construction works;
- (b) the anticipated number, frequency and types of vehicles used during construction,
- (c) the location and specification for vehicular access during construction,
- (d) the provision made for the parking of vehicles by contractors, site operatives and visitors,
- (e) the loading and unloading of plant, materials and waste,
- (f) the storage of plant and materials used in construction of the development,
- (g) the erection and maintenance of security hoarding,
- (h) the location of any site huts/cabins/offices,
- (i) the provision of road sweepers, wheel washing facilities and the type, details of operation and location of other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- (j) details of public engagement both prior to and during construction works, including a named person to be appointed by the applicant to deal with complaints who shall be available on site and contact details made known to all relevant parties,
- (k) measures to control the emission of dust and dirt during construction, to include where relevant sheeting of loads, covering and dampening down stockpiles and restriction of vehicle speeds on haul roads. A dust management plan should form part of the CEMP which includes routine dust monitoring at the site boundary with actions to be taken when conducting dust generating activities if weather conditions are adverse,
- (l) measures to control the emission of noise during construction,
- (m) details of all proposed external lighting to be used during construction and measures used to limit the disturbance of any lighting required. Lighting shall be used only for security and safety,
- (n) appropriate storage of fuel and chemicals, in bunded tanks or suitably paved areas,
- (o) measures to reduce air pollution during construction including turning off vehicle engines when not in use and plant servicing, and
- (p) waste management including prohibiting burning and the disposal of litter,
- (q) provision of temporary domestic waste and recycling bin collection point(s) during construction.
- (r) hours of construction.

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.

**4) No development shall commence** until plans of the site showing details of the existing and proposed ground levels, proposed finished floor levels, levels of any paths, drives, garages and parking areas and the proposed completed height of the development and any retaining walls have been submitted to, and approved in writing by, the Local Planning Authority. The details shall clearly identify the relationship of the proposed ground levels and proposed completed height with adjacent buildings. The development thereafter shall be carried out in accordance with the approved details.

Reason: To ensure that a satisfactory relationship results between the new development and adjacent buildings and public areas. It is considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission.

**5) No development shall commence** until details of the proposed overall site-wide surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal as set out in Approved Document H of the Building Regulations and the SUDS Manual produced by CIRIA. Winter ground water monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. The surface water drainage scheme shall be implemented as approved unless any variation is agreed in writing by the Local Planning Authority. No building shall be occupied until the complete surface water drainage system serving that property has been implemented in accordance with the approved surface water drainage scheme.

Reason: The details are required pre-commencement to ensure that the proposed development is satisfactorily drained with all necessary infrastructure installed during the groundworks phase.

**6) No occupation of any dwelling shall take place until the off-site improvement works necessary to provide foul drainage for the whole development have been approved by the Local Planning Authority in consultation with Southern Water and have been completed or, in the event that the approved off-site improvement works are not completed in full by the time of first occupation, detailed interim on-site measures for the disposal of foul water sewerage shall be first agreed in writing by the Local Planning Authority in consultation with Southern Water and shall be implemented in full. The interim on-site measures shall be managed and maintained thereafter in accordance with details to be submitted to and approved in writing by the Local Planning Authority.**

**Reason: To ensure adequate provision for foul drainage and to prevent pollution of the environment**

7) The development hereby permitted shall not be carried out other than in full accordance with the mitigation measures and ecological enhancements set out in the Phase 2 Ecological Surveys and Assessment (October 2018) by Southern Ecological Solutions and shall be carried out in accordance with details and a timetable for implementation to be submitted to and agreed in writing by the Local Planning Authority **before work commences on site**. For the avoidance of doubt details of the mitigation measures and ecological enhancements shall include; the submission of a strategy for the trapping and translocation of slow worms, the provision of 5 no. bat boxes (in addition to those provided as part of the Bat Mitigation Strategy), 2 no. hedgehog nesting boxes and the provision of bird boxes as identified in the Strategy.

Reason: To accord with the terms of the application and to enhance the ecological and biodiversity value of the site.

8) Notwithstanding any details submitted to the contrary **no dwelling shall be constructed 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 been 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

9) **No development above slab level** shall commence until verge details for all roofs (main roofs, garages and pitched roof porches) have been submitted to and been approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details.

Reason: To ensure the finishes to be used are appropriate in the interest of amenity and to ensure a development of visual quality.

10) **Before construction commences above slab level** on any dwelling hereby permitted details shall be submitted to and be approved in writing by the Local Planning Authority showing how the development shall comply with the terms of the submitted Energy Statement prepared by Southern Energy Consultants dated 22 July 2020. The details shall include the proposed location, form, appearance and technical specification of the air source heat pumps (including acoustic performance) and the form and siting of the solar PV panels which shall be designed to be inset and flush fitting with the plane of the roof. The development thereafter shall be carried out in accordance with the approved details.

Reason: To ensure the development delivers carbon reductions and a sustainable development in accordance with policy 40 of the Chichester Local Plan Key Policies 2014- 2029 and the Council's Interim Planning Statement for Housing Development (July 2020) and to accord with the terms of the application.

11) **Before construction of any dwelling above slab level** the developer shall provide details of how the development will accord with the West Sussex County Council: Guidance on Parking at New Developments (September 2020) in respect of the provision of Electric Vehicle (EV) charging facilities. These details shall be approved in writing by the Local Planning Authority and carried out as approved. Specifically the development shall provide passive provision through ducting to allow EV charging facilities to be brought into use at a later date for the whole site. Active EV charging facilities shall be provided in accordance with the table at Appendix B of the West Sussex County Council: Guidance on Parking at New Developments (September 2020) and no dwelling which is to be provided with an active charging facility shall be first occupied until the EV charging facility for that dwelling has been provided and is ready for use.

Reason: To accord with current parking standards and the sustainable development objectives of Policy 40 of the Chichester Local Plan: Key Policies 2014-2029.

12) **No development shall commence on the Sustainable Urban Drainage System (SuDS)** until full details of the maintenance and management of the SuDS system, set out in a site-specific maintenance manual, has been submitted to and approved in writing by the Local Planning Authority. The manual shall include details of financial management and arrangements for the replacement of major components at the end of the manufacturers recommended design life. Upon complete construction of the SuDS system serving each phase, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: To ensure the efficient maintenance and ongoing operation for the SuDS system and to ensure best practice in line with guidance set out in the SuDS Manual CIRIA publication ref: C687 Chapter 22. The details are required pre-commencement to ensure the SuDS are designed appropriately and properly maintained and managed as soon as they are installed.

13) All works for the demolition of Hollyview House and garage shall be carried out strictly in accordance with the measures set out in the Bat Mitigation Strategy in Annex 3 of the Outline Bat Mitigation Strategy prepared by Southern Ecological Solutions, 17 March 2020 unless any variation is specifically agreed as part of any subsequent Natural England European Protected Species (EPS) mitigation license. Details of the proposed location of 3 no. bat boxes shall be submitted to and be approved in writing by the Local Planning Authority. The bat boxes shall be installed in accordance with the approved details and before any works of demolition of Hollyview House and its garage take place.

Reason: To ensure that the process of demolition is not harmful to the protected species.

14) Notwithstanding the illustrative landscaping details submitted with the application **no construction of any dwelling above slab level** shall take place unless and until a detailed scheme of soft landscaping for the whole site has been submitted to and been approved in writing by the Local Planning Authority. The scheme shall include a planting plan and schedule of plants noting species, plant sizes and proposed numbers/densities, and shall include a program/timetable for the provision of the landscaping. In addition all existing trees and hedgerows on the land shall be indicated including details of any to be retained, together with measures for their protection during the course of development. The scheme shall make particular provision for the conservation and enhancement of biodiversity on the application site and boundary fencing shall include gaps underneath to enable the passage of small mammals (hedgehogs). The works shall be carried out in accordance with the approved details and planting timetable and in accordance with the recommendations of the appropriate British Standards or other recognised codes of good practice. Any trees or plants which, within a period of 5 years after planting, are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved unless otherwise first agreed in writing by the Local Planning Authority.

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

15) **No dwelling shall be first occupied** unless and until covered and secure cycle parking spaces have been provided for that dwelling in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. The cycle parking spaces shall be provided in accordance with the approved details and retained for that purpose thereafter.

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

16) **No dwelling shall be first occupied** until such time as a Travel Plan Statement has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan Statement shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority and shall include the provision of a residents Travel Information Pack to the first occupants of each dwelling.

Reason: To encourage and promote sustainable transport.

17) **Before first occupation of any dwelling** on the site hereby approved a timetable shall be submitted to and be approved in writing by the Local Planning Authority for the provision of the unallocated/visitor car parking spaces as shown on drawing no. T051\_P11 Rev C. The unallocated/visitor car parking spaces shall then be provided in accordance with the approved timetable and once provided the unallocated/visitor car parking spaces shall be retained for parking purposes thereafter.

Reason: To ensure that the correct level of parking is provided in a timely manner for the development to accord with the terms of the application and in the interests of proper planning.

18) **No dwelling shall be first occupied** until such time as the vehicular access to the site and related highways works serving the development, including traffic calming, have been constructed in accordance with the details shown on drawings ITB13023-GA-004 Rev G and ITB13023-GA-005 Rev B.

Reason: To accord with the terms of the application and in the interests of road safety.

19) **Before first occupation of any dwelling** full details of how the site will be connected to all relevant utilities and services infrastructure networks (including fresh water, electricity, gas, telecommunications and broadband ducting) shall be submitted to and be approved in writing by the Local Planning Authority. These details shall demonstrate the provision of suitable infrastructure to facilitate these connections and the protection of existing infrastructure on the site during works. The development will thereafter only proceed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development benefits from appropriate infrastructure.

20) **No dwelling on the site hereby permitted shall be first occupied** unless and until the car parking and/or garaging provision for that dwelling and the road access to it – including where shown visitor/unallocated spaces, associated footways and turning heads – have been constructed in accordance with the approved Site Layout drawing T051\_P11 Rev C. Once provided these spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car parking spaces for the development in accordance with the terms of the application, adopted guidance and in the interests of road safety.



21) **No dwelling shall be first occupied** unless and until visibility splays as have been provided at the proposed site vehicular access onto Guildford Road in accordance with drawing ITB13023-GA-004 Rev G . Once provided the visibility splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above the level of the adjoining carriageway or as otherwise may be agreed in writing by the Local Planning Authority following consultation with the Local Highway Authority.

Reason: In the interests of road safety.

22) **Before first occupation of any dwelling**, details showing the precise location, installation and ongoing maintenance of 1 no. fire hydrant to be supplied (in accordance with the West Sussex Fire and Rescue Guidance Notes) shall be submitted to and be approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Services. The approved fire hydrant shall be installed before first occupation of any dwelling and thereafter be maintained as in accordance with the approved details.

Reason: In the interests of amenity and in accordance with The Fire and Rescue Services Act 2004.

23) The dwellings hereby permitted shall be designed to ensure the consumption of wholesome water by persons occupying a new dwelling must not exceed 110 litres per person per day, as set out in in G2 paragraphs 36(2) and 36(3) of the Building Regulations 2010 - Approved Document G - Sanitation, hot water safety and water efficiency (2015 edition with 2016 amendments). **No dwelling hereby permitted shall be first occupied** until the requirements of this condition for that dwelling have been fully implemented, including fixtures, fittings and appliances.

Reason: To ensure water efficiency within the dwellings and to comply with the requirements of Policy 40 of the Chichester Local Plan: Key Policies 2014-2029.

24) **No part of the development hereby permitted shall be occupied** until the domestic refuse and recycling storage facilities including provision of green waste bins to service that part of the development 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 domestic 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 facilities for the storage of domestic waste in the interests of general amenity and encouraging sustainable management of waste.

25) Details of any external lighting of the site shall be submitted to and approved in writing by the Local Planning Authority. This information shall include a layout plan with beam orientation and schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained and operated in accordance with the approved details, unless the Local Planning Authority gives its written consent to any variation. The lighting scheme shall take into consideration the presence of bats in the local area and shall minimise potential impacts to any bats using trees and hedgerows by avoiding unnecessary artificial light spill through the use of directional lighting sources and shielding.

Reason: To protect the appearance of the area, the environment and foraging bats, and local residents from light pollution.

Note: Any proposed external lighting system should comply with the Institute of Lighting Engineers (ILE) guidance notes for the Reduction of Light Pollution.

26) Before construction of the final wearing course of the internal roads within the development hereby permitted details shall be submitted to and be approved in writing by the Local Planning Authority of the surfacing materials which shall be suitably strong enough to take the weight of a 26 tonne waste freighter vehicle. The final wearing course of the internal roads shall thereafter be constructed in the approved surfacing materials.

Reason: To ensure that the internal roads are designed and constructed to withstand the weight of the heaviest vehicles using them.

## INFORMATIVES

1) This permission shall be read in conjunction with the Agreement made under Section 106 of the Town and Country Planning Act 1990 dated 30 October 2020 and the Deed of Variation (relating to variation of the mortgagee in possession clauses) dated 25 May 2021.

2) 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 Jeremy Bushell on 01243 534734

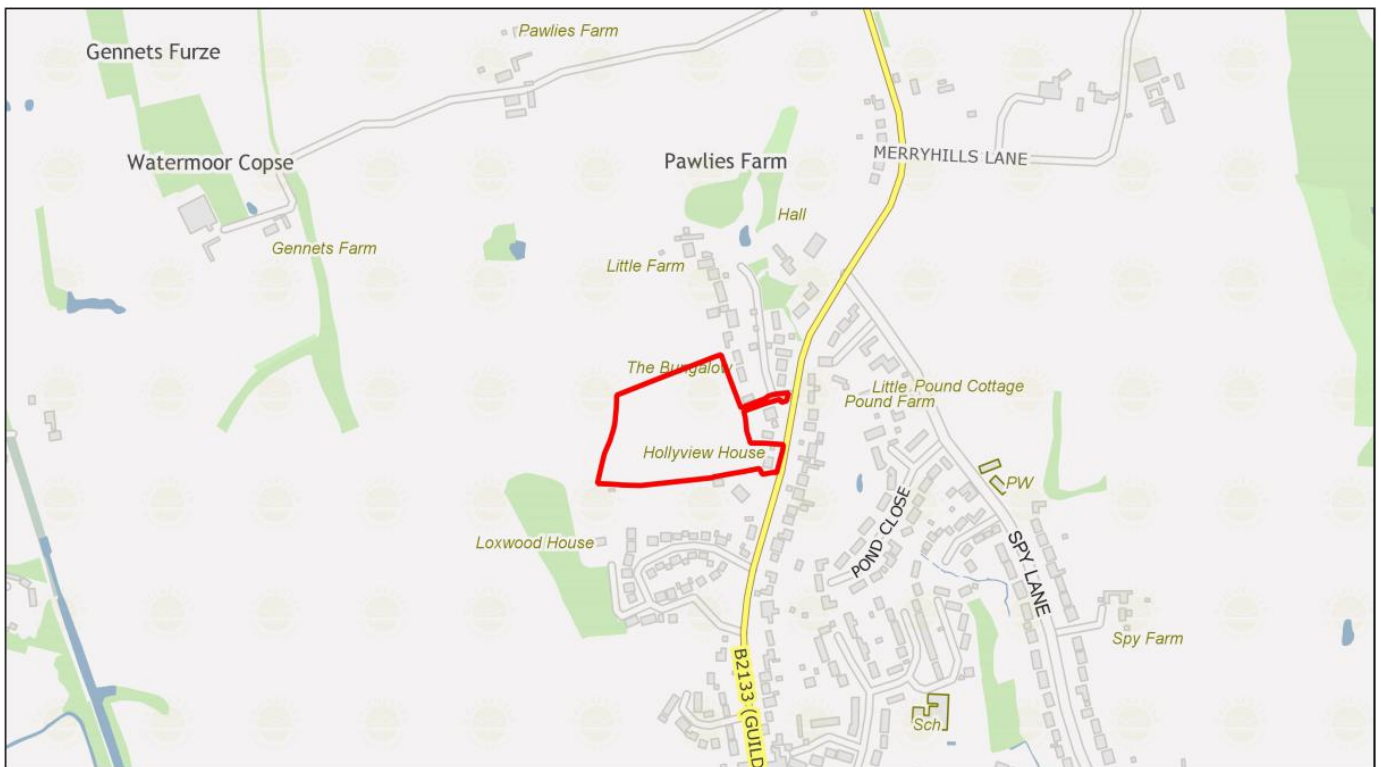
To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QVKMFVERK8O00>

Parish: Loxwood	Ward: Loxwood
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**LX/21/02477/ADV**

<b>Proposal</b>	1 no. non-illuminated totem sign.		
<b>Site</b>	Land South West Of Guildford Road Loxwood West Sussex		
<b>Map Ref</b>	(E) 503718 (N) 131983		
<b>Applicant</b>	n/a	<b>Agent</b>	Miss K Gilbert

**RECOMMENDATION TO PERMIT**



	<p><b>NOT TO SCALE</b></p>	<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>
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## **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 located to the west of Guildford Road on the north-western outskirts of Loxwood. Fifty dwellings are currently under construction on the application site, as approved under planning permission 20/01481/FUL.

2.2 The site adjoins the Loxwood Settlement Boundary and as such there are dwellings to the north, south and east whilst to the west are fields in arable farming use.

## **3.0 The Proposal**

3.1 The application seeks advertisement consent for the installation of 1 no. non-illuminated totem sign for a temporary period of 1 year.

3.2 The proposed advert would be 4 metres high above ground level (with 1 m posts under ground). The advertisement would comprise 1 no. 2440(w) x 1220mm(h) dibond panel and 4 no. 2440mm(w) x 610mm(h) dibond panels.

## **4.0 History**

19/01240/FUL	REF	Demolition of existing dwelling and the erection of 50 dwellings to include 35 private units and 15 affordable units, creation of proposed vehicular access, internal roads and footpaths, car parking, sustainable drainage system, open space with associated landscaping and amenity space.
20/01481/FUL	PER106	Demolition of existing dwelling and the erection of 50 dwellings to include 35 private units and 15 affordable units, creation of proposed vehicular access, internal roads and footpaths, car parking, sustainable drainage system, open space with associated landscaping and amenity space (resubmission of planning application reference LX/19/01240/FUL).
20/03194/OBG	PER106	Proposed S.106 Deed of Variation in respect of mortgagee in possession clauses for development permitted under ref. LX/20/01481/FUL
21/00138/NMA	PER	Non-material amendment to planning permission 20/01481/FUL- alteration of the southern fence line of plots: 1, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15.

21/00937/DOC	PER	Discharge of condition 3 of permission 20/01481/FUL.
21/01109/NMA	PER	Non material amendment for permission 20/01481/FUL - removal of garages (except four-bedroom units) and amending rear doors from bi-fold to a French window style.

## 5.0 **Constraints**

Listed Building	NO
Conservation Area	NO
Rural Area	NO
AONB	NO
Tree Preservation Order	NO
EA Flood Zone	
- Flood Zone 2	NO
- Flood Zone 3	NO

## 6.0 **Representations and Consultations**

### 6.1 **Parish Council**

Object. The sign does not reflect the planning consent it indicates that all 50 are either affordable rent, rent to buy or shared ownership.35 of the houses are open market. The Parish Council feel a 5m high sign is an excessive size.

### 6.2 **Third party comments**

No representations have been 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, the CDC Site Allocation Development Plan Document and all made neighbourhood plans. The Loxwood Neighbourhood Plan was made on the 14th July 2015 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 47: Heritage and Design

#### Loxwood Neighbourhood Plan

There are no policies relevant to the consideration of an application for advertisement consent.

#### National Policy and Guidance

- 7.3 Government planning policy now comprises the revised National Planning Policy Framework (NPPF 2021), which took effect from 21 July 2021. Paragraph 11 of the revised Framework states that plans and decisions should apply a presumption in favour of sustainable development, and 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 of 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 paragraph 136 which relates specifically to the control of advertisements. The advertisement section of the National Planning Practice Guidance has also been taken into account.
- 7.5 The following is also relevant:
- Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)
- #### Other Local Policy and Guidance
- 7.6 The Council has adopted a Guidance Note relating to advertisements, but this only concerns advertisements within designated Conservation Areas, and is therefore not relevant to the consideration of this application.
- 7.7 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 2007 Advert Regulations establish that a local planning authority may exercise its powers under the Regulations only in the interests of 'amenity' and 'public safety', taking into account the provisions of the development plan, in so far as they are material, and any other relevant factors.

### **i. Amenity**

8.2 Given the nature of the proposal and its scale, the totem sign proposed on the side of the site access would inevitably be visible in the locality. However, due to the natural screening by vegetation along Guildford Road and the siting of the proposal, the signage would only be subject to views that are localised to the site's access. The proposed signs would be temporary and would be removed following 31.12.2022. The sign would be in place in association with the new approved housing development and would be removed following the temporary permission. Therefore the longevity of the visual impact will be limited.

8.3 The proposed signage would be non-illuminated and although relatively large, given its temporary nature and lack of illumination, it is considered that the sign would not be intrusive or harmful to the visual amenity or character of the wider area.

### **ii. Public Safety**

8.4 The proposed non-illuminated sign would be sited beyond the boundary of the adopted highway, and positioned such that they should not obstruct highway visibility or distract motorists. It is therefore considered that the proposal would not have a significant impact upon public safety.

### **iii. Other Matters**

8.5 The Parish Council's comment regarding the contents of the advert is acknowledged, and has been relayed to the applicant. It should be noted that the content of an advert is not a material consideration, unless it is in itself harmful to amenity or public safety.

### **iv. Conditions**

8.6 All advertisements permitted under The Regulations are subject to 5 standard conditions relating to matters including requirements for them to be maintained in the interest of public and highway safety and visual amenity. Further conditions are also set out in the recommendation below concerning compliance with the approved plans and removal of the advert following the temporary consent period.

## **Conclusion**

8.7 Based on the preceding assessment of amenity and safety issues it is considered the proposed advertisements are acceptable. It is therefore recommended that, subject to the conditions set out below, express consent is granted.

## Human Rights

8.8 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 the application and grant express advertisement consent is justified and proportionate.

### **RECOMMENDATION**

**PERMIT** subject to the following conditions and informatives:-

1) The works associated with the display of the advertisements hereby permitted shall not be carried out other than in accordance with the plans listed below under the heading "Decided Plans" and the materials and finishes specified therein.

Reason: To accord with the terms of the application and in the interests of the character and appearance of the locality.

2) The advertisements hereby permitted shall be removed and the land on which they are situated reinstated to its former condition before the expiry of 31.12.2022, unless further express consent is granted for their retention.

Reason: In the interests of amenity.

### **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	T051_32 007	A	25.08.2021	Approved
PLAN - SIGN BOARD	T051_32.008		25.08.2021	Approved

For further information on this application please contact Sascha Haigh on 01243 534734

To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QXS9QYERLWG00>



Parish: Bosham	Ward: Harbour Villages
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**BO/20/03326/FUL**

<b>Proposal</b>	Demolition of existing house and garage and the construction of new house and garage. Amendments to site levels and additional planting.		
<b>Site</b>	Five Elms Stumps Lane Bosham PO18 8QJ		
<b>Map Ref</b>	(E) 481161 (N) 103764		
<b>Applicant</b>	Mr and Mrs M Hayman	<b>Agent</b>	Mr Andrew Black

**RECOMMENDATION TO PERMIT**



	<p><b>NOT TO SCALE</b></p>	<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>
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## **1.0 Reason for Committee Referral**

1.1 Parish Objection – Officer recommends Permit

## **2.0 The Site and Surroundings**

- 2.1 The application site forms a corner plot located within the defined settlement boundary of Bosham and within the Chichester Harbour Area of Outstanding Natural Beauty (AONB). The site is located to the north of Stumps Lane, east of Stumps End, and to the west of Taylors Lane. There is a small parcel of land immediately to the west of the site (east of Taylors Lane) that falls outside of the application site and this land is not within the applicant's ownership. The site lies on the edge of the settlement, where there is a transition from the built up settlement into the rural open landscape. The site lies within Flood Zones 2 and 3.
- 2.2 There is an existing two storey dwelling at the east of the site and an outbuilding to the west. There is an extant permission for a replacement dwelling and garage on the site under application reference 18/00806/FUL, whilst previously following the grant of a certificate of lawfulness for the use of part of the outbuilding as a single dwellinghouse an application for 2 dwellings on the site was granted permission, albeit this has since lapsed.
- 2.3 There is hedging to the roadside to the northern boundary and fronting the roads to south and east. There are detached dwellings to the north and northwest of the site and an electricity substation to the immediate west of the site.

## **3.0 The Proposal**

- 3.1 The application seeks planning permission for the demolition of the existing house and garage and the construction of a two storey house with an integrated garage with roof terrace over. Hard and soft landscaping alterations are proposed across the site, and the floor levels of the dwelling have been raised in response to flood risk, at a similar height to that of the extant scheme.
- 3.2 The proposal includes a main two storey element to the west, linked to a single storey element with a roof terrace accessed from the first floor of the dwelling. A timber privacy screen would be positioned to the north of the roof terrace. Three parking spaces are shown, one in the garage and two within the frontage.
- 3.3 The proposed dwelling would be contemporary in appearance, with a parapet roof. Materials are shown to be stone cladding to the lower floor void, dark facing brick work to the ground floor and horizontal red cedar louvres to the first floor. Metal windows and doors are proposed and metal entrance gates to pedestrian and vehicular accesses from Stumps Lane.
- 3.4 A further period of consultation was undertaken during the course of the application as amended plans were received to correct the siting of the building as there were discrepancies between plans, to provide updated indicative landscaping details to reduce the amount of hardstanding in response to officer comments, and to provide further bat surveys.

#### 4.0 History

99/01627/DOM	REF	Proposed garage/workshop with en-suite guest room over to replace existing garage.
99/02109/DOM	PER	Demolish existing sub standard garage and erect single storey garage with attached guest accommodation under a pitched roof.
00/00845/DOM	WDN	Proposed detached garage with guest suite over.
00/01297/DOM	PER	Preposed rebuilt garage with guest suite over.
02/03148/PLD	PER	Construct new vehicular access.
07/01809/DOM	REF	Alterations to and use of existing garage as enlarged annexe in connection with Fire Elms
09/02333/ELD	PER	Use of part of outbuilding as a single dwellinghouse.
10/01615/COU	REF	Change of use of garage part of building to residential to combine with lawful dwelling in rear part of building to create enlarged 1 no. one bed dwelling.
10/05678/FUL	REF	Change of use of integral garage to provide additional living accommodation and garden store. (appeal dismissed)
14/02419/FUL	WDN	Demolition of 2 no. dwellings and the construction of 2 no. replacement houses.
14/04280/FUL	REF	Demolition of 2 dwellings and the construction of 2 replacement dwellings.
15/01543/FUL	PER	Demolition of 2 dwellings and the construction of 2 replacement houses.
18/00806/FUL	PER	Replacement dwelling and garage.
18/01017/FUL	PER	Demolition and replacement of 2 no dwellings.
20/01382/PASUR	ADVGIV	Replacement of main dwelling

## 5.0 Constraints

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

## 6.0 Representations and Consultations

### 6.1 Bosham Parish Council

*Amended scheme (comments received 16.09.2021)*

The revised plans do not take into consideration the major objections lodged against the previous plans and therefore our objection remains.

*Original scheme (comments received 11.03.2021)*

Bosham Parish Council consider the design of the proposed house is out of character with its neighbours and the village as a whole. By taking in the footprint of the single storey garage and adding a second storey with a balcony above, the proposal is excessive in its length and overbearing by way of its bulk and mass to its neighbours to the north. The proposed very large balcony will be intrusive to neighbours whose gardens will be directly overlooked. The wide entrance steps with the over-large lettering above the door gives the appearance of a commercial building and is out of step with its position on the very edge of the settlement boundary overlooking the open fields of the AONB.

### 6.2 Environment Agency (summarised)

*Amended scheme (comments received 08.09.2021)*

We have reviewed the additional information that has been submitted and have no further comments to make. Our previous response dated 22 February 2021 still stands

*Original scheme (comments received 22.02.2021)*

No objection raised. Conditions requested to ensure development is carried out in accordance with FRA, with finished floor levels set no lower than 4.4m above Ordnance Datum (AOD), and flood resilient design shall be implemented up to 5m AOD.

### 6.3 Natural England (summarised)

*Amended scheme (duplicate comments received 22.09.2021 and 27.09.2021)*

The advice provided in our previous response applies equally to this amendment.

The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

*Original scheme (comments received 26.02.2021)*

The proposed amendments to the original application are unlikely to have significantly different impacts on any statutorily protected sites than the original proposal.

### 6.4 Chichester Harbour Conservancy

*Amended scheme (comments received 12.10.2021)*

Recommendation – That Conservancy Officers observe that the amended proposals would seem counter intuitive to the views expressed by third parties in that they would place the replacement house closer to the common northern boundary and thereby marginalise the opportunities for tree planting there to help mitigate visual impact to that neighbour.

The Conservancy's Planning Committee did not object to the originally submitted scheme in its comments dated 4 March 2021.

Whilst writing, the views on-line, expressed by a third party are erroneous in that they claim the Conservancy objected to the application.

The only changes observed to the scheme is that the building footprint appears to have moved north by about 1 metre.

Whereas the applicant has had a pre-application consultation with Conservancy since 4 March 2021, it was understood that the building footprint might have been adjusted in the opposite direction.

It has also been noted that a third party has claimed that not all of the site is within the applicant's ownership.

Conservancy Officers are only interested in this matter if it would prevent the delivery of tree planting to provide an appropriate landscaped setting for the replacement dwelling. No doubt Council Officers will look into this issue.

It is very difficult to spot any changes in the design and access statement, where a one page letter from the architect may have sufficed. To my mind, no explanation is given for why the footplate of the replacement dwelling has moved north.

In pure visual terms, the Conservancy has previously set out its support for the design approach taken to developing this awkwardly shaped site, but will leave matters of neighbour amenity for the local planning authority to assess and determine.

*Original scheme (comments received 04.03.2021)*

No objection, subject to the following suggested planning conditions:-

- suitable external hard surfacing, facing and roofing materials being agreed;
- permitted development rights relating to further extensions, outbuildings or roof alterations be removed;
- that demolition of all existing buildings and their removal from the site, unless to be recycled and this agreed in writing with the local planning authority to occur;
- that the existing hedge on the southern boundary to be safeguarded during construction and retained as part of the submitted landscape design;
- specified planting within the design and access statement, including the planting of nine trees to heavy nursery standard, to be fully implemented prior to first occupation of the dwelling;
- any new soft planting that fails, becomes diseased or is removed within 5 years of it being initially planted shall be replaced with similar species in the next planting season; and,
- investigate/record/archive site archaeology, and
- ensure the delivery of sustainable construction measures to comply with local plan policy 40.”

## 6.5 WSCC Highways (summarised)

*Comments received 20.09.2021*

The proposed replacement dwelling will utilise the existing eastern access currently serving the existing dwellings. The western access will be retained but will serve as pedestrian access only. Local and WSCC mapping indicates that vehicular visibility at the access appears sufficient for the road speeds and splays are maintainable wholly within the highway boundary.

An inspection of data supplied to WSCC by Sussex Police over a period of the last five years reveals that there have been no recorded injury accidents within the vicinity of the site; therefore there is no evidence to suggest that the existing accesses are operating unsafely.

The WSCC car parking demand calculator expects that a minimum of 3 parking spaces will be required for the proposed dwelling in this location. The revised plans indicate a double integral garage and an external parking area. From inspection of the plans, the garage does not meet the minimum internal dimensions of 6 x 6m per double garage as set out in Manual for Streets (MfS) and therefore cannot be counted towards parking provision as a double garage. However, the garage does provide sufficient depth and width for one vehicle to park. The applicant is requested to modify the plans to demonstrate a double garage of sufficient space to provide parking for two vehicles.

The LHA note that the garage has been set back from its previous position to provide 4.9 - 5.1m depth on the hardstanding to the front of the garage. However, whilst a vehicle could park in front of the garage, this does not allow sufficient space for the garage door to be operated – the applicant is advised that the provision of a roller door for the garage would overcome this issue.

*Comments received 04.03.2021*

The proposed replacement dwelling will utilise the existing eastern access currently serving the existing dwellings. The western access will be retained but will serve as pedestrian access only. Local and WSCC mapping indicates that vehicular visibility at the access appears sufficient for the road speeds and splays are maintainable wholly within the highway boundary.

An inspection of data supplied to WSCC by Sussex Police over a period of the last five years reveals that there have been no recorded injury accidents within the vicinity of the site; therefore there is no evidence to suggest that the existing accesses are operating unsafely.

The WSCC car parking demand calculator expects that a minimum of 3 parking spaces will be required for the proposed dwelling in this location. The proposed plans indicate that 2 parking spaces will be provided for the proposed dwelling within an integral garage. The plans indicate that this garage does not meet the minimum internal dimensions of 3 x 6m per garage space as set out in Manual for Streets (MfS) and therefore cannot be counted towards parking provision for the development. As the only two parking spaces provided for the dwelling, the applicant is advised to increase the internal dimensions of the proposed garage to 6 x 6m. In accordance with WSCC parking guidance, a double garage of 6 x 6m would provide one parking space for the development; as the guidance considers a single garage space to count as 0.5 parking spaces.

However, as the proposed garage will provide the only on-site parking for the dwelling it is considered that both of these spaces would be utilised for parking and therefore the LHA would not think it unreasonable to anticipate that should the garage space be increased in line with Manual for Streets standards, the double garage could be counted as 2 spaces.

The applicant should also consider providing a third parking space on site to ensure that the future parking demands of the dwelling are met. Details of parking, including the garage dimensions, can be secured via condition.

A turn on site would also be preferable to enable vehicles to exit the site in a forward gear although it is appreciated that this may not be possible given the site constraints.

The applicant has not indicated cycle storage for the proposed dwelling, the LHA anticipates that this could be accommodated within the proposed storage area. Details of this can be secured via condition.

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 all new homes. Active EV charging points should be provided for the development in accordance with current EV sales rates within West Sussex (Appendix B of WSCC Guidance on Parking at New Developments) and Chichester Local Plan policy. Ducting should be provided to all remaining parking spaces to provide 'passive' provision for these to be upgraded in future. Details of this can be secured via condition.

## 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

Conditions recommended in respect of car parking spaces, cycle parking, and electric vehicle charging spaces.

### 6.6 CDC Coast Protection & Land Drainage Officer (summarised)

*Comments received 17.09.2021*

We have no comments to make in addition to those which we made on the 9th March 2021.

*Comments received 09.03.2021*

**Flood Risk:** The proposed dwelling is in flood zone 3 (high risk), and we are aware of the existing property flooding on numerous occasions in the past. The proposal is for a replacement dwelling, with the habitable floor level raised to 4.5m AOD, which matches, or exceeds the requirements of the EA. Because the proposal is a replacement dwelling, and reduces the flood risk to the property, we have no objection to the proposed use, scale or location on flood risk grounds.

We have seen the suggested condition from the EA regarding floor levels and flood proofing, which we support the need for.

**Surface Water Drainage:** The application form selects "sustainable drainage system" for surface water drainage. This approach is acceptable in principle, wherever possible, driveways, parking spaces, paths and patios should be of permeable construction. Due to the scale of the proposed development (single dwelling / very similar footprint to existing) we have no conditions to request. Surface water drainage should be designed and constructed to meet building regulations.



## 6.7 CDC Environmental Protection

*Comments received 15.09.2021*

Bats:

As stated within the Bat Activity Survey Report (August 2021), the surveyed building is in use as a day roost for common pipistrelle. In addition to this, common pipistrelle and soprano pipistrelle bats were identified foraging and commuting around the site. Following submission of Bat Activity Survey Report (August 2021), we are happy that the mitigation proposed would be suitable. A condition should be used to ensure this takes place. The applicants should be aware that a Natural England Protected Species License will be required for the works, and this will need to be obtained prior to any works taking place. 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.

Policy 40:

Due to the requirements within Local Plan Policy 40: Sustainable Construction and Design, we 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

*Comments received 24.02.2021*

Further comments are provided in relation to the above planning application after the receipt of the ecological appraisal of the site.

Bats

In accordance with the conclusions of the ecological appraisal, a further bat emergence/re-entry survey is required before determination of this application.

## Reptiles

Habitats on-site, in particular the grassland/lawn, should be maintained and closely mown to prevent reptiles migrating on to the site.

## Birds

It is recommended that trees and hedgerows be retained. Any scrub or tree removal should be implemented outside the breeding bird season (March-September) or immediately after a nesting bird check by a suitably qualified ecologist. If active nests are identified, works in the vicinity of the nest must cease until the birds have fledged the nest. Buildings should be surveyed prior to demolition to ensure no birds are nesting internally at the time.

## Enhancements

To be provided in accordance with the report, including bird boxes and log piles.

### *Comments received 17.02.2021*

Due to the proposed demolition of two structures and the construction of new structures which are not within the same footprint of the existing structures, the location of the site and its proximity to bat and water vole commuting networks, we will need an assessment of the ecological impact of the proposals on protected species such as bats, reptiles and water voles. Should this initial survey recommend further surveys, such as Bat Emergence/Re-entry surveys, these will need to be undertaken prior to determination of the application.

## 6.8 Third party objection comments

### *Amended scheme consultation period*

Four third party representations raising objections have been received concerning the following matters:

- a) The proposal would appear overbearing to neighbouring properties with a significant increase in massing along the northern boundary of the site.
- b) Moving the footprint north would increase the impact to neighbouring properties
- c) The proposed parapet height is higher than the eaves of neighbouring properties
- d) The proposal would be out of keeping with adjacent properties
- e) The contextual images do not accurately show the relationship with neighbouring properties, as they show a wall of planting which does not exist.
- f) The site is smaller than on some of the submitted plans as the area to the east does not belong to Five Elms.
- g) The corrected site area would result in a small amenity space
- h) The design would appear dominant, incongruous and impact on the character of the AONB in a prominent location
- i) The footprint of the proposal would provide less opportunity for water to soak away
- j) Questioning how the front hedge would be retained and how construction vehicles would park

### *Original scheme consultation period*

10 third party representations raising objections have been received concerning the following matters:

- a) The size, height and length of the proposed dwelling
- b) The site is smaller than on some of the submitted plans as the area to the east does not belong to Five Elms.
- c) The design would appear dominant, incongruous and impact on the character of the AONB in a prominent location
- d) The scale and flat roof form would be out of character with existing Bosham houses
- e) The proposal would be out of keeping with adjacent properties
- f) The proposal would result in overlooking to neighbouring properties
- g) The proposal would appear overbearing to neighbouring properties with a significant increase in massing along the northern boundary of the site.
- h) The proposal would result in loss of light to neighbouring properties.
- i) The proposal would be an overdevelopment of the site.
- j) Noise from the use of the balcony area
- k) The footprint of the proposal would provide less opportunity for water to soak away
- l) Flood risk
- m) Questioning whether the future use of the building would be commercial

### **6.9 Agent's Supporting Information**

The application is accompanied by a number of reports which address the following matters: Design and Access Statement, Flood Risk Assessment, Bat Activity Survey and Report, Preliminary Ecological Appraisal, and a Planning Statement.

### **7.0 Planning Policy**

#### The Development Plan

7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029, the CDC Site Allocation Development Plan Document and all made neighbourhood plans.

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

### Chichester Local Plan

Policy 1: Presumption in Favour of Sustainable Development  
Policy 2: Development Strategy and Settlement Hierarchy  
Policy 4: Housing Provision  
Policy 5: Parish Housing Sites 2012- 2029  
Policy 8: Transport and Accessibility  
Policy 30: Built Tourist and Leisure Development  
Policy 33: New Residential Development  
Policy 39: Transport, Accessibility and Parking  
Policy 40: Sustainable Design and Construction  
Policy 42: Flood Risk and Water Management  
Policy 43: Chichester Harbour Area of Outstanding Natural Beauty  
Policy 48: Natural Environment  
Policy 49: Biodiversity

### Bosham Neighbourhood Plan

Policy 1: The settlement boundary  
Policy 2: Criteria for housing development  
Policy 6: Landscape and the Environment  
Policy 7: Ecology, wildlife and biodiversity  
Policy 8: Flooding and Drainage

### Chichester Local Plan Review Preferred Approach 2016 - 2035 (December 2018)

- 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 2022. 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 2023. 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 revised National Planning Policy Framework (NPPF 2021), which took effect from 20 July 2021 and related policy guidance in the NPPG.

7.5 Paragraph 11 of the revised Framework states that plans and decisions should apply a presumption in favour of sustainable development, and 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 of 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.*

7.6 The following sections of the revised NPPF are relevant to this application: 2, 4, 5, 9, 11, 12, 14, 15, and Annex 1. The relevant paragraphs of the National Planning Practice Guidance have also been taken into account.

#### Other Local Policy and Guidance

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

- Chichester Harbour AONB Joint SPD (May 2017)
- CHC Chichester Harbour AONB Management Plan (2014-2029)
- The Chichester Harbour Planning Principles (Management Plan version April 2019)
- Surface Water and Foul Drainage Supplementary Planning Document (SPD)
- Bosham Village Design Statement

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:

- 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 issues arising from this application are considered to be:

- i. Principle of development
- ii. Design and impact on the character of the area and character of the Area of Outstanding Natural Beauty
- iii. Residential amenity
- iv. Highway impact
- v. Ecological considerations
- vi. Sustainable design and construction
- vii. Flood Risk
- viii. Surface water drainage and foul disposal
- ix. Other matters

- i. Principle of development
- 8.2 The application site is located within the defined settlement boundary of Bosham as set out in Policy 2 of the Local Plan Key Policies. The planning history is a material consideration and the application site benefits from an extant permission for a replacement dwelling and garage under permission reference 18/00806/FUL. At the time of the submission of the current application, permission reference 18/01017/FUL for the demolition and replacement of 2 no dwellings was also extant, however this has subsequently lapsed.
- 8.3 As the proposal would replace an existing residential dwelling the principle of the proposal is considered acceptable and complies with policy.
- ii. Design and impact on the character of the area and character of the Area of Outstanding Natural Beauty
- 8.4 The application site is located in a prominent position at the corner of Stumps Lane and Taylors Lane. The site is located on the edge of the Settlement Boundary of Bosham and within the Chichester Harbour Area of Outstanding Natural Beauty (AONB). Given the edge-of-settlement location and topography of the area, the site is in a prominent location where there is a clear transition from the built form of the settlement to the open countryside.
- 8.5 Policy 33 of the Chichester Local Plan (CLP) and Policies 1 and 6 of the Bosham Neighbourhood Plan establishes that new residential development proposals must meet the highest standards of design and respects and/or enhances the character of the site and surrounding area, taking into consideration its proportions, form, massing, siting, layout, height, scale and overall design. Policy 43 of the CLP further establishes that within the Chichester Harbour AONB, development should reinforce and respond to (and not detract from) the natural beauty, distinctive character and special qualities of the AONB.
- 8.6 The existing dwelling is of a traditional design, with a main 2 storey rectangular hipped roof element flanked by a single storey chalet bungalow style addition to its southern elevation. The building is orientated from south to north which reduces its perceived bulk and mass when viewed from the highway and is constructed with traditional materials that reflect the local vernacular of both rural and settlement buildings, including; clay roof tiles clay hanging tiles and painted brickwork.
- 8.7 The site lies within 'Character Area D' (rest of Bosham) as outlined within the Bosham Village Design Statement (VDS) (which also informs the Bosham Neighbourhood Plan). Taylors Lane is described within the VDS as having 'a number of large slate roof houses, whitewashed and set well back from the road.' Stumps End is referred to as 'another coherent development as a self-contained housing estate with a 1970 "executive home" feel. Half hipped and hipped flat tiled roofs sit on mellow brick houses and bungalows.'
- 8.8 The planning history is material consideration in the determination of an application. Planning permission reference 18/00806/FUL was granted for a replacement dwelling and garage on 15<sup>th</sup> March 2019 and this remains extant and therefore could still be implemented.

- 8.9 The extant permission is for a replacement house to be re-orientated from its present situation to be located along the western boundary, with its main amenity space to the north and with the principal elevation fronting onto Stumps Lane (to the south). The extant scheme introduced a contemporary design with the use of flat roof and ground floor angular additions. The proposals involved the raising of the ground floor to 4.4m above ordnance datum (AOD), which would be 2.0m higher than Stumps Lane. A raised landscaped bank would be located in front of the ground floor elevation and balcony additions are proposed to the north east corner of the property. In addition the garage would be replaced with a timber clad garage positioned at 3.5m AOD and in a similar position to the existing garage.
- 8.10 The extant permission carries significant weight in the determination of the current application as it establishes the principle of a contemporary replacement dwelling and changes in floor levels in this prominent location.
- 8.11 The current application is similar to the extant permission, proposing a two storey contemporary dwelling, with the use of a flat roof and angular elements, and raised floor levels. The extant permission showed the ground floor at 4.4m AOD, the first floor at 7.3m AOD, a roof terrace at 7.3m AOD and the flat roof at 10.3m AOD. The current proposal is of a similar overall height, proposing the ground floor at 4.5m AOD, the first floor at 7.2m AOD, a roof terrace at 7.2m AOD and the flat roof at 10.35m AOD.
- 8.12 The footprint of the main dwelling and its siting would extend further to the east than the extant scheme, which would increase the massing of the main dwelling. The Chichester Harbour Area of Outstanding Natural Beauty Joint Supplementary Planning Document Calculations advises that for replacement dwelling there should be no more than a 50% increase above the original footprint, or a 25% increase above the existing 'silhouette'. The application has been submitted with details demonstrating that the proposed footprint would be an increase of 0.5% over the existing dwelling, and 20% less than the extant scheme. In terms of south and west elevations, which are those which would be readily visible within the wider landscape, the south elevation would be 25% greater than the existing dwelling, and the same as the extant scheme, and the east 8% less than the existing and 4% less than the extant scheme. Officers acknowledge that as the current proposal would not have an outbuilding, and this accounts for some of the increases to the main element would not appear as increases to the overall footprint or silhouette. The result is that the main dwelling would have a much wider silhouette than that of the extant scheme and it is more prominent in the landscape than the extant scheme. To the north the site adjoins other residential properties so there would not be an adverse impact on wider public views. There is an electricity substation to the immediate west of the site and the proposed dwelling would be visible beyond this within the street scene, but wider views from the west would be softened by existing trees.

- 8.13 Notwithstanding the increased silhouette, the set down roof terrace element and angled design assists with breaking up the massing of the dwelling. The proposed materials of stone cladding to the lower floor void, dark facing brick work to the ground floor and horizontal red cedar louvres to the first floor would appear muted. The amount of glazing, whilst increased over that of the extant scheme, is considered to be appropriate and proportionate to the dwelling. Third party comments have referenced the name plate above the door which is shown in the Design and Access Statement, and officers raised concerns with the visual impact of this during the course of the application. The agent has confirmed that this no longer forms a part of the proposal and it has been removed from the elevations.
- 8.14 Whilst the use of flat roof would deviate from the half hipped roofs and mellow brick houses at Stumps End to the immediate west and north of the site, this is a 'self-contained housing estate' and it is not considered essential to replicate given that the application site addresses Stumps Lane and Taylors Lane, and there is an extant permission which is of a similar form to the current proposal.
- 8.15 It is considered that the proposed dwelling would not appear dominant in the landscape and would complement the special character of the AONB within which it sits. Conditions to secure a detailed levels plan and schedule of materials will be imposed to ensure the combined landscaping bank and chosen materials enable the development to relate sympathetically to the character and appearance of the area.
- 8.16 As a result the proposed development is considered to comply with Policies 33, 43 and 48 of the Chichester Local Plan, Policies 1 and 6 of the Bosham Neighbourhood Plan and the NPPF.

iii. Residential Amenity

- 8.17 The NPPF states in paragraph 130 that planning should ensure a high standard of amenity for all existing and future users of land and buildings, and Policy 33 of the CLP includes requirements to protect the amenities of neighbouring properties. The extant permission is also a material consideration that is of significant weight in the consideration of the impact on neighbouring amenity.
- 8.18 Concerns have been raised regarding overlooking and overbearing impacts as a result of the scale, design and siting of the proposed dwelling. In terms of the dwelling appearing overbearing, the revised orientation of the dwelling compared to the existing dwelling would result in the dwelling being set further away from the side elevation of the closest neighbouring property at 9 Stumps End. There would be a significant increase in massing compared to the existing dwelling, and the extant permission, however this increased massing extends in an approximate south east direction, broadly following the boundary line, whereas the neighbouring dwelling at number 9 Stumps End is orientated to the east. The closest distance of the two storey elements between the two properties would be approximately 11m. Given the extant permission which also raised the floor levels a similar amount to the current proposal, the step down to the roof terrace garage element to break up the massing, and the layout and orientation, this arrangement is considered to be acceptable and not result in a significant detrimental impact in this regard. There is further separation to the property to the north east (Byways) with a separation of approximately 50m from the rear conservatory of Byways to the proposed dwelling.



- 8.19 With regards to overlooking, further revised plans have been submitted at the request of officers. These show the ground floor windows in the northern elevation which serve a hallway to be obscure glazed and the first floor study window proposed has been raised so that the cill level would be more 1.7m above the finished floor level. One other north facing window is serving a lift and this is also shown with a cill level at 1.7m. The extant permission withdrew permitted development rights for the insertion of windows in the northern elevation and it is considered that this would also be necessary if the current scheme was permitted to protect neighbours amenity.
- 8.20 Concerns have been raised by neighbouring properties with regards to potential overlooking from the roof terrace. A roof terrace was proposed as part of the extant scheme, although the currently proposed roof terrace is larger. A screen is proposed which would obscure views to the north from the balcony, and subject to a condition to secure this there would be no resultant views from the proposal that would be harmful to neighbouring privacy to the north.
- 8.21 There are large glazed areas to the west and a third party comment has raised concerns about overlooking towards the dwelling at 1 Stumps Lane. There is a distance of approximately 32m from the boundary of the site to the boundary of the dwelling at no.1 Stumps Lane and this separation is considered to be sufficient to ensure that the proposal would not be unneighbourly.
- 8.22 Details of land level changes and landscaping would be fully secured by condition and on balance the proposal is therefore deemed to be in accordance with Policy 33 of the CLP and paragraph 130 of the NPPF in terms of impacts upon residential amenity.

iv. Highway Impact

- 8.23 The application site is currently served by two vehicular accesses from the unclassified Stumps Lane to the south of the site. The application proposes that the western access is retained as a pedestrian access and the eastern access is widened to serve the proposed dwelling. The Highways Authority at WSCC has been consulted and no objections have been received regarding access and visibility.
- 8.24 With regard to parking, the WSCC car parking demand calculator expects that a minimum of 3 parking spaces will be required for the proposed dwelling in this location. Further revised plans have been submitted following the second consultation period which shows one parking space within the garage, one in front of the garage and another on the driveway. The LHA have advised that whilst a vehicle could park in front of the garage, this does not allow sufficient space for the garage door to be operated, and advised that the provision of a roller door for the garage would overcome this issue. The agent has confirmed that a roller door would be used and this can be secured by condition, along with EV charging and cycle storage within the garage.
- 8.25 Subject to conditions the proposals are considered acceptable in terms of highways matters.

v. Ecological considerations

8.26 The application has been accompanied by a preliminary ecological appraisal as the proposal requires the demolition of the existing buildings. The Council's Environment Officer has assessed this document and has stated that the mitigation measures mentioned within the submitted appraisal are acceptable to ensuring no significant harm comes to reptiles and birds subject to conditions to secure this.

8.27 The preliminary ecological appraisal proposes the following enhancements:

- Shrub species can be planted along boundaries or in communal areas post development.
- Wildflower seed mixes
- Log and brush piles under hedgerows Log and brush piles should be created under hedgerows to provide refugia and hibernacula for amphibians, reptiles, small mammals and invertebrates.
- Bird boxes

8.28 Further bat surveys were requested during the course of the application. This identified that the surveyed building is in use as a day roost for common pipistrelle. In addition to this, common pipistrelle and soprano pipistrelle bats were identified foraging and commuting around the site. The submitted Bat Activity Survey Report (August 2021) sets out the following mitigation measures:

- works are recommended to take place outside of peak bat activity periods, as well as avoiding peak hibernation periods.
- A licenced ecologist is required to undertake soft demolition by accompanying building contractors in inspecting the structure by hand
- The installation of a bat box to allow any bats found to be translocated to this feature
- The installation of an bat box on the western elevation

8.29 These have been reviewed by the Council's Environment Officer who is satisfied that the mitigation proposed would be suitable. Subject to all of the above being secured by condition along with controlling lighting, the proposal is considered to comply with Policy 49 of the CLP.

vi. Sustainable Design and Construction

8.30 Policy 40 of the CLP concerns Sustainable Design and Construction and required that details are provided by the developer to demonstrate that the criteria have been considered.

8.31 The application and supporting information details that the proposals include:

- measures to adapt to climate change through the flood resilience measures;
- ecological enhancements as identified in the Preliminary Ecological Appraisal;
- mitigation and enhancements as identified in the Bat Activity Survey Report; and
- the provision of a green roof

8.32 In addition to the above the agent has advised that they intend to:

- Provide electric vehicle charging points in line with WSCC parking standards;
- Provide cycle storage; and
- Achieve a maximum consumption of 110l of water per day per person

8.33 It is considered that the proposals would meet the requirements of Policy 40 and these can be secured through condition.

vii. Flood Risk

8.34 The site is located within Flood Zones 1, 2 and 3. The extant permission was granted with Finished Floor Levels (FFL) set no lower than 4.4m above Ordnance Datum (AOD) and Tanking up to 5m AOD. The site has existing levels varying between 2.20 - 2.60m AOD.

8.35 The submitted Flood Risk Assessment proposes that the new dwelling would be constructed with its ground floor level at 4.5m AOD, with flood proofing integrated up to 5m AOD, based on flood levels provided by the Environment Agency. Flood resistant and resilience measures detailed in the submitted Flood Risk Assessment are:

- demountable or automatic flood gates to mobilise at times of flooding that provide a seal against floodwater ingress at all external entry/exits on ground floor level;
- tanking of walls up to 5.0m;
- construction materials with low permeability;
- solid concrete floors with ceramic or concrete based floor tiles, marbles or stone;
- solid walls with cement render or tiles up to flood level;
- an internal/external water resistant(cement) plaster/render with lime content;
- flood resilient, water tight, sealable doors/windows (e.g. treated wood, UPVC, metal);
- all fittings, fixtures, services elevated sufficiently above the floor level;
- Install non-return valves in drainage pipes to prevent sewage backing up into the house, etc.

8.36 The Environment Agency has been consulted on the application and no objection has been raised subject to a condition to secure development is carried out in accordance with FRA, with finished floor levels set no lower than 4.4m above Ordnance Datum (AOD), and flood resilient design shall be implemented up to 5m AOD. The Council's Drainage Engineer has commented that they have no objection to the proposed use, scale or location on flood risk grounds. On this basis and subject to compliance with the appropriate conditions set out by the Environment Agency, the proposal accords with policy in respect of flood risk

viii. Surface Water Drainage and Foul Disposal

- 8.37 With regard to surface water drainage; the submitted application form selects "sustainable drainage system" for surface water drainage. The Council's Drainage Engineer has confirmed that this approach is acceptable in principle. On the current proposal, the Council's Drainage Engineer has commented that that wherever possible, driveways, parking spaces, paths and patios should be of permeable construction.
- 8.38 Comments have been received raising concerns that the amount of development would result in flooding elsewhere. The submitted Flood Risk Assessment advises that the proposal would utilise SuDS (Sustainable Drainage Systems) in the form of a green roof and permeable surfaces to reduce runoff compared to the existing situation. Therefore surface water runoff and associated flood risk would reduce as a result of the proposals. Officers consider it necessary to secure these details through the use of a condition. Foul water drainage is to be provided by the existing mains sewer.
- 8.39 The proposals are considered to be acceptable in this regard subject to securing details by condition.

ix. Other Matters

- 8.40 It has been identified that some plans and supporting documents showed a red line of the application site which included land to the east of the site which was not in the application site as identified on the submitted location plan and is not within the ownership of the applicant. During the course of the application officers have requested and received amended plans to ensure that any plans which showed a red line of the application site on them accurately reflected those on the submitted location plan. Although the Design and Access Statement does show a red line and landscaping proposals which do not correspond with the submitted location plan, this does not prevent proceeding with the determination of the application as the details shown are indicative and if permitted full details of landscaping would be secured by way of planning condition. Any intentions for the use of this land outside of the application site and would be a separate matter outside of the scope of this planning application.
- 8.41 Third party comments have queried the future use of the site, citing a commercial appearance and layout of the property. This application is for the propose building to be used as a single C3 dwellinghouse, and any applications for alternative uses would be assessed on their own merits.

Conclusion

- 8.42 Based on the above it is considered the principle of a replacement dwelling would be acceptable, and the scale and form of the proposal is acceptable in terms of the character of the area and impact to neighbouring amenity. Furthermore, the proposal would provide ecological enhancements, incorporate sustainable design construction measures and suitable mitigation would be secured to ensure flood risk is addressed. There is no conflict with the NPPF, the proposal complies with development plan policies, and there are no material considerations that would justify refusing the application. Therefore the application is recommended for approval.

## Human Rights

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

### **RECOMMENDATION**

**PERMIT** subject to the following conditions and informatives:-

1) The development hereby permitted shall be begun before the expiration of 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 not be carried out other than in accordance with the following approved plans:

Reason: For the avoidance of doubt and in the interests of proper planning and to ensure the development complies with the planning permission.

3) No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- (i) the parking of vehicles of site operatives and visitors;
- (ii) loading and unloading of plant and materials;
- (iii) storage of plant and materials used in constructing the development;
- (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (v) wheel washing facilities;
- (vi) measures to control the emission of dust and dirt during construction;
- (vii) turning on site of vehicles;
- (viii) the location of any site huts/cabins/offices.

Reason: To ensure safe and neighbourly construction.

4) No development shall commence until details of the proposed overall site wide surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal as set out in Approved Document H of the Building Regulations and the SUDS Manual produced by CIRIA. Winter ground water monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. The surface water drainage scheme shall be implemented as approved unless any variation is agreed in writing by the Local Planning Authority. No building shall be occupied until the complete surface water drainage system serving that property has been implemented in accordance with the approved surface water drainage scheme.

Reason: The details are required pre-commencement to ensure that the proposed development is satisfactorily drained with all necessary infrastructure installed during the groundworks phase.

5) No development shall commence until plans of the site showing details of the existing and proposed ground levels, proposed finished floor levels, levels of any paths, drives, garages and parking areas and the proposed completed height of the development and any retaining walls have been submitted to, and approved in writing by, the Local Planning Authority. The details shall clearly identify the relationship of the proposed ground levels and proposed completed height with adjacent buildings. The development thereafter shall be carried out in accordance with the approved details.

Reason: To ensure that a satisfactory relationship results between the new development and adjacent buildings and public areas. It is considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission.

6) No development shall commence until full details of the hard and soft landscaping have been submitted to and agreed in writing by the Local Planning Authority. The details shall include a scaled site plan indicating the planting scheme for the site showing the; schedule of plants and positions, species, plant sizes (at time of planting) and proposed numbers/densities. In addition, the scheme shall include details of all existing trees and hedgerows including details of any to be retained, together with measures for their protection during the course of the development. The scheme shall make particular provision for the conservation and enhancement of biodiversity on the application site. The landscaping scheme shall also include full details of any proposed hard landscaping showing any external hard surfaces and their positions, materials and finishes. The works shall be carried out in full accordance with the approved details and in accordance with the recommendations of the appropriate British Standards or other recognised codes of good practice. The approved scheme shall be carried out in the first planting season after practical completion or first occupation of the development, whichever is earlier, unless otherwise first agreed in writing by the Local Planning Authority. Any trees or plants which, within a period of 5 years after planting, are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the locality and to enable proper consideration to be given to the impact of the proposed development on existing trees and to conserve and enhance biodiversity.

7) The implementation of this planning permission shall be carried out strictly in accordance with the method of works, mitigation measures, and ecological enhancements detailed in the submitted Preliminary Ecological Appraisal produced by The Ecology Partnership dated June 2018 and the Bat Activity Survey Report produced by Elite Ecology dated August 2021. Full details of the enhancements and a timetable for the implementation shall be submitted to and agreed in writing by the Local Planning Authority before works commence, and shall be implemented and retained in accordance with the agreed details. For the avoidance of doubt details of the mitigation measures and ecological enhancements shall include:

- Shrub species can be planted along boundaries or in communal areas post development.
- Wildflower seed mixes
- Log and brush piles under hedgerows Log and brush piles should be created under hedgerows to provide refugia and hibernacula for amphibians, reptiles, small mammals and invertebrates.
- Bird boxes
- The installation of a bat box to allow any bats found to be translocated to this feature
- The installation of a bat box on the western elevation
- The provision of a green roof

Reason: To ensure that the protection of ecology and/or biodiversity is fully taken into account during the construction process in order to ensure the development will not be detrimental to the maintenance of the species and in the interest of conserving and enhancing biodiversity.

8) Notwithstanding any details submitted no development/works shall commence 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, roofs (including any capping, fascias and other details for the connection with walls), balcony balustrades, access ramps and hard surfacing areas 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. It is considered necessary for this to be a pre-commencement condition as such details need to be taken into account in the construction of the development and thus go to the heart of the planning permission

9) Notwithstanding the details submitted, prior to installation of any external windows and doors details of the proposed windows and doors, including the proposed material, colour and finish, shall be submitted and approved in writing by the Local Planning Authority. Thereafter the development shall not be carried out other than in accordance with the approved details, and the windows and doors shall be maintained as approved in perpetuity.

Reason: In the interests of ensuring a high quality design that is sensitive to the character and appearance of the locality.

10) Notwithstanding the details submitted, prior to installation of the garage door, full details, including the opening mechanism, proposed material, colour and finish, shall be submitted and approved in writing by the Local Planning Authority. Thereafter the development shall not be carried out other than in accordance with the approved details, and the garage door shall be maintained as approved in perpetuity.

Reason: In the interests of highway safety and ensuring a high quality design that is sensitive to the character and appearance of the locality.

11) Prior to the occupation of the dwelling hereby permitted, the existing outbuilding to the east of the site shall cease to be occupied, and within three months of that day, the outbuilding shall be demolished, the resultant materials cleared from the site and the land reinstated in accordance with the agreed landscaping details.

Reason: In order to secure the removal of the existing dwelling, to accord with the terms of the application, and in order to protect the character of the area.

12) Before first use of the balcony hereby approved, details of a privacy screen to serve the balcony shall be submitted and approved in writing by the Local Planning Authority, and the balcony shall not be brought into use until the privacy screen has been erected in complete accordance with the approved details. Thereafter the privacy screen shall be maintained as approved in perpetuity.

Reason: In order to reduce the additional overlooking to an acceptable level.

13) No part of the development shall be first occupied until the car parking has been constructed in accordance with plans and details to be submitted to and approved by the Local Planning Authority. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use.

14) 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 to be submitted to and approved by the Local Planning Authority. Thereafter the cycle parking spaces shall be retained for that purpose, indefinitely and unless otherwise agreed in writing by the Local Planning Authority.

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

15) No part of the development hereby permitted shall be first occupied until a minimum of one Electric Vehicle (EV) charging points have been provided in accordance with details to be submitted to and approved by the Local Planning Authority. Thereafter the Electric Vehicle Charging point shall be retained for that purpose, indefinitely and unless otherwise agreed in writing by the Local Planning Authority

Reason: To provide alternative sustainable travel options in accordance with local and national initiative to reduce carbon emission and current sustainable transport policies.



16) 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.

17) The development shall be carried out in accordance with the submitted Flood Risk assessment (December 2020 [Issue 2]), approved plans reference 400 C, 401 B and 402 B including the following mitigation measures:

- Provision of safe refuge within the ground floor and upper floor levels within a structurally robust and flood resilient design;
- Signing up to EA's Early Flood Warning System.
- Finished floor levels shall be set no lower than 4.5m above Ordnance Datum (AOD).
- Tanking up to 5m above Ordnance Datum (AOD)
- The lower ground floor shall only be used as a garage and store in association with the dwelling and for no other purposes.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

18) The construction of the development and associated works shall not take place on Sundays or Public Holidays or any time otherwise than between the hours of 0700 hours and 1800 hours Mondays to Fridays and 0800 hours and 1300 hours on Saturdays.

Reason: In the interests of residential amenity.

19) The proposed hard surface/s hereby permitted shall either be made of porous materials or provision shall be made to direct run-off water from the hard surface/s to a permeable or porous surface within the site and thereafter shall be maintained as approved in perpetuity.

Reason: To ensure adequate provision for surface water drainage and avoid discharge of water onto the public highway.

20) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting or amending that Order) no additions to, or extensions or enlargements of, or alterations affecting the external appearance of, the building(s) hereby approved shall be made or erected without a grant of planning permission from the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control over the enlargements/alterations of the building(s) in the interests of the proper planning and amenities of the area.

21) 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 or structure permitted by Class 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 neighbours, and the surrounding area and to provide sufficient amenity space.

22) Notwithstanding the provisions of Part 1 Schedule 2 of the Town and Country Planning ((General Permitted Development) (England) Order, 2015 (or any Order revoking, re-enacting or modifying that Order) no window(s), door(s) or other openings shall be inserted into the north elevation of the dwelling hereby permitted without a grant of planning permission.

Reason: In the interests of protecting the amenity of neighbours .

23) Notwithstanding the provisions of Part 2 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking ,re-enacting or modifying that Order) no gates shall be installed to the eastern vehicular access without a grant of planning permission.

Reason: To ensure that adequate parking provision is provided, in the interests of highway safety and to protect the character of the surrounding area.

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

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

## 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 developer's attention is drawn to the provisions of the Wildlife and Countryside Act 1981, the Conservation (Natural Habitats etc) Regulations 1994, and to other wildlife legislation (for example Protection of Badgers Act 1992, Wild Mammals Protection Act 1996). These make it an offence to kill or injure any wild bird intentionally, damage or destroy the nest of any wild bird intentionally (when the nest is being built or is in use), disturb, damage or destroy and place which certain wild animals use for shelter (including badgers and all bats and certain moths, otters, water voles and dormice), kill or injure certain reptiles and amphibians (including adders, grass snakes, common lizards, slow-worms, Great Crested newts, Natterjack toads, smooth snakes and sand lizards), and kill, injure or disturb a bat or damage their shelter or breeding site. Leaflets on these and other protected species are available free of charge from Natural England.

The onus is therefore on you to ascertain whether any such species are present on site, before works commence. If such species are found or you suspected, you must contact Natural England (at: Natural England, Sussex and Surrey Team, Phoenix House, 32-33 North Street, Lewes, East Sussex, BN7 2PH, 01273 476595, [sussex.surrey@english-nature.org.uk](mailto:sussex.surrey@english-nature.org.uk)) for advice. For nesting birds, you should delay works until after the nesting season (1 March to 31 August).

### 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 - PROPOSED GARAGE SITE PLAN	100	C	17.11.2021	Approved
PLAN - PROPOSED GROUND FLOOR PLAN	101	D	17.11.2021	Approved
PLAN - PROPOSED FIRST FLOOR PLAN	102	B	17.11.2021	Approved
PLAN - EXISTING ELEVATIONS	7057/01		21.12.2020	Approved
PLAN - SITE LOCATION PLAN	001	A	17.03.2021	Approved
PLAN - EXISTING SITE PLAN	002	B	17.03.2021	Approved

PLAN - PROPOSED NORTH AND SOUTH ELEVATIONS	200	E	25.11.2021	Approved
PLAN - PROPOSED EAST AND WEST ELEVATIONS	201	C	17.03.2021	Approved
PLAN - PROPOSED SECTION A AND B	301	E	25.11.2021	Approved
PLAN - PROPOSED GARAGE PLAN	400	C	17.11.2021	Approved
PLAN - PROPOSED GROUND PLAN	401	B	17.11.2021	Approved
PLAN - PROPOSED FIRST FLOOR PLAN	402	B	17.11.2021	Approved
PLAN - PROPOSED NORTH AND SOUTH ELEVATIONS	500	C	17.11.2021	Approved
PLAN - PROPOSED EAST AND WEST ELEVATIONS	501	A	17.03.2021	Approved
PLAN - FOOTPRINT COMPARISON	600		17.03.2021	Approved

For further information on this application please contact Martin Mew on 01243 534734


To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QLKUCKERJZW00>


Parish: Chichester	Ward: Chichester West
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**CC/21/00841/FUL**

<b>Proposal</b>	Removal of existing telecommunications mast and installation of new 20 metre mast including transfer of existing apparatus to new mast and installation of 3 no. additional antennas and associated apparatus and ancillary works.		
<b>Site</b>	Telecommunications Site 1498802, Whitehouse Farm, Old Broyle Farm, Chichester, West Broyle PO19 3PH		
<b>Map Ref</b>	(E) 484645 (N) 105843		
<b>Applicant</b>	Cellnex And EE Ltd and Hutchison 3G UK Ltd	<b>Agent</b>	Mr Michael Doyle

**RECOMMENDATION TO PERMIT**



	<b>NOT TO SCALE</b>	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
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**1.0 Reason for Committee Referral**

1.1 Parish Objection – Officer recommends permit.

## 2.0 The Site and Surroundings

- 2.1 The site is an existing telecommunications site located on Whitehouse Farm, West Broyle, approximately 650m to the west of the settlement boundary of Chichester and 200m to the north of Newlands Lane / Salthill Lane. It sits within an area of the farm that is laid with hardstanding and which accommodates two agricultural storage buildings. It is also set against and is enclosed within a mature tree line, which is made up of specimens that measure approximately 5-7m in height.
- 2.2 The site comprises of a telecommunications mast that is made up of a 15.1m tall monopole and 3 antennas that project up to 17.2m, an equipment cabinet, and associated apparatus and ancillary infrastructure, all of which is enclosed within a 2.1m high chain-link fence that spans 10.3m by 6.7m.

## 3.0 The Proposal

- 3.1 The application seeks planning permission for the removal of the existing telecommunications mast and to construct a replacement 20m mast that would include the apparatus currently fixed to the existing mast and the installation of 3 no. additional antennas and associated apparatus, and ancillary works.
- 3.2 The proposed mast would measure 20.2m in total (inclusive of antennas) and would include a support ladder that would run the length of the monopole. The antenna equipment at the top of the antenna would measure 5.1m in height and would create an installation that would have a diameter of 2.65m.
- 3.3 No changes are proposed to the appearance or dimensions of the equipment cabinet or to the compound security fencing.

## 4.0 History

None relevant

## 5.0 Constraints

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

## **6.0 Representations and Consultations**

### **6.1 Parish Council**

The site is inappropriate for a mast of 20m (plus antennae). The site is within what will soon be a residential area and the proposed substantial mast, together with its numerous antennae atop, would tower over the surrounding dwellings, its incongruous, overly industrial appearance and scale having a significant impact upon residents and the character and amenity of the area.

Consideration should be given to the masterplan for the area and the local constraints and opportunities. An alternative to the significant height increase in this location should be sought. Replacing the mast with antennae on the taller buildings within the Whitehouse Farm development would cause significantly less visual harm and this possibility should be pursued in the first instance. If this is not possible, the operator should seek to relocate the mast closer to the industrial area of the Whitehouse Farm development and/or to the vicinity of a taller tree line, where the impact of such a substantial structure would not be so harmful to residential amenity.

### **6.2 Aerodrome Safeguarding Officer**

The proposed development has been examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria. We therefore have no objection to this proposal.

### **6.3 Third party comments**

1 comment has been received, which is summarised as follows;

- a) A representative from Goodwood Airfield has confirmed that there are no objections to the proposed development from an Aerodrome safeguarding perspective.

## **7.0 Planning Policy**

### **The Development Plan**

- 7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029, the CDC Site Allocation Development Plan Document 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 9: Development and Infrastructure Provisions
- Policy 15: West of Chichester Strategic Development Location
- Policy 45: Development in the countryside
- Policy 47: Heritage and Design
- Policy 48: Natural Environment

## 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 2022. 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 2023. 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 revised National Planning Policy Framework (NPPF 2021). Paragraph 11 of the revised Framework states that plans and decisions should apply a presumption in favour of sustainable development, and 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 of 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 the following paragraph and sections: Sections, 4 (Decision-making), 10 (Supporting high quality communications) and 12 (Achieving well-designed places). The relevant paragraphs of the National Planning Practice Guidance have also been taken into account.



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 local businesses to grow and become engaged with local communities
- Support and promote initiatives that encourage alternative forms of transport and encourage the use of online services

## 8.0 **Planning Comments**

8.1 The main issues arising from this proposal are:

- i. Principle of development
- ii. Design and impact upon character of the surrounding rural area
- iii. Impact upon the amenity of nearby properties
- iii. Highways impact
- iii. Other considerations

### Assessment

i. Principle of development

8.2 The application site is located outside any Settlement Boundary and therefore the proposal is considered to be development in the countryside under policies 2 and 45 of The Chichester Local Plan (CLP). Policy 2 of the CLP states that development in the rural area, outside of settlement boundaries shall be restricted to that which requires a countryside location or meets an essential local rural need or supports rural diversification, whilst Policy 45 requires development proposals in the countryside to be: well related to existing rural buildings or establishes settlements, complementary to and not prejudicial to viable agricultural operations or other existing uses, and appropriate in terms of their scale, design use of materials and general appearance for their countryside setting, ensuring that they would have minimal impact on the landscape and rural character of the area.

8.3 In addition to the above, Policy 9 of the CLP relates to Development and infrastructure provision and establishes that the Council will support proposals that will safeguard the requirements of infrastructure providers, including but not limited to telecommunications equipment (particularly high-speed broadband).

8.4 Although the site to which this application relates lies in the rural area, regard must be had to the fact that it is currently in use as a telecommunications installation and the proposal would not require the further development of countryside / rural land. As the proposal would not affect the permitted use of the site, it can be considered acceptable in principle in land use terms, subject to being of an acceptable scale, siting and design, respecting the above sensitive areas, and complying with development plan policies and any other material considerations. These further relevant considerations are discussed in detail below.

ii. Design and impact upon character of the surrounding area

- 8.5 Policy 45 of the Chichester Local Plan sets out that development in the countryside should be of an appropriate scale, design, siting and use of materials so as to have minimal impact upon the landscape and rural character of the area whilst Policy 48 also states that development proposals must recognise and respect the distinctive local landscape character of the surrounding area and have no adverse impact of the tranquil and rural character of countryside areas. Furthermore, Policy 15 relates to the West of Chichester Strategic Development Location and states that development within the allocated site should be well integrated with its surroundings, and Policy 47 requires proposals to respect local character and existing designed or natural landscapes.
- 8.6 The application seeks permission to replace the existing 15m tall telecommunications mast with a 20m tall mast, inclusive of 3 additional antennae. Chichester City Council has objected to the proposed development, stating that the site is inappropriate for a 20m high mast as it is located on the Whitehouse Farm / West of Chichester Strategic Development Location allocated site, which has been granted planning permission under applications 14/04301/OUT and 20/01046/REM for a large housing led development scheme. As such, concerns have been raised that the proposal would conflict with the agreed masterplan as it would tower over the approved surrounding buildings and would appear incongruous within and visually harmful to the context of a residential setting.
- 8.7 Whilst the site is currently located within a countryside setting and has the potential to be located within a predominantly residential development site, it must be recognised that a telecommunications mast is already in situ. As such, the material consideration in terms of the design and appearance of the structure is whether the additional 5m of masting and associated equipment would result in significantly more landscape or townscape harm than the existing mast and antennae.
- 8.8 In terms of general appearance, the proposed mast tower and associated installations would be similar to the existing structure as its monopole would be of a similar diameter and would remain matt grey colour, whilst the surrounding compound and infrastructure cabinet would remain unaltered aside from some minor ancillary installations. However, the proposed grouping of antenna's would represent a significant increase as it would measure 5.1m in height and 2.65m in diameter, which would be substantially larger than the existing group of 3 antennas at 2.2m in height and 1.1m in diameter. Notwithstanding this and the fact that the upper part of the proposed installation would be somewhat bulkier, it is noted that the increase in height would be restricted to 3m due to the antenna's being located closer to the top of the proposed monopole, rather than above it (as is existing), and that there would be significant spacings between each part of apparatus which would enable light to filter through the installation. These characteristics would help to ensure that the massing of the upper part of the installation would appear visually broken up and that it would not create a solid structure that would interfere with long range views across the surrounding rural landscape or be obtrusive or overbearing upon potential future nearby development.

8.9 With regards to the potential impact of the proposal on the future development of the Whitehouse Farm development, it is of relevance that the outline masterplan approved under application 14/04301/OUT and the phase 1 and 2 Framework Plan approved under application 20/01046/REM both make provision for the retention of the adjacent tree line and an area of landscaping around the site, which would help to provide separation between the telecommunications tower and surrounding dwellings.

8.10 Overall, it is therefore considered that the proposed development, whilst representing an increase in size and massing when compared to the existing telecommunications mast, would be appropriate in terms of its siting, scale and design and would not result in significant harm to the existing rural character of the surrounding area, or to the quality and townscape character of any future development of the Whitehouse Farm development scheme. It is therefore deemed to be in accordance with Policies 15, 45, 47 and 48 of the Chichester Local Plan.

iii. Impact upon the amenity of neighbouring properties

8.11 The National Planning Policy Framework in paragraph 130 states that planning decisions should create places that offer a high standard of amenity for existing and future users.

8.12 Chichester City Council has raised concerns that the proposal would be detrimental to the general levels of amenity that would be enjoyed by potential future occupiers of the Whitehouse Farm development; however, the area surrounding the mast is not proposed for development within the Master Plan and Phasing Framework Plan that have been agreed with the Local Planning Authority. As such, it would not be directly overbearing upon any nearby future dwellings and would not be a prominent feature within any future street-scene. This coupled with the fact that the proposal would be of a lightweight construction and would not be viewed as a solid structure, would help to ensure that it would not significantly compromise the living environment of any potential future residents of surrounding development. It should also be noted that the proposal would improve the local mobile communications network for the surrounding population.

8.13 For the reasons set out above the proposal would not have an adverse impact upon residential amenity and therefore the proposal would be acceptable in this respect.

iv. Highways Impact

8.14 The telecommunications site to which this application relates can be accessed via a farm track from Newlands Lane / Salthill Lane, which lies 280m to the south. Given the distance from these roads which are the nearest public vehicular routes, it is considered that the proposed development would not have a detrimental impact upon highway safety. The applicant has confirmed that the proposed structure would be delivered in parts to the site by medium sized vans. As such, its construction would not lead to any large vehicles accessing the site or cause significant levels of congestions around the field access or any nearby junctions. The proposal is thus considered to be acceptable in accordance with Policy 39 of the Chichester Local Plan.

v. Other considerations

8.15 Due to the height of the proposed development, the Local Planning Authority has consulted the civil aviation authority in order to establish whether it would be in conflict with any flight paths. Both the Gatwick Airport and Goodwood Aerodrome Safeguarding Officers have confirmed that the proposal would not conflict with any relevant safeguarding criteria and as such there is no objection to the proposal.

Conclusion

8.16 Based on the above it is considered that, subject to compliance with conditions, the proposal is deemed to be acceptable in principle and would not result in harm to the character and appearance with the surrounding rural landscape, or that of any future townscape. In addition, it would not be detrimental to amenity of the occupiers of existing and future dwellings in the surrounding area and would not result in harm to the local highway network. The proposal therefore complies with all relevant development plan policies and therefore the application is recommended for approval.

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 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 telecommunications mast, antennas and associated equipment hereby permitted shall be permanently removed within one month of it no longer being required for its purpose.

Reason: To enable the Local Planning Authority to review the need for the equipment with regard to the technology available and in the interests of visual amenity and character.

4) The development hereby permitted shall not be constructed other than in accordance with the materials specified within the application form, plans and Planning Design and Access Statement, 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.

## 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 Existing (A3)	1498802 00 000 MD004	4.A	14.05.2021	Approved
PLAN - Elevation Existing North-East (A3)	1498802 00 002 MD004 ML001	4.A	14.05.2021	Approved
PLAN - Location Plan (A3)	1498802 00 004 ML004	4.A	14.05.2021	Approved
PLAN - Site Plan Proposed (A3)	1498802 02 110 MD004	4.A	14.05.2021	Approved
PLAN - Equipment Plan Proposed (A3)	1498802 02 111 MD004	4.A	14.05.2021	Approved
PLAN - Elevation Proposed (A3)	1498802 02 160 MD004	4.A.1	14.05.2021	Approved
PLAN - Antenna Plan Proposed (A3)	1498802 02 160 MD004	4.A.2	14.05.2021	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 Luke Simpson on 01243 534734

To view the application use the following link -

<https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QQ69VSEFPV00>

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Parish: Kirdford	Ward: Loxwood
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**KD/20/00457/COU**

<b>Proposal</b>	Change of use to wellness retreat (Sui Generis) alongside residential use (Class C3).		
<b>Site</b>	Herons Farm Village Road Kirdford RH14 0ND		
<b>Map Ref</b>	(E) 501739 (N) 127123		
<b>Applicant</b>	Lucy M Connor	<b>Agent</b>	Mr Peter Cleveland

**RECOMMENDATION TO DELEGATE TO OFFICERS**



	<b>NOT TO SCALE</b>	<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>
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**1.0 Reason for Committee Referral**

1.1 Parish Objection - Officer recommends Permit

**2.0 The Site and Surroundings**

2.1 Herons Farmhouse is a large detached Grade II listed building situated to the north of the village and the Foresters Arms PH. The property lies outside the settlement boundary of Kirdford and the Conservation Area.

- 2.2 The listed building is set in generous, landscaped grounds, including a large pond surrounded by farmland. There are historic farm buildings in situ to northeast and north of the farmhouse, including large a Sussex barn and most are currently used in association with the main house.
- 2.3 Access to the property is via a single-track lane, initially shared by the Foresters public house and six other dwellings. This then leads to a private driveway approximately 75 metres long to the property. A public footpath skirts the eastern and northern sides of site, affording glimpsed views of building group through largely well-established hedgerow.

### 3.0 The Proposal

- 3.1 The application seeks planning permission for a change of use of the property to enable the applicant to offer wellness and mindfulness courses on a low-key, part-time basis alongside the existing residential use. The activities associated with this use would take place within the existing Sussex barn to the north of the farmhouse. The applicant also wishes to have the ability to offer bed and breakfast accommodation in connection with this use in the main farmhouse.

### 4.0 History

95/01189/FUL	REF	Erection of a tennis court and enclosure fencing.
95/01394/LBC	PER	Renewal of existing doors.
96/00035/FUL	REF	Erection of a tennis court and enclosure fencing.
06/00387/ELD	REF	Use of land as curtilage to residential property.
15/03035/ELD	REF	Establish use of land forming part of the garden of Herons Farm for over 20 years as residential.
15/03803/LBC	PER	Internal alterations to entrance lobby store room, division of first floor bathroom into 2 no. ensuites including the in-fill of existing door and addition of ensuite in first floor bedroom.
20/00458/LBC	PER	Replacement internal doors.

### 5.0 Constraints

Listed Building	Yes
Conservation Area	No
Rural Area	Yes
AONB	No
Tree Preservation Order	No
EA Flood Zone	
- Flood Zone 2	No
- Flood Zone 3	No
Historic Parks and Gardens	No



## **6.0 Representations and Consultations**

### **6.1 Parish Council**

#### *Further comments*

We write regarding the above application, and in the light of the new constraints related to water neutrality in the Sussex North Water Zone, as outlined in the September 2021 Position Statement issued by Natural England and hosted on Chichester District Council's website.

This change of use application proposes to host Wellness courses for groups of clients, with overnight stays for its guests. Consequently, there would be a significant increase in the number of people attending and staying at Herons Farm, and would incur increased water consumption of the following non-exhaustive list; eating, drinking, flushing toilets and having showers for overnight stays, washing machines, dishwashers and parallel usage of industrial kitchen in the barn.

Given the above Natural England guidance regarding water neutrality, we would expect supporting criteria and documentation for assessment in an HRA relating to the increased water consumption.

This criteria would include estimated increase in water usage based on the expected number of people staying, and additional ancillary water consumption related to other Wellness Activities, e.g., use of the existing swimming pool as part of the wellness activity. What increased water consumption would be estimated for this?

The HRA would be expected to demonstrate water neutrality as part of the Appropriate Assessment and be compliant with the NE guideline of 85 litre/person/day.

#### *Further comments*

The Parish Council's position remains to OBJECT to this change of use and would like to point out a number of reasons:

1. The reduction in the number of participants does not in any way mitigate the impact of traffic movements. CDC has no powers to limit the number of courses, and frequency and indeed which days of the week and time of day they occur. If courses/classes are hourly, that could be 8 vehicles leaving and another 8 arriving for the next class. This in theory, COULD happen all day long. Furthermore, the change of use is not limited to the individual who may at any time change their business plan and/or sell their property to someone else with a totally different intent. The business case compromises are not a compromise at all as they are not enforceable.
2. The access route to Herons Farm is wholly inappropriate for this type of use. It's a single access track which is not constructed for commercial use, as is evident by the annual need to fill in potholes caused by service vehicles (refuse collection and delivery drivers)

3. The property remains a listed building, on agricultural land, where previous attempts by the owners to apply for change of use of the fields in order to build a tennis court were REJECTED by CDC.

- 95/01189/FUL (1995) - Erection of a tennis court and enclosure fencing - REFUSED,
- 96/00035/FUL (1996) - Erection of a tennis court and enclosure fencing - REFUSED
- 06/00387/ELD (2006) - Use of land as curtilage to residential property - REFUSED
- 06/09991/PE (2006) - Proposed tennis court - Not supported

4. Enforcement - We find that it is wholly inappropriate to force the Parish into any compromise that may later rely on the very limited powers of the council's enforcement teams and places an unreasonable duty on the village and close residents to police and continually report any breaches.

As a point of context, it might interest you to know that the Applicant has not been at Herons Farm for some months, and the property is on a long term lease. There is, and never has been, any real evidence of the applicant being vested in the community. When you combine these facts with the submission of their land assets to the HELAA register at Chichester it leaves us with no other conclusion than to assume that this application is an exercise to maximise the value of an asset with total disregard for the community.

In addition, we have contracted the services of a specialist solicitor to detail the commercial limitations related to Herons Farm and the use of the shared access. This work is ongoing and legal presentations are expected soon.

We would urge you to please meet with the Parish Council and conduct a site visit before you subject this village to an arrangement that is wholly inappropriate and unsuitable.

#### *Original comments*

Kirdford Parish Council wishes to Object to this application.

Access the access to the property is via a shared lane, communally owned by the residents along it. It is suitable for domestic access only, not suitable for heavy or frequent use. Access limited onsite parking suitable for domestic use. Safeguarding there is no mention about the clientele and their psychological condition that would attend a retreat. Or mention of how risk to the local residents including children might be mitigated. Notification the communication was not sent to all residents affected by the application

Inconsistencies in Application:

- The Planning statement states that, the retreat would allow for participants to partake in yoga, creative arts and group work. The focus and exploration is aimed at attendees who are looking to enjoy a retreat. The proposal would provide a safe space to relax, enjoy the Sussex countryside and experience a stay within the Grade II listed farmhouse. However, in the Business Plan, the list of workshops includes things such as
  - Executive leadership coaching
  - Team building/bonding
  - Corporate packages
  - Masterclasses
  - Seminars
  - CPD days for professionals

- It says that workshops can be tailored to fit the needs of the organisation/groups. It is not clear what some of these activities entail. For example, it includes CPD (Continuing Professional Development) so presumably that means one could go along if there was a course or seminar that was relevant to being a Parish Clerk. That does not describe a wellness retreat. It is like a mini conference centre, not a tourism related proposal. It is more of a leisure application. Benefits to local economy / businesses therefore likely to be limited.
- Concerned that it is not just for retreat type activities, but also for corporate uses, team building uses, seminars, etc. Very wide ranging.
- Concerned that it will evolve into a more leisure / hotel type use which would not be appropriate for this setting.
- Increased traffic movements to and from site. Noise and disturbance will affect residents quiet enjoyment of the countryside and public rights of way that pass through the property and immediately next to the buildings.
- Whilst the intention is to use public transport, that would still involve many vehicle movements backwards and forward to the station. Also, it is inevitable that some people will arrive by car, which is not something that be easily enforced. How will this be monitored/policed?

#### 6.2 WSCC Local Highway Authority

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 111) and that there are no transport grounds to resist the proposal.

#### 6.3 CDC Environmental Strategy

Any lighting scheme would have to take into consideration the presence of bats in the local area. It should minimise potential impacts top any bats by avoiding unnecessary light spill through the use of directional light sources and shielding.

We require the installation of a bat box on the south/south westerly facing elevations.

Works to trees or vegetation clearance should avoid the bird breeding season. It is a requested that a bird box is installed in a suitable location within the garden.

#### 6.4 WSCC Fire and Rescue Service

Provision should be made for either a hydrant or suitable stored water supply. Please condition to that effect.

## 6.5 Third party objection comments

5 third party representations of objection have been received concerning the following matters:

- a) Access limited to single width track - unsuitable
- b) Additional traffic movements - how is this to be managed?
- c) Responsibility for upkeep of shared section of access
- d) Loss of tranquillity
- e) Irreversible impact
- f) Commercial nature of proposals in this location inappropriate.

## 6.6 Third party support comments

1 third party representation of support has been received concerning the following matters:

- a) Use would not compromise ambiance of the village or surroundings
- b) Traffic movements generated would be minimal
- c) Use would contribute positively on health and well-being
- d) This is a small-scale use that will have minimal impact

## 6.7 Applicant/Agent's Supporting Information

The applicant/agent has provided the following support information during the course of the application:

The Parish Council may be ill-informed as to the nature of the retreat. The use of the term 'classes' that is used does not well serve any of the functions of the site. The site is not run in 'sessions' and will instead relate to workshops or retreats. There will be no concurrent retreats or workshops, and the use of the site will relate to either 1 residential retreat per week, or 2 1-day workshops per week.

The use of the site relates to Mindfulness and Growth practises of individuals. This is through meditation, yoga, discussions, conversations and artistic expression. The site has educational and therapeutic benefits to individuals.

None of the activities at the site will generate any harmful noise or disturbance from the site.

The nature of the retreat, and the workshops is personal, and therefore incredibly confidential. Retreats and workshops cannot be run alongside one-and-other, and their attendance will be limited to the parties involved. For example, should a business send only 6 employees to the retreat, then the theoretical 2 spare 'places' cannot be taken up by other individuals, due to the aforementioned nature of the retreat.

The use of the site for retreats will be limited to 8 people. For workshops, this will be limited to 10 people. There will not be 'comings-and-goings' from the site over the day. As a result of the use of the site I have set out earlier, there are no 'back-to-back' workshops or retreats, so there would never be more than 8 people at the site.

A personal/temporary permission is considered wholly inappropriate for this application. This would not make financial sense as a result of the significant financial investment required in order to accommodate the proposed use. It is felt that KPC's concerns about the 'lack of control' and 'lack of scrutiny' of the site are of a personal nature, rather than a concern for the Parish itself.

All of the users share responsibility for the lane and its maintenance. I note that the Highway Authority have no objection to this application, nor is maintenance a planning consideration. The vehicular movements will not increase beyond those that could be expected of a normal 6-bed property. Furthermore, the vehicular movements are likely to be less than that of an agricultural farm, or if the dwelling were to be posted online on AirBnB.

The client will be operating the site and can be considered to be involved with the local Kirdford community. The operation of the site will not be a full-time commitment, as it will be ran in addition to other work commitments. Therefore, the use of the site will not be very intense as seems to have been assumed by the Parish. The client understands the special nature and responsibility of the ownership of a Listed Building. This has always been understood and formed part of the initial reasoning for the purchase of the building.

A travel plan accompanies the application encouraging the use of public transport as part of the booking information and providing shuttle bus/transport service to collect guests from existing transport hubs.

It is hoped that this has addressed all of the matters that are felt to be relevant.

In response to the Parish Council's latest comments, it can be stated that there is no change to the water usage of the site. The amount of people using the site (and therefore the related water usage) is achievable under its existing use as a large family home. The comments by the Parish do not raise any activities which are not undertaken at a large family home. For example, the water usage of the swimming pool does not change based on the amount of people using it. The same can be said for the other activities raised.

There will not be an 'industrial kitchen'. As stated previously, the existing kitchen facilities at the site are unchanged.

## **7.0 Planning Policy**

### **The Development Plan**

- 7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029, the CDC Site Allocation Development Plan Document and all made neighbourhood plans. The Kirdford Neighbourhood Plan was made on the 22 July 2014 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 3: The Economy and Employment Provision  
Policy 6: Neighbourhood Development Plans  
Policy 8: Transport and Accessibility  
Policy 25: Development in the North of the Plan area  
Policy 30: Built Tourist and Leisure Development  
Policy 39: Transport, Accessibility and Parking  
Policy 45: Development in the Countryside  
Policy 46: Alterations, Change of Use and/or Re-use of Existing Buildings in the countryside  
Policy 47: Heritage  
Policy 49: Biodiversity

Kirdford Neighbourhood Plan

General Policy SD.1: The Presumption in Favour of Sustainable Development  
Policy EM.2 - Nature Conservation Sites  
Policy EM.3 - Conserving and enhancing the historic environment  
Policy DS.2 - Encouraging quality design  
Policy DS.3 - Provision of Off-road Parking Policy R.4 - Tourist accommodation and facilities

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 2022. 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 2023. 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 revised National Planning Policy Framework (NPPF; July 2021). Paragraph 11 of the revised Framework states that plans and decisions should apply a presumption in favour of sustainable development, and 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 of 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 the following sections: Sections 6, 8, 9, 12 and 16 of the framework are concerned with supporting a prosperous economy, the promotion of healthy and safe communities, sustainable transport, design and the conservation and enhancement of the historic environment respectively. The relevant paragraphs of the National Planning Practice Guidance have also been taken into account. These include paragraphs 84, 85, 92, 110, 111, 130, 197, 199 and 202.

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:

- Maintain low levels of unemployment in the district
- Prepare people of all ages and abilities for the workplace and support the development of life skills
- Support local businesses to grow and become engaged with local communities
- Encourage and support people who live and work in the district and to adopt healthy and active lifestyles
- Coordinate and promote services that help those living with low level mental health conditions
- 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 character of the surrounding area
- iii. Impact upon amenity of neighbouring properties
- iv. Impact upon highway safety and parking
- v. Ecological considerations
- vi. Impact upon heritage assets
- vii. Other matters

## Assessment

### i. Principle of development

- 8.2 The application site lies outside any Settlement Boundary designated in the Chichester Local Plan: Key Policies 2014-2029 (CLP) so it is, in policy terms, in the Rest of the Plan Area. However, it is within close proximity of the village centre and the amenities and services that it can offer. CLP Policy 1 reflects the presumption in favour of sustainable development in the National Planning Policy Framework (Framework). CLP Policy 2 restricts development in the Rest of the Plan Area to that which requires a countryside location, meets an essential local rural need, or supports rural diversification in accordance with CLP Policies 45 and 46. CLP Policy 45 aims to permit sustainable development in the countryside where all of 3 criteria are met, including that the proposal is well related to a group of buildings or located close to an established settlement. The policy acknowledges that some limited and carefully planned development may be acceptable to enable the countryside and local rural communities to evolve and thrive. CLP Policy 46 sets out the criteria that the re-use of rural buildings should meet in order to be supported.
- 8.3 The barn to be used in connection with the use is structurally sound and requires little or no physical alteration and would not result in harm to the special interest or setting of any heritage asset or the wider landscape and is for an economically beneficial use. The use of historic barns in the rural areas is supported by policy 46 which encourages commercial uses over residential. No changes are proposed to the main dwelling or other buildings within the site that would increase the number of people who may stay on the site overnight. It is acknowledged that, a bed and breakfast use of the farmhouse does not involve a change of use where up to 6 people are in residence as a single household.
- 8.4 It is considered that the nature of the use proposed would be a low key commercial use that would make use of the existing listed building dwelling and its associated barn in accordance with CLP policy 46. Therefore the principle of the change of use is considered to be acceptable.

### ii. Design and impact upon character of the surrounding area

- 8.5 Herons Farm buildings are set in generous, well-maintained grounds, separated from other properties by farmland and tree-lined field boundaries. There are no structural alterations envisaged to the existing barn to enable the proposed use to be undertaken and therefore there are no design implications as a result of the proposed development.



8.6 The applicant has highlighted the fact that the number of courses held at any point and the group numbers are very limited, with either up to 2, 1- day courses or 1 residential-type retreat occurring per week, with a maximum of 8 people attending a retreat or 10 people attending each type of workshop offered. It is also stated that it is not intended that the workshops are to be offered throughout the year, but on a part-time basis and alongside the existing residential use of the site. The tutorials involved are dependent upon the relative tranquillity that the property enjoys. These involve yoga, meditation, discussion and artistic expression. Therefore, it would be counterproductive to run these at more intensive levels. It is also the case that the workshops are to be run within the existing building and not externally. Conditions are recommended to ensure that the level of use would not exceed that as detailed within the information submitted in support of the application.

8.7 Therefore it is concluded that the proposed use itself would not have an adverse impact on the character and appearance of the surrounding area. The low-key nature of the use(s) and the aims and objectives of such workshops would be complimentary to the site's rural setting. Nor would the proposed use adversely impact on the special interest or the setting of Herons Farmhouse, a Grade II listed building.

iv. Impact upon amenity of neighbouring properties

8.8 Both the Parish Council and third parties have raised concerns relating to the potential impact of additional traffic movements over a shared access. The first part of the access road is shared with the Foresters Arms and six other properties that have a direct frontage onto it. The remaining 75 metres is gated and provides access to the application site only. There is adequate width to enable two cars to pass up to the Foresters Arms, thereafter the width of the lane reduces to a single track. The applicant has pointed out that the low-key nature of the proposed use would mean that traffic movements would be only marginally higher than expected to be associated with a 6-bedroomed dwelling and less than that of an agricultural farm. With regards to the use of the wider site it is considered that the level of use proposed would not result in a level of noise and activity that would result in significant impacts upon nearby dwellings given the location of the dwelling and associated barn set within a large site and the nature of the proposed uses. It is therefore considered that subject to the recommended conditions the proposal would not cause harm to the living conditions or amenities of nearby residents or the surrounding area.

iv. Impact upon highway safety and parking

8.9 The applicant has been sensitive to this issue and has produced a travel plan to illustrate how any additional activity can be successfully managed without resulting in material harm to the existing amenities or living conditions of adjoining properties. The travel plan would encourage the use of public transport where at all possible and as part of the booking terms the applicant would arrange a shuttle service to pick up and drop off attendees. Once on site the workshops would remain 'self-contained', with no additional movements to and from the site.

8.10 The Highway Authority do not raise objection to the proposal, either on any highway safety matters or on the cumulative impacts on the highway network. It is therefore concluded that subject to conditions controlling the frequency of the use, the maximum number of participants attending and implementation of the travel plan, the traffic demand and activity generated by the use as now proposed would not likely to result in material harm to highway safety or the highway network.

vi. Ecological considerations

8.11 The tree-lined margins of the site to the east and west are identified as part of a wider bat movement network. The site also lies within the Ebernoe Common buffer. The proposal is for a change of use on a site that already experiences a degree of activity and human disturbance given its existing residential status. No alterations to the buildings are proposed and the low-key nature of the proposal means that there would be no impact on roosting or foraging opportunities for bats or hindrance to existing bat movement networks. Activities confined to daylight hours in the main. There is no objection to the proposal from CDC Ecologist, although the consultation response highlighted the need to exercise care over the provision of lighting and looks to enhance opportunities for protected species through incorporation of bat and bird boxes on the site. A condition is recommended to manage lighting on site and also to secure appropriate ecological enhancements.

vi. Impact upon heritage assets

8.12 The use of the Grade II listed building for occasional bed and breakfast use alongside its existing use as a dwelling requires minor internal intervention in the form of the replacement of the contemporary doors with like for like fire-resistant equivalents. These works have been the subject of a separate grant of listed building consent. Whilst these works do not require planning permission (they are not 'development'), as an adjunct to the change of use, they are considered under the duty imposed by Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The works would not result in the loss of historic fabric and would preserve the status quo with regard to the contribution the style of door makes to the character of the building. The Principal Conservation and Design Officer has concluded that there is no objection on listed building grounds to resist the proposal. The effect on the character of the listed building is considered to be neutral and therefore there is no conflict with the statutory duty or the objectives of Policy 47 of the Local Plan.

vii. Other matters

*Water neutrality*

8.13 Kirdford lies within the Sussex North Water Supply Zone. Natural England has recently provided guidance on the potential impact of water abstraction on the Arun Valley Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar sites. Developments within Sussex North must therefore not add to this impact and one way of achieving this is to demonstrate water neutrality - i.e. that the use of water in the supply area is the same after development has taken place as it was beforehand. The proposal is for the change of use of one existing building (the barn) to facilitate the running of wellbeing/mindfulness workshops and the provision bed and breakfast accommodation within the farmhouse. There is no net gain in the number of bedrooms (6) or bathroom provision above the existing and therefore the proposal falls below the thresholds set out required to address water neutrality. In overall terms, the status quo would be maintained and therefore considered to have a neutral impact on water use and would not likely to have a significant effect on the Arun Valley designated sites.

Conclusion

8.14 Based on the above, it is considered that the proposed change of use to a mixed use as a C3 and wellness centre (the latter on a part time basis) would not result in demonstrable harm to the character and appearance of the area, residential amenity or highway safety. Nor is it considered that the works would cause harm to or adversely affect the special interest or setting of the listed building, and the proposal would not cause harm in respect of ecological impacts. The proposal therefore complies with the relevant to national and local development plan policies and therefore the application is recommended for approval

Human Rights

8.15 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**

**Approved** subject to the following conditions and informatives:-

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

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

2) This decision relates to the drawings referred to schedule of decided plans below:

3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) the proposed use shall be limited to a mixed use C3 use and as a wellness centre on a part-time basis providing workshops associated with the provision of wellness and wellbeing courses, including (but not limited to) yoga, mindfulness, meditation and artistic expression only. A register of each course/workshop held, together with the number of attendees present shall be maintained by the owner and shall be kept up to date and available for inspection at all reasonable hours by the Local Planning Authority.

Reason: To accord with the terms of the application and to ensure that the use does not have an adverse impact on the character and appearance of the surrounding area or on residential amenity.

4) The workshops associated with the use of the site as a wellness centre shall take place in the barn (as annotated on drawing number 1279-PA-003) only and no other building unless agreed by way of an application on that behalf by the LPA.

Reason to accord with the terms of the application and to enable the LPA to exercise control over the future use of the site.

5) The use of the application site for workshops in connection as a wellness centre and any associated bed and breakfast provision shall not take place other than over a maximum of two (2) days per week between Monday to Saturday, excluding Sundays and bank holidays, and shall be limited to no more than 10 attendees/guests in any 24-hour period.

Reason: To accord with the terms of the application and to ensure that the proposal does not result in an over-intensive use of the site

6) The use shall not commence until a comprehensive Travel Plan based on the travel plan statement dated 09.10.2020 has been submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council as the Local Highway Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document and in accordance with the agreed timescales. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.

Reason: To encourage and promote sustainable transport and to ensure that the use does not have an adverse impact on the character and appearance of the area.

7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, as amended no external illumination shall be installed on the site other than in accordance with a scheme that shall first be submitted to and approved in writing by the Local Planning Authority. The scheme shall include full details of the proposed location, level of luminance and design of the lighting, including measures to prevent light spillage and to direct lights away from hedgerows and trees. Thereafter the lighting shall be maintained as approved in perpetuity. The use shall not be begun until details of a scheme of existing and proposed lighting has been submitted to and approved by the Local Planning Authority.

Reason: to ensure any lighting does not have an adverse impact on bat movement through the site and to ensure that there is adequate safeguarding of the intrinsic rural character of the area.

8) The use hereby permitted shall not commence until a bat and bird box has been installed on existing buildings or trees within the site in accordance with a scheme that shall first have been submitted to and approved by the Local Planning Authority. Thereafter the bat and bird box shall be retained as approved in perpetuity.

Reason: To enhance biodiversity opportunities within the site.

## 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 elevations	1279-PA-008		24.02.2020	Approved
PLAN - Topographical survey	1279-PA-002		24.02.2020	Approved
PLAN - Existing site plan	1279-PA-003		24.02.2020	Approved
PLAN - Existing barn ground floor plan	1279-PA-007		24.02.2020	Approved
PLAN - Existing barn elevations	1279-PA-010		24.02.2020	Approved
PLAN - Existing location, block and ground floor plans	1279-PA-010	REV C	11.03.2020	Approved
PLAN - Existing location, block and first floor plans	1279-PA-011	REV D	11.03.2020	Approved
PLAN - Existing location, block and second floor plans	1279-PA-012	REV C	11.03.2020	Approved

PLANS - Plans PLAN - SUBSTITUTE PLAN: PROPOSED LOCATION & BLOCK PLAN & GROUND FLOOR PLAN	1279-PA-020	Rev 2	22.10.2021	Approved
PLANS - Plans PLAN - SUBSTITUTE PLAN: PROPOSED FIRST FLOOR PLAN	1279-PA-021	Rev 2	22.10.2021	Approved
PLANS - Plans PLAN - SUBSTITUTE PLAN: PROPOSED SECOND FLOOR	1279-PA-022	Rev 2	22.10.2021	Approved
PLANS - Plans PLAN - Substitute plan: location and block plans	1279-PA-001	Rev 1	16.11.2021	Approved

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

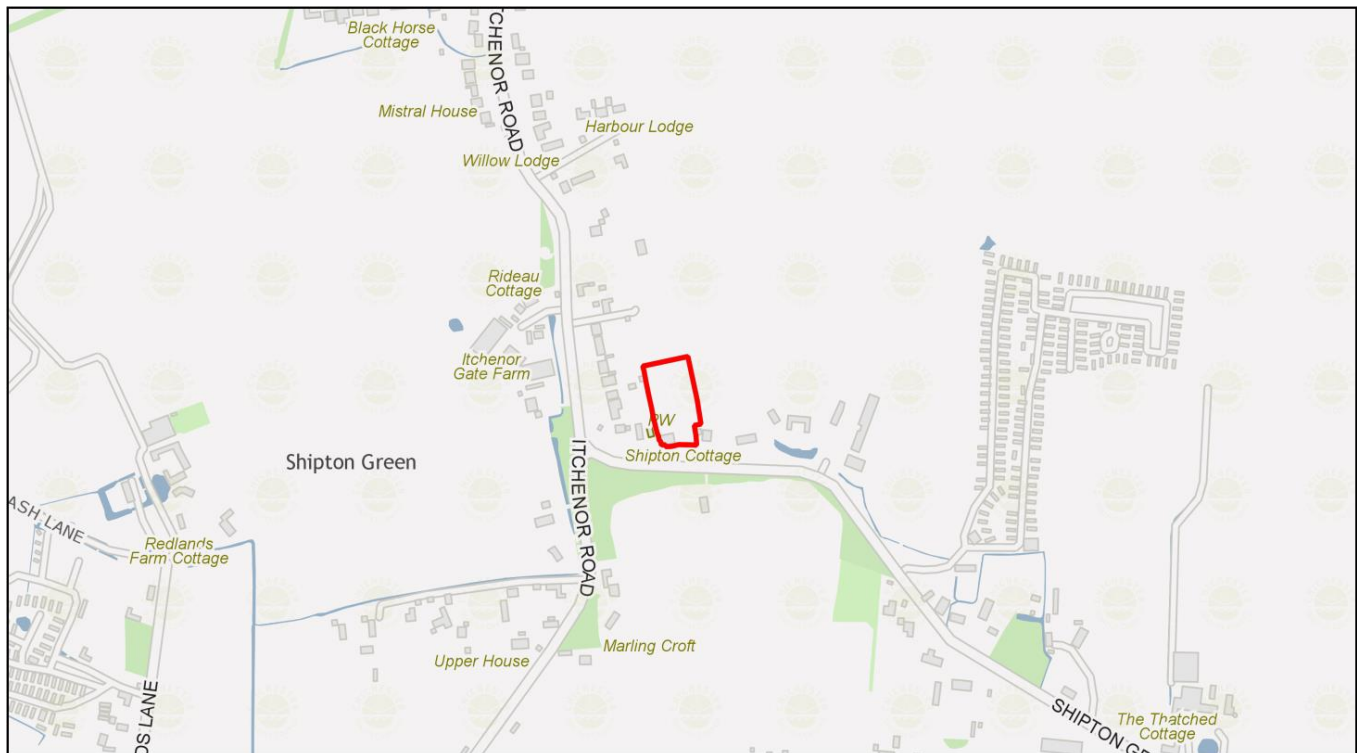
To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q5QQNDERFV600>

Parish: West Itchenor	Ward: The Witterings
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**WI/21/02059/DOM**

<b>Proposal</b>	Detached garage with store/home studio over for ancillary use in connection with Mulberry Cottage.		
<b>Site</b>	Mulberry Cottage Shipton Green Lane West Itchenor PO20 7BZ		
<b>Map Ref</b>	(E) 480399 (N) 99704		
<b>Applicant</b>	Mr & Mrs Topham	<b>Agent</b>	Mrs Natalie McKellar

**RECOMMENDATION TO PERMIT**



	<b>NOT TO SCALE</b>	<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>
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**1.0 Reason for Committee Referral**

- 1.1 Red Card: Cllr Hamilton - There is concern as to what the use of the dwelling/proposed garage would be. Additionally, third party representations have raised concerns regarding the size, scale and design of the proposal.
- 1.2 Parish Objection - proposal contravenes guidance including the West Itchenor Village Design Statement.

## **2.0 The Site and Surroundings**

- 2.1 The application site is located north of Shipton Green Lane outside of a settlement boundary area and within the Chichester Harbour Area of Outstanding Natural Beauty. The surrounding application plots are large and considerably distanced from one another creating an open and rural character.
- 2.2 The application property forms a two storey detached dwelling situated on a large application plot. The dwelling is located on the south west corner of the application site with amenity space including lawn, sheds and a swimming pool to the east and north. The site is accessed by a track north of Shipton Green Lane. Surrounding the track is the Common which is public land outside of the ownership of the application site.
- 2.3 The site is surrounded and is home to a variety of established vegetation creating a natural screening to the site.
- 2.4 Neighbouring property, Shipton Cottage has an existing detached garage to the west of the dwelling.

## **3.0 The Proposal**

- 3.1 The application seeks planning permission for a detached garage with a store/home studio for ancillary use in connection with Mulberry Cottage. The proposal was amended over the course of the application to reduce the size and footprint, lower the ridge, change the roof form, and to relocate the staircase from internal to external.
- 3.2 The proposed building would measure approximately 5.9 metres in height, 6 metres in width (6.8 metres including external staircase) and 9.8 metres in length (10.7 metres including external staircase).
- 3.3 The garage would provide 2 no. indoor parking spaces and 1 no. parking space in the carport. The first floor of the building would provide a home studio and store.



#### 4.0 History

01/02687/FUL	PER	Re-locate gravel access across Shipton Green to Mulberry Cottage.
72/00028/WI	PER	Replacing existing timber garage.
73/00006/WI	PER	New garage to replace old.
77/00001/WI	REF	Outline detached house and garages.
77/00003/WI	REF	Outline 3 residential houses.
77/00015/WI	PER	Rear extension with bedroom and bathroom alterations over.
02/03219/FUL	REF	Erection of detached dwelling and garage.
04/00302/FUL	REF	Erection of 1 no. detached dwelling and garage.
09/01989/DOM	PER	Construction of 2 storey side extension to replace existing side extension. construction of single storey rear extension. Associated alterations.
19/03158/PREHH	PRE	Detached garage with loft room over for ancillary use in connection with Mulberry Cottage.
20/01555/DOM	PER	Erection of boundary fence, pool store and changing outbuilding, covered seating area and replacement swimming pool terrace
04/00054/REF	DISMIS	Erection of 1 no. detached dwelling and garage.

#### 5.0 Constraints

Listed Building	NO
Conservation Area	NO
Rural Area	YES
AONB	YES
Tree Preservation Order	NO
EA Flood Zone	
- Flood Zone 2	NO
- Flood Zone 3	NO

## **6.0 Representations and Consultations**

### **6.1 Parish Council**

Original comment (2nd August 2021) -

West Itchenor Parish Council strongly objects to this proposed development which is considered to be in contravention of the West Itchenor Village Design Statement 2nd Edition 2012.

The building is in Character Area 5 'Itchenor Green and Shipton Green' where the guidelines emphasise that the Common is a special feature of the village which enjoys an open nature in this part of Itchenor. The guideline 5.1 seeks to prevent the loss of gaps between houses. Should the Planning Authority consider approving the application the WIPC will ask it to be made the subject of the Red Card procedure.

Updated comment (19th October 2021) -

West Itchenor Parish Council has reviewed the substitute plans and has agreed to retain its objection to this application. Additionally, the plans supplied appear to outline defined areas of parking on Common Land where there is no right to park.

### **6.2 Chichester Harbour Conservancy**

Holding objection, to be removed if building depth reduced, single dormer substituted for the three rooflights shown, retention of established beech hedge and use of complimentary facing and roofing materials. No separate dwelling should be formed and the accommodation should remain at all times ancillary to Mulberry Cottage.

### **6.3 CDC Drainage**

There is an existing ordinary watercourse, some of which is culverted crossing the site. We were asked the potential for any impacts of the current proposal.

The proposal is wholly within flood zone 1 (low risk) and we are satisfied that the proposal is sufficiently far from the watercourse that it will not have a significant impact. Therefore we have no objection to the proposal.

Due to the scale of the proposed development we have no conditions to request. Surface water drainage should be designed and constructed to meet building regulations.

### **6.4 Third party objection comments**

8 third party representations of objection have been received concerning the following matters:

- a) Size, dominance and mass of garage would have an adverse and detrimental visual impact when viewed from Shipton Green Common. Not in keeping with the area as a whole. Prominent on the streetscene due to its location and height
- b) Insufficient existing parking arrangements. Cars park on Shipton Green Common which is outside of domestic curtilage. Conflicts with West Itchenor VDS and Commons Act. Proposal would not improve existing parking arrangements due to the property operating as holiday rental accommodation and loss of existing parking spaces on gravel
- c) Unneighbourly

- d) Damage to the rural aspect of Shipton Green by reducing views between Mulberry Cottage and Shipton Green due to location of garage to the side of the property. Damages the natural beauty of the locality
- e) Detract from the distinctive character of this part of the village. Would not conserve or enhance existing features of Shipton Green
- f) Not compliant with AONB SPD or West Itchenor Village Design Statement
- g) Proposal does not maintain a setback from the boundary of the property
- h) The potential for the garage to be made into a new dwelling. No physical connection between the garage and the dwelling
- i) Lack of detail of access gate (opening outwards onto the common)
- j) Drainage concerns
- k) Inconsistent and misleading plans, plans appear to show the land to the south within the applicant's ownership but is in fact Common Land managed by the Parish Council
- l) Encroachment into the open space of the Common
- m) Concern that hedging on the southern boundary will be removed resulting in a lack of screening to 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, the CDC Site Allocation Development Plan Document and all made neighbourhood plans. There is no made neighbourhood plan for West Itchenor 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 39: Transport, Accessibility and Parking
- Policy 43: Chichester Harbour Area of Outstanding Natural Beauty (AONB)
- Policy 45: Development in the Countryside
- Policy 48: Natural Environment

#### 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 2022. 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 2023. 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 revised National Planning Policy Framework (NPPF 2019), which took effect from 20 July 2021. Paragraph 11 of the revised Framework states that plans and decisions should apply a presumption in favour of sustainable development, and 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 of 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 the following sections: 2 (achieving sustainable development), 11 (making effective use of land), and 12 (achieving well-designed places).

## Other Local Policy and Guidance

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

- Surface Water and Foul Drainage SPD
- CHC Chichester Harbour AONB Supplementary Planning Document
- West Itchenor Village Design Statement

7.7 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 character of the surrounding area
- iii. Impact upon amenity of neighbouring properties
- v. Drainage
- vi. Other matters

## Assessment

### i. Principle of development

8.2 The proposed development comprises a detached garage with storage/home studio over within the residential curtilage of Mulberry Cottage. The outbuilding would be used for purposes ancillary to Mulberry Cottage only and would not create an independent dwelling. Since the ancillary building would be located within the garden of the existing dwelling it is considered that the principle of the proposal would comply with the principle requirements of the current development plan, subject to the balanced consideration of the other requirements within the plan and any considerations material to the case.

### ii. Design and impact upon character of the surrounding area

8.3 Policies 45, 47 and 48 of the Local Plan refer to development within the countryside, design, and the impacts upon the natural environment. The policies state that proposals must be well related to an existing group of buildings, not prejudice any viable agricultural operations on a farm and ensure that their scale, siting, design and materials would have minimal impact on the landscape and rural character of the area. Alongside requirements to; respect the distinctive local character and sensitively contributes to creating places of a high architectural and built quality, respects natural landscapes and the tranquillity of the rural character of the area, meets 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 and maintains individual identity of settlements. Additionally, Policy 43 of the Chichester Local Plan requires that the natural beauty and locally distinctive features of the AONB are conserved and enhanced.

8.4 The proposed building would be located to the east of the application dwelling and approximately 4 metres from the eastern boundary. Due to the size and scale of the proposal and the size of the application plot, it is not considered that the proposal would result in overdevelopment, and sufficient garden space would be retained. The West Itchenor Village Design Statement highlights that the infilling of gaps between dwellings is normally discouraged in order to retain the rural character of the area. Despite the proposal being located to the side of the application dwelling, it would not result in a continuous frontage across the site and it would remain subservient to the main dwelling. It is therefore not considered that the proposal would be of detriment to the rural nature of the surrounding vicinity.

8.5 The outbuilding would have a full hip on the southern elevation and a gable end with external stairs on the northern elevation. The hipped roof on the southern elevation combined with the position of the building, set back within the site and screened by the boundary hedge, would minimise the visual impact of the proposal when viewed within the streetscene. It is also important to note that the neighbouring property, Shipton Cottage, has an existing detached garage, which would be adjacent to the proposal, and therefore it is considered that the proposal would not appear out of character in the streetscene. The Chichester Harbour Area of Outstanding Natural Beauty Supplementary Planning Document states that garages should be set back from the front face of the dwelling to avoid dominating the streetscene and increasing the mass of a house. The proposal is considered to be in accordance with this section of the guidance.

8.6 The proposed garage would have an external staircase on the north elevation, 2 no. garage doors and 3 no. rooflights on the west elevation. It is considered that a condition requiring blinds to prevent light spillage from the rooflights would be reasonable in order to protect the dark skies which form part of the character of the Chichester Harbour AONB. In addition, a condition is recommended to secure the use of the proposed materials; natural timber and slate, which would be sensitive to the character of the surrounding area.

8.7 Overall, the proposal would not detract from the scenic beauty of the AONB or the character and appearance of the streetscene. The proposal would therefore be acceptable in this respect.

iii. Impact upon amenity of neighbouring properties

8.8 The National Planning Policy Framework in paragraph 130 states that planning decisions should create places that offer a high standard of amenity for existing and future users.

8.9 The block plan shows the proposed garage to be distanced no less than 10 metres from the dwelling to the east. Due to this separation distance and the presence of the existing garage on the adjoining property, which enhances the separation distance by creating a physical block between the proposed garage and the dwelling at Shipton Cottage, the proposal would not have a significant effect in terms of being overbearing or loss of light. In addition, the proposal would be used for purposes ancillary to the main house and therefore would not result in a significant increase in noise disturbance to neighbouring properties.

8.10 In terms of overlooking, no fenestration would be provided on the east or south elevations. During the course of the application, the external staircase on the north elevation of the proposed garage was amended to increase the balustrade height to 1.7 metres to act as a privacy screen to reduce any potential overlooking to Shipton Cottage. Fenestration is proposed on the west elevation, however, as this faces the application dwelling, overlooking to neighbouring amenity is not of concern and no obscure glazing is required.

8.11 It is considered that the proposal would be sufficiently scaled and designed to not have an unacceptable impact upon the amenities of the neighbouring properties, with regard to their outlook, privacy or available light. The proposal would therefore be acceptable in this respect.

iv. Drainage

8.12 The Coastal and Drainage Team were consulted as part of the assessment due to the presence of a watercourse within the application site. The Coastal and Drainage Engineer stated that there is an existing ordinary watercourse, some of which is culverted crossing the site, however the proposal would be sufficiently distanced from the watercourse such that it would not have a significant impact. As the proposal is wholly within flood zone 1 (low risk), the impact of the proposal on flood risk would not be a concern. Therefore, no objection was raised to the proposal and no conditions were requested. It is advised that the applicants should design and construct the surface water drainage to meet building regulations.

v. Other matters

8.13 Concerns have been raised about the use of the application dwelling and proposed garage. The agent confirmed that Mulberry Cottage's primary use is a second home for the applicants. When the applicants are not using the dwelling, it is made available to rent. The dwelling is managed and kept accordingly as a family home. The applicants intend to have Mulberry Cottage as their primary accommodation over the next 3-4 years. It has also been confirmed that the proposed garage would be used solely for storage purposes (bikes, sailing equipment, garden machinery etc.) and car parking, and would not be available to rent or for habitable accommodation. The proposal would not change the use of the site, and the use of the main dwelling as rental accommodation is not material to the planning application under considered. It is however recommended that the outbuilding be used for purposes ancillary to the main dwelling only in the interests of ensuring that it not used for commercial purposes or for purposes independent of the main dwelling, which may in turn impact upon neighbours or the character of the area.

8.14 Concerns have also been raised that the proposal would be sited on common land, the proposal would be situated within the established garden of the main dwelling, set back from the southern boundary and the adjacent common land.

Conclusion

8.15 Based on the above it is considered that the proposal's design, scale and materials, coupled with the necessary planning conditions to regulate its use, would be acceptable in respect of its impacts upon neighbours and the character of the locality. It is considered that the proposal would not be of detriment to the rural character of the local vicinity and would not harm the Chichester Harbour Area of Outstanding Natural Beauty and the proposal would comply with development plan policies 33, 39, 43, 45 and 48, the Chichester Harbour Area of Outstanding Natural Beauty Supplementary Planning Document and the West Itchenor Village Design Statement. Therefore the application is recommended for approval.

Human Rights

8.16 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) Prior to first use of the proposal hereby approved, the 3 no. rooflights on the west elevation shall have automatic internal blinds (to block all internal light emissions) installed that shall be kept closed dusk until dawn every day. Thereafter the blinds shall be retained and maintained to an operational manner in perpetuity.

Reason: In accordance with dark skies policy, and to preserve the special character of the AONB and tranquil character of the countryside.

4) 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.

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

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) the building hereby permitted shall be used only for purposes incidental to the enjoyment of the dwelling house and for no other purpose.

Reason: To maintain planning control in the interests of amenity of the site.

6) Notwithstanding the provisions of Part 1 Schedule 2 of the Town and Country Planning ((General Permitted Development) (England) Order, 2015 (or any Order revoking, re-enacting or modifying that Order) no window(s) or door(s) shall be inserted into the east elevation of the garage hereby permitted without a grant of planning permission.

Reason: In the interests of protecting the amenity of neighbours and the surrounding 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	1261/DP100	02	30.09.2021	Approved
PLAN - Block Plan	1261/DP101	03	30.09.2021	Approved
PLAN - Proposed Floor Plans	1261/DP103	02	30.09.2021	Approved
PLAN - Proposed Elevations	1261/DP104	03	30.09.2021	Approved
PLAN - Proposed Street Scenes	1261/DP105	03	30.09.2021	Approved
PLANS - Plans PLAN - Substitute roof/site plan	1261/DP102	04	28.10.2021	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 developer's attention is drawn to the provisions of the Wildlife and Countryside Act 1981, the Conservation (Natural Habitats etc) Regulations 1994, and to other wildlife legislation (for example Protection of Badgers Act 1992, Wild Mammals Protection Act 1996). These make it an offence to kill or injure any wild bird intentionally, damage or destroy the nest of any wild bird intentionally (when the nest is being built or is in use), disturb, damage or destroy and place which certain wild animals use for shelter (including badgers and all bats and certain moths, otters, water voles and dormice), kill or injure certain reptiles and amphibians (including adders, grass snakes, common lizards, slow-worms, Great Crested newts, Natterjack toads, smooth snakes and sand lizards), and kill, injure or disturb a bat or damage their shelter or breeding site. Leaflets on these and other protected species are available free of charge from Natural England.

The onus is therefore on you to ascertain whether any such species are present on site, before works commence. If such species are found or you suspected, you must contact Natural England (at: Natural England, Sussex and Surrey Team, Phoenix House, 32-33 North Street, Lewes, East Sussex, BN7 2PH, 01273 476595, [sussex.surrey@english-nature.org.uk](mailto:sussex.surrey@english-nature.org.uk)) for advice. For nesting birds, you should delay works until after the nesting season (1 March to 31 August).

For further information on this application please contact Alicia Snook on 01243 534734

To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QVLY9NERK9900>

## Chichester District Council Planning Committee

**Wednesday 05 January 2022**

### Report of the Director Of Planning and Environment Services Schedule of

#### Appeals, Court and Policy Matters between 13-10-2021 - 16-11-2021

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
<a href="#"><u>21/02110/FUL</u></a>	
<b>Chichester Parish</b>  <b>Case Officer: Martin Mew</b> <b>Written Representation</b>	23 Lavant Road Chichester PO19 5RA - Redevelopment of the site with creation of 5 no. flats and parking, landscaping and associated works. (Variation of condition 2 for permission CC/20/03226/FUL - amendments to rear roof slope to create a concealed roof terrace).
<a href="#"><u>21/00152/CONTRV</u></a>	
<b>Funtington Parish</b>  <b>Case Officer: Shona Archer</b> <b>Informal Hearings</b>	Land West Of Newells Farm Newells Lane West Ashling West Sussex - Appeal against FU/87
Reference/Procedure	Proposal
<a href="#"><u>20/02987/OUT</u></a>	
<b>Southbourne Parish</b>  <b>Case Officer: Andrew Robbins</b>  <b>Informal Hearing</b>	Four Acre Nursery Cooks Lane Southbourne PO10 8LQ - Outline application for 40 dwellings with all matters reserved apart from access, layout and scale with associated new access roads, parking and turning areas, erection of a wastewater pumping station, the provision of surface water drainage features, amendment to the existing site access and works to Cooks Lane including the provision of a new footway on the northern side.

## 2. DECISIONS MADE

Reference/Procedure	Proposal
<a href="#">20/01826/FUL</a>	
<p><b>Chidham &amp; Hambrook Parish</b></p> <p><b>Case Officer: Andrew Robbins</b></p> <p><b>Public Inquiry</b></p>	<p>Land Adjoining A27 Scant Road West Hambrook Chidham West Sussex PO18 8UA - Mixed use development comprising 118 dwellings (including 36 affordable dwellings), public open space, landscaping and associated works and a retail convenience store with community space above all accessed via Broad Road.</p>
<p><b>Appeal Decision: APPEAL ALLOWED</b></p>	
<p>“... the housing supply policies in the development plan do not address current housing needs and so ... are out-of-date. ... The Council has sought a pro-active approach in seeking to address its housing shortfall through the publication of the IPS. ... proposal would result in a considerable visual change ... However, this built environment would sit within a landscaped framework ... reflective of the existing settlement ... physical and visual integration would be most apparent ... between the main access and the south western corner of the site. ... at this point ... the new development would be viewed as an extension to the existing settlement. ... the proposed open spaces, footpaths and cycle ways, trim trails and community gardens would be attractive amenities for the enjoyment of the existing community as well as the new residents. ... development proposes a new shop and community facility. ... this proposal has the opportunity to be a real bonus to the village and would further aid the assimilation of the new development. Above the shop would be community space ... for small business or office space. ... this facility would be a considerable benefit to the village. ... it is appreciated that many journeys would inevitably be made by car, in this case there are reasonable options available to allow new residents to choose alternative modes. ... local concern about the ability of local infrastructure, ... to accommodate the new population. ... this is a problem prevalent in many parts of southern England. ... little specific evidence that overall capacity is either not available or could not be made available. The development would be liable to pay CIL ... for the purpose of meeting infrastructure needs... the District is severely constrained in terms of where new development can be located and it has a considerable need for new housing within the next 5 years. ... no specific harm ... would arise as a result of the scale of development ... the appeal site is within a sustainable location and that the proposed development would integrate successfully with the existing settlement. ... development would result in the loss of about 4.5 ha of BMV agricultural land and a further loss of some 2 ha on the nitrate mitigation site. ... the existence of the South Downs National Park and Chichester Harbour AONB means that it is inevitable that BMV agricultural land will be required to meet the Council’s housing needs. With this comes the added complication ... In order to avoid significant effects it is necessary to ensure nitrate neutrality and Natural England has approved the approach of removing land from agricultural production. ... the proportionate loss of BMV in this case would be justified ... local concern about foul drainage ... sewerage would be conveyed to Thornham Waste Water Treatment Works and Southern Water has confirmed that this has sufficient spare capacity ... Whilst I</p>	

**Appeal Decision: APPEAL ALLOWED -  
Continued**

appreciate that this is disputed by many local objectors, the evidence from the statutory undertaker is that Thornham can adequately accommodate and treat the sewerage arising from the appeal development. ... I do not consider that the proposed development with its green framework would have any adverse impact on the natural beauty of the landscape within the SDNP. ... some local concern that the proposed development would result in the coalescence of settlements. ... This is not land that is important to the separation of Hambrook and any settlement to the north or east. ... The appeal development would result in a number of benefits. ... 118 homes that would make a significant contribution to the Council's housing land supply deficit. ... 36 new affordable homes ... convenience store and flexible community space would be a considerable benefit to the village and identified as an aspiration in the NP. ... employment benefits ... areas of open spaces ... and children's play ... considerable biodiversity net gain in habitat units. ... I afford the benefits substantial weight in favour of the development. Furthermore, the IPS has been specifically adopted to address the Council's housing land supply situation in a proactive way. ... the proposed development would not conflict with any of its 13 criteria, and this also weighs significantly in favour of the appeal scheme. ... the proposal would conflict with policies 2, 4, 5 and 45 in the LP and policy LP1 in the NP. However that conflict is a matter of limited weight because these policies are out-of-date. ... some loss of BMV agricultural land, but I afford this limited weight ... only other harmful impact ... failure to achieve a positive biodiversity net gain in terms of hedgerow units. This is counterbalanced to a degree by the very significant gain in habitat units. Overall, the adverse impacts would be of limited significance and would not demonstrably outweigh the substantial benefits of the scheme. ... the proposal would be in accordance with the presumption in favour of sustainable development as set out in paragraph 11 of the Framework ... This is a material consideration of very substantial weight and importance ...

Reference/Procedure	Proposal
<a href="#">21/00440/DOM</a>	
<p><b>Donnington Parish</b></p> <p><b>Case Officer: Vicki Baker</b></p> <p><b>Fast Track Appeal</b></p>	<p>50 Belgrave Crescent Donnington PO19 8SB - Single storey rear extension and change of use of loft into habitable accommodation, including dormer windows to sides. Variation of condition 3 from planning permission D/20/01904/DOM - remove the restriction on the dormer bedroom windows being obscure glazed and non-opening below 1.7m from the finished floor level of the rooms in which they serve.</p>
<b>Appeal Decision: APPEAL ALLOWED</b>	
<p>"... planning permission was granted in October 2020 for the erection of a single storey rear extension and change of use of loft into habitable accommodation, including dormer windows to sides at the appeal site, 50 Belgrave Crescent. Condition no3, imposed upon planning permission D/20/01904/DOM sought to prohibit first occupation of the roof extension until the first floor windows within both dormers, to the east and west roof elevations, were glazed with obscure glass and non-opening for all parts of the windows where below 1.7m above the floor of the rooms which they would serve. ... The reason for the imposition of the condition was to protect the privacy of the occupants of the adjoining residential properties; and therefore the main issue is the effect of the appeal proposal upon the living conditions of the occupants of 48 and 52 Belgrave Crescent, with specific reference to privacy. ... The application site is located within a well established residential area where there is a mix of dwelling types, including bungalows, chalet-bungalows and two plus storey houses. ... Views afforded from the windows installed at the appeal site primarily overlook the roofs of nos 48 and 52, and whilst I accept that there could be a degree of overlooking towards the rear garden areas of these neighbouring properties, such views would be oblique. In any case, with the presence of other above ground floor level accommodation provided within some surrounding dwellings, a degree of mutual overlooking within the rear garden scene is inevitable. ... I consider that in this particular case, the imposition of condition no 3 upon planning permission D/20/01904/DOM was not necessary. ..."</p> <p><b>COSTS DECISION</b></p> <p>"The application for an award of costs is refused. ... The applicant has not identified how the Council's actions in determining the planning application caused them to incur unnecessary or wasted expense and has just simply listed the costs associated with the submission of both planning applications. The Council, within the Officer's Report, substantiated the reasons for refusal in a fair amount of detail. I consider that the reasons for refusal of planning permission did not amount to unreasonable behaviour resulting in unnecessary or wasted expense to the applicant. ... "</p>	

Reference/Procedure	Proposal
<a href="#"><u>20/01235/FUL</u></a>	
<b>Earnley Parish</b>  <b>Case Officer: Maria Tomlinson</b>  <b>Written Representation</b>	111 Second Avenue Almodington Earnley PO20 7LF - Erection of 1 no. dwelling - Alternative design to planning permission E/18/02530/FUL.
<b>Appeal Decision: APPEAL DISMISSED</b>	
<p>...The design of the appeal proposal would differ notably from that of the extant permission. The proposed building would be significantly less like the design of an agricultural building, and more suburban in character than that of the extant scheme. This is due to a combination of its two-storey building height and asymmetrical roof design, together with a large amount of fenestration of distinctly domestic design, size, proportions and positioning, including floor to ceiling glazing leading onto a balcony, which would not be typical of the style and amount of fenestration typically found on rural buildings... Whilst the new building would be set back further into the site than the existing building it would replace, it would still be visible from Second Avenue, including from the site access, and when approaching the site from the west, having regard to its two storey height, and the removal of the existing building. .... due to a combination of its size and design, and position close to the existing domestic buildings within the site, the appeal scheme would have an urbanising effect on the appeal site, to the detriment of its open rural character.... The harm I have identified to the character and appearance of the area would be significant. As a result, the social objective of sustainable development of fostering well-designed and beautiful places, would not be achieved. ...”</p>	
<a href="#"><u>20/02714/DOM</u></a>	
<b>East Wittering And Bracklesham Parish</b> <b>Case Officer: Maria Tomlinson</b> <b>Fast Track Appeal</b>	Sea Shanty Charlmead East Wittering PO20 8DN - Insertion of 2 no. dormer windows.
<b>Appeal Decision: APPEAL DISMISSED</b>	
<p>“...The appeal site comprises a gable-fronted chalet bungalow which forms part of a recently constructed pair with Halcyon next door, located within a private residential estate. The existing architecture of the host property is quite simple yet pleasing to the eye and I consider that along with its sibling add value to the street scene. ... I accept that the dormer windows have been designed in a manner that would not harm the living conditions of the occupants of neighbouring dwellings, in terms of overlooking or overshadowing .... I accept that the dormer on the northern elevation would be set back slightly from the principal elevation, nonetheless, it would still remain highly visible within the street scene and together their construction would run counter to the aforementioned simple architecture of the host dwelling. ... I therefore conclude that the proposed dormers would result in a visually incongruous development that would detract from the host dwelling and would give rise to harm to the character and appearance of the area. ...”</p>	

Reference/Procedure	Proposal
<a href="#">21/01237/DOM</a>	
<b>East Wittering And Bracklesham Parish</b>  <b>Case Officer: Maria Tomlinson</b> <b>Fast Track Appeal</b>	19 Seafield Close East Wittering PO20 8DP – Demolition of rear conservatory for a rear two-storey pitched roof and single-storey flat roof extensions.
<b>Appeal Decision: APPEAL ALLOWED</b>	
<p>“...It is quite clear that the proposal would increase the verticality of the host dwelling with a marginally steeper front roof pitch and ridge line than existing. However taking into account the built context, including other similar such extensions that have been carried out in recent years, I consider that it would not be out of character with its surroundings. ... In conclusion on this matter I consider that the proposed development would not give rise to a harmful impact upon the outlook from nos 18 and 20 or their private primary garden spaces. ...”</p> <p>Cost Decision - “...Procedurally the applicants state that the refusal notice gave information that was twelve years out of date in respect of their right to appeal. However, their Architect highlights that he is highly experienced, specialising in householder planning applications and I am sure that this is not the first time he has submitted an appeal. Therefore bearing in mind that the applicants were professionally represented and that in any case, the first note appended to the decision notice made reference to the twelve week period within which householders have a right to appeal, I give that specific complaint very little weight in the determination of this application. It is unfortunate that the Planning Officer of the Council only made contact with the applicants on the date that the planning application was to be determined. However to be fair to the officer, they suggested an extension of time for the determination of the proposal to enable the applicants to consider whether to withdraw the proposal. Further, as highlighted by the applicants’ agent in their email of the 17 June 2021 at 15:20, they themselves acknowledged that many planning departments have been inundated with householder planning applications whilst operating with overstretched resources; and I have seen nothing to suggest that no option was given to them discuss the merits of the proposal. It is apparent that the Planning Officer was not supportive of the proposal, but just because that was the case does not automatically amount to unreasonable behaviour. ... However as far as I am aware, the application the subject of the appeal was the first one submitted by the applicants and therefore even if the appeal proposal had been refused on the 17 June, they would have had a ‘free go, and to state that this demonstrates a reckless disregard for the appellants’ costs is in my view overexaggerated. ... I note reference to a purported fallback position utilising Permitted Development Rights, however, such a solution would be materially different from the appeal scheme and therefore whilst I understand the applicants’ agent’s reasoning for highlighting what could potentially be built without the need for an application for full planning permission, in the absence of any Certificate of Lawfulness to demonstrate that that would be the case, I give the fallback position limited weight. Ultimately it was for me to determine the refused scheme and which I found in the applicants’ favour. Finally, I acknowledge the reference to documentation, including drawings and the Officer’s report not being published on the Council’s website in a timely manner, however this does not go to the substance of the case and therefore I consider is not a determining factor in me forming my conclusions on this costs application. All in all, I have found that the Council’s Officer report substantiated the reasons for refusing planning permission which did not amount to unreasonable behaviour resulting in unnecessary or wasted expense for the applicants. Consequently I consider that unreasonable behaviour as described in the PPG has not been demonstrated and the application for a full award of costs is therefore refused.”</p>	



<a href="#"><u>20/01389/FUL</u></a>	
<b>Sidlesham Parish</b> <b>Case Officer: Vicki Baker</b>	Land North Of Swan Cottage Selsey Road Sidlesham West Sussex - Erection of 2 storey dwelling, garage and vehicular access off Selsey Road.
<b>Written Representation</b>	
<b>Appeal Decision: APPEAL DISMISSED</b>	
<p>"... The appeal site is a piece of land on the roughly east side of Selsey Road. It is outside any Settlement Boundary, ... the site is an open gap in a loose-knit ribbon of sporadic development along Selsey Road. Its present open character and undeveloped appearance, set in farmland to roughly east and west, contributes positively to the rural character of the surrounding area. ... the present open gap at the site is important to the rural character of the intermittent dwellings in Selsey Road, and because the site is not a narrow gap in an otherwise built-up frontage, it could not reasonably be considered to be an infill plot, or within or next to an established settlement or group of buildings. ... Due to its suburban character, scale, bulk and built-up appearance, the proposal would unacceptably consolidate the gap between the existing dwellings, harmfully extending development along Selsey Road and encroaching into the countryside. Whilst its materials could be controlled by condition, that would not overcome the harm. ... Due to the lack of information on the plans it is not clear whether the proposed access would be in the same place as the existing access, what visibility could be achieved, and, in the absence of any up-to-date speed data, whether that visibility would be adequate. ... There is insufficient evidence before me to show that adequate visibility splays at the proposed access could be achieved within land controlled by the appellant. ... I consider that there is insufficient evidence to show that the use of the proposed access to the development would not be likely to endanger highway safety in Selsey Road. ... The appeal site is within the zones of influence of the SPAs, which are statutorily protected Natura 2000 sites designated under the Habitats Directive. As the proposal would include a net increase of one dwelling, recreational disturbance is an issue that needs to be addressed. ... whilst the appellant says he would be prepared to make the contribution, no completed planning obligation towards off-site access management mitigation for the proposal has been put to me. Thus, I consider that the proposal would be likely to have a significant adverse effect on the integrity of the SPAs regarding recreational impacts. ... "</p>	

Reference/Procedure	Proposal
<a href="#">20/03130/FUL</a>	
<b>Tangmere Parish</b> <b>Case Officer: William Price</b> <b>Written Representation</b>	17 Nettleton AvenueTangmere PO20 2HZ - Change use of land from public amenity space to private garden and associated boundary treatment to side of private detached dwelling house.
<b>Appeal Decision: APPEAL DISMISSED</b>	
<p>"... The main issue is whether the proposed development would preserve or enhance the character or appearance of the Tangmere Conservation Area. ... The appeal site is within the Conservation Area,... much of its significance lies in its historic association with the RAF and Tangmere Airfield. Whether large or small, the trees and green areas that help to retain its village atmosphere are one of the Conservation Area's most important features. ... Because Nettleton Avenue borders the roughly north side of the expansive mainly open Tangmere recreation ground, the piece of land is widely visible. ... the amenity spaces and planting on each side of the sinuous Nicolson Close provided significant openness and greenery at the only entrance into the Nicolson Close estate. They helped to soften the transition from the considerable openness at the recreation ground, framed in part by the low density Nettleton Avenue dwellings, to the tighter knit, more urban development in Nicolson Close. ... So, the piece of land is important to the design and layout of the Nicolson Close estate, much of which is within the setting of the Conservation Area. ... So, whilst the piece of land is relatively small, as a green and open space, it made a positive contribution to the character, appearance, and significance of the Conservation Area. ... Due to the scale, height and siting of the fence, and the enclosure of part of the amenity space as private garden, the proposal would unacceptably erode the important openness at the entrance to the Nicolson Close estate. The stark appearance and the hard edged form of the fence would harmfully intrude into, enclose, and urbanise the street, and because the proposal would reduce the visible connection between the Nicolson Close estate and the rest of the village, it would erode the sense of place. Moreover, because the proposal would harmfully encroach into the open views into and out of the Conservation Area, and it would disrupt the historic development pattern in Nettleton Avenue, the character, appearance and significance of the Conservation Area would be unacceptably diminished. ... Therefore, I consider that the proposal would fail to preserve or enhance the character or appearance of the Tangmere Conservation Area. ..."</p>	

### 3. IN PROGRESS

Reference/Procedure	Proposal
<a href="#"><u>17/00362/CONMHC</u></a>	
<b>Birdham Parish</b>  <b>Case Officer: Shona Archer</b>  <b>Informal Hearing</b> <b>08-Feb-2022</b> <b>Chichester District Council</b> <b>East Pallant House PO19</b> <b>1TY</b>	Plot 14 Land North West Of Premier Business Park Birdham Road Appledram West Sussex - Without planning permission change of use of the land to use as a residential caravan site.
<a href="#"><u>20/00379/CONCOU</u></a>	
<b>Birdham Parish</b>  <b>Case Officer: Shona Archer</b> <b>Informal Hearing</b> <b>08-Feb-2022</b> <b>Chichester District Council</b> <b>East Pallant House PO19</b> <b>1TY</b>	Plot 13 Land North West Of Premier Business Park Birdham Road Appledram West Sussex - Appeal against BI/47
<a href="#"><u>17/00356/CONMHC</u></a>	
<b>Birdham Parish</b>  <b>Case Officer: Shona Archer</b>  <b>Informal Hearing</b> <b>08-Feb-2022</b> <b>Chichester District Council</b> <b>East Pallant House PO19</b> <b>1TY</b>	Plot 12 Land North West Of Premier Business Park Birdham Road Appledram West Sussex - Without planning permission, change of use of the Land to the storage of a caravan and a highway maintenance vehicle used for white line painting.
<a href="#"><u>17/00361/CONMHC</u></a>	
<b>Birdham Parish</b>  <b>Case Officer: Shona Archer</b>  <b>Informal Hearing</b> <b>08-Feb-2022</b> <b>Chichester District Council</b> <b>East Pallant House PO19</b> <b>1TY</b>	Plot 13 Land North West Of Premier Business Park Birdham Road Appledram West Sussex - Without planning permission, change of use of the Land to the storage of a caravan and a diesel fuel oil tank.

Reference/Procedure	Proposal
* <a href="#">19/02579/FUL</a>	
<p><b>Chichester Parish</b></p> <p><b>Case Officer: Martin Mew</b></p> <p><b>Informal Hearing</b>  <b>22-Feb-2022</b>  <b>Chichester District Council</b>  <b>East Pallant House PO19</b>  <b>1TY</b></p>	<p>Land North West Of Newbridge Farm Salthill Road Fishbourne West Sussex - Change use of land to travellers caravan site consisting of 4no. pitches each containing 1no. mobile home, 1no. touring caravan, 1no. utility dayroom; play area and associated works.</p>
<a href="#">20/02009/FUL</a>	
<p><b>Chichester Parish</b></p> <p><b>Case Officer: Martin Mew</b></p> <p><b>Informal Hearing</b></p> <p><b>Virtual Event</b></p>	<p>Land North West Of Newbridge Farm Salthill Road Fishbourne West Sussex - Change use of land to travellers caravan site consisting of 3 no. pitches each containing 1 no. mobile home, 1 no. touring caravan, 1 no. utility dayroom; play area and associated works (Resubmission of CC/19/02579/FUL).</p>
<a href="#">20/00380/CONTRV</a>	
<p><b>Chichester Parish</b></p> <p><b>Case Officer: Sue Payne</b></p> <p><b>Informal Hearing</b>  <b>22-Feb-2022</b>  <b>Chichester District Council</b>  <b>East Pallant House PO19</b>  <b>1TY</b></p>	<p>Land North West Of Newbridge Farm Salthill Road Fishbourne West Sussex - Appeal against creation of hardstandings and siting of mobile homes without planning permission.</p>
* <a href="#">20/00412/OUT</a>	
<p><b>Chidham &amp; Hambrook Parish</b></p> <p><b>Case Officer: Andrew Robbins</b></p> <p><b>Informal Hearing</b></p>	<p>Land Off Broad Road Broad Road Hambrook PO18 8RF - Outline Application for the construction of 35 no. affordable residential dwellings for first time buyers and those looking to rent their first home (Paragraph 71 entry-level exception site), with all matters reserved other than access.</p>

Reference/Procedure	Proposal
<a href="#"><u>20/03378/OUT</u></a>	
<b>Chidham &amp; Hambrook Parish</b>  <b>Case Officer: Andrew Robbins</b> <b>Informal Hearing</b> <b>15-Feb-2022</b> <b>Chichester Harbour Hotel</b>	Land At Flat Farm Hambrook West Sussex PO18 8FT - Outline Planning Permission with Some Matters Reserved (Access) - Erection of 30 dwellings comprising 21 market and 9 affordable homes, access and associated works including the provision of swales.
<a href="#"><u>19/02493/OUT</u></a>	
<b>Earnley Parish</b>  <b>Case Officer: Andrew Robbins</b>  <b>Informal Hearing</b> <b>25-Jan-2022</b> <b>Chichester City Council North Street</b> <b>Chichester PO19 1LQ</b>	Earnley Concourse Clappers Lane Earnley Chichester West Sussex PO20 7JN - Outline planning application with all matters except Access reserved. Demolition of Earnley Concourse buildings, Elm Lodge, Gate Cottage and the Ranch House and replacement with residential development of up to 32 no. dwellings with associated access and footway works, landscaping, open space and drainage infrastructure
<a href="#"><u>21/00785/DOM</u></a>	
<b>Fishbourne Parish</b> <b>Case Officer: Alicia Snook</b> <b>Fast Track Appeal</b>	Estoril Main Road Fishbourne PO18 8AN - New vehicle access and garage.
<a href="#"><u>* 19/00445/FUL</u></a>	
<b>Funtington Parish</b>  <b>Case Officer: Martin Mew</b> <b>Written Representation</b>	Land South East Of Tower View Nursery West Ashling Road Hambrook Funtington West Sussex - Relocation of 2 no. existing travelling show people plots plus provision of hard standing for the storage and maintenance of equipment and machinery, 6 no. new pitches for gypsies and travellers including retention of hard standing.
<a href="#"><u>19/02939/FUL</u></a>	
<b>Funtington Parish</b>  <b>Case Officer: Calum Thomas</b>  <b>Written Representation</b>	Old Allotment Site Newells Lane West Ashling West Sussex – Use of land for the stationing of a caravan for residential purposes, together with the formation of hardstanding.

Reference/Procedure	Proposal
<a href="#"><u>20/00234/FUL</u></a>	
<b>Funtington Parish</b>  <b>Case Officer: Calum Thomas</b>  <b>Informal Hearings</b>	Land West Of Newells Lane West Ashling PO18 8DD - Change of use of land for the stationing of 4 no. static caravans and 4 no. touring caravans for a Gypsy Traveller site, including parking, hard standing and associated infrastructure.
<a href="#"><u>20/00534/FUL</u></a>	
<b>Funtington Parish</b>  <b>Case Officer: Calum Thomas</b>  <b>Informal Hearings</b>	Land South Of The Stables Scant Road East Hambrook Funtington West Sussex - Change of use of land to use as a residential caravan site for 2 no. gypsy families and construction of 2 no. ancillary amenity buildings, including the laying of hardstanding, erection of boundary wall.
<a href="#"><u>20/00950/FUL</u></a>	
<b>Funtington Parish</b>  <b>Case Officer: Calum Thomas</b> <b>Written Representation</b>	Field West Of Beachlands Nursery Newells Lane West Ashling West Sussex - Use of land for the stationing of a caravan for residential purposes, together with the formation of hardstanding and associated landscaping.
<a href="#"><u>20/00956/FUL</u></a>	
<b>Funtington Parish</b>  <b>Case Officer: William Price</b> <b>Informal Hearing</b>	Field West Of Beachlands Nursery Newells Lane West Ashling West Sussex - Change use of land to residential for the stationing of caravans for Gypsy Travellers including stable, associated infrastructure and development.
<a href="#"><u>20/00109/CONTRV</u></a>	
<b>Funtington Parish</b>  <b>Case Officer: Shona Archer</b> <b>Informal Hearing</b>	Field West Of Beachlands Nursery Newells Lane West Ashling West Sussex Appeal against Enforcement Notice FU/80

Reference/Procedure	Proposal
<a href="#"><u>18/00323/CONHI</u></a>	
<b>Funtington Parish</b>  <b>Case Officer: Sue Payne</b> <b>Written Representation</b>	West Stoke Farm House Downs Road West Stoke Funtington Chichester West Sussex PO18 9BQ - Appeal against HH/22
<a href="#"><u>20/00288/CONENG</u></a>	
<b>Funtington Parish</b>  <b>Case Officer: Tara Lang</b> <b>Informal Hearing</b>	Land West Of Newells Lane West Ashling Chichester West Sussex PO18 8DD - Appeal against Enforcement Notice FU/77
<a href="#"><u>20/00400/CONCOU</u></a>	
<b>Hunston Parish</b>  <b>Case Officer: Sue Payne</b> <b>Written Representation</b>	Land East Of Farmfield Nurseries Selsey Road Hunston West Sussex - Appeal against HN/28
<a href="#"><u>20/00400/CONCOU</u></a>	
<b>Hunston Parish</b>  <b>Case Officer: Sue Payne</b> <b>Written Representation</b>	Land East Of Farmfield Nurseries Selsey Road Hunston West Sussex - Appeal against Enforcement Notices HN28 & 30
<a href="#"><u>20/02675/OUTEIA</u></a>	
<b>Lavant Parish</b>  <b>Case Officer: Jane Thatcher</b> <b>Public Inquiry</b> <b>08-Feb-2022</b> <b>Chichester District Council</b> <b>East Pallant House PO19</b> <b>1TY</b>	Field South Of Raughmere Drive Lavant West Sussex -  Outline Application with all matters reserved (except for access) for the development of 140 dwellings, public open space, landscaping, parking and associated works.
<a href="#"><u>19/01400/FUL</u></a>	
<b>Loxwood Parish</b>  <b>Case Officer: William Price</b> <b>Written Representation</b>	Moores Cottage Loxwood Road Alfold Bars Loxwood Billingshurst West Sussex RH14 0QS - Erection of a detached dwelling following demolition of free- standing garage.

<b>Reference/Procedure</b>	<b>Proposal</b>
<a href="#"><u>20/00182/CONCOU</u></a>	
<b>Plaistow And Ifold Parish</b>  <b>Case Officer: Sue Payne</b> <b>Written Representation</b>	The Coach House Oak Lane Shillinglee Plaistow Godalming West Sussex GU8 4SQ - Appeal against Enforcement Notice PS/70
<a href="#"><u>19/02999/FUL</u></a>	
<b>Selsey Parish</b>  <b>Case Officer: Martin Mew</b> <b>Written Representation</b>	Hillfield House 4 Clayton Road Selsey Chichester West Sussex PO20 9DB - Demolition of existing dwelling and the erection of 4 no. dwellings, 4 no. garage spaces and associated external works.
<a href="#"><u>* 19/03112/FUL</u></a>	
<b>Sidlesham Parish</b>  <b>Case Officer: Calum Thomas</b> <b>Informal Hearing</b>	Melita Nursery Chalk Lane Sidlesham Chichester West Sussex PO20 7LW - Change of use of land to rear of dwelling for siting of residential caravans for 7 no. pitch Gypsy Traveller site with associated development (hard standing fencing and 3 no. utility buildings).
<a href="#"><u>20/01470/FUL</u></a>	
<b>Sidlesham Parish</b>  <b>Case Officer: William Price</b> <b>Informal Hearing</b>	3 Melita Nursery Chalk Lane Sidlesham Chichester West Sussex PO20 7LW - Change of use of land to mixed use for siting of residential caravans for 3 no. pitch Gypsy Traveller site with associated development (hard standing, fencing and utility buildings) on land forming part of 3 Melita Nursery - part retrospective.
<a href="#"><u>20/02735/ELD</u></a>	
<b>Sidlesham Parish</b>  <b>Case Officer: Calum Thomas</b> <b>Written Representation</b>	Melita Nursery Chalk Lane Sidlesham PO20 7LW - Application for a certificate of existing lawful development for construction and use of a building as a single dwelling-house falling with use class C3.
<a href="#"><u>21/00038/CONMHC</u></a>	
<b>Sidlesham Parish</b>  <b>Case Officer: Sue Payne</b> <b>Written Representation</b>	Land To The East Of Ivy Grange Keynor Lane Sidlesham West Sussex - Appeal against Enforcement Notice SI/78.



Reference/Procedure	Proposal
<a href="#"><u>20/00301/CONMHC</u></a>	
<b>Sidlesham Parish</b>  <b>Case Officer: Sue Payne</b> <b>Written Representation</b>	M &Y Fruit Limited 82A Fletchers Lane Sidlesham Chichester West Sussex PO20 7QG - Appeal against Enforcement Notice SI/77.
<a href="#"><u>20/00032/FUL</u></a>	
<b>Southbourne Parish</b>  <b>Case Officer: Joanna Bell</b> <b>Written Representation</b>	Gosden Green Nursery 112 Main Road Southbourne PO10 8AY - Demolition of existing B8 and B1 buildings and erection of replacement buildings for a mix of B8 and B1 uses, with access, parking and landscaping.
<a href="#"><u>20/02077/FUL</u></a>	
<b>Southbourne Parish</b>  <b>Case Officer: Maria Tomlinson</b> <b>Written Representation</b>	Marina Farm Thorney Road Southbourne Emsworth Hampshire PO10 8BZ - Redevelopment of previously developed land. Removal of existing 5 no. buildings. Proposed 1 no. dwelling.
<a href="#"><u>21/00089/FUL</u></a>	
<b>Southbourne Parish</b>  <b>Case Officer: Maria Tomlinson</b> <b>Written Representation</b>	Thornham Products Thornham Lane Southbourne PO10 8DD - Retention of existing single mobile home on the land and to continued use for applicant's place of residence, following expiry of temporary period granted under condition 2 of SB/15/01837/FUL.
<a href="#"><u>* 20/02491/OUT</u></a>	
<b>West Wittering Parish</b>  <b>Case Officer: Jane Thatcher</b>  <b>Public Inquiry</b> <b>01-Mar-2022</b>	Land To The West Of Church Road Church Road West Wittering West Sussex - Outline planning application for residential development of 70 dwellings (some matters reserved except for access).
<a href="#"><u>19/01985/FUL</u></a>	
<b>Westbourne Parish</b>  <b>Case Officer: Calum Thomas</b> <b>Informal Hearing</b>	The Paddocks Common Road Hambrook Westbourne Chichester West Sussex PO18 8UP - Change of use of land to allow for the extension of an existing Gypsy/Traveller site comprising of an additional four mobile homes, four touring caravans and one dayroom.

Reference/Procedure	Proposal
<a href="#"><u>19/03206/FUL</u></a>	
<b>Westbourne Parish</b>  <b>Case Officer: Jane Thatcher</b> <b>Written Representation</b>	Unit 2, Ten Acres Cemetery Lane Woodmancote Westbourne PO10 8RZ - Change of use of site for B8 storage of privately owned and commercial vehicles, with ancillary offices and stores. (retrospective).
<a href="#"><u>* 20/00047/FUL</u></a>	
<b>Westbourne Parish</b>  <b>Case Officer: Calum Thomas</b> <b>Written Representation</b>	Hopedene Common Road Hambrook Westbourne PO18 8UP - Change use of land to a single private gypsy pitch with associated hardstanding and day room.
<a href="#"><u>20/00785/FUL</u></a>	
<b>Westbourne Parish</b>  <b>Case Officer: Calum Thomas</b> <b>Informal Hearing</b>	Meadow View Stables Monks Hill Westbourne PO10 8SX - Change of use of land for use as extension to Gypsy caravan site for the stationing of 6 additional caravans, including 3 pitches, each pitch consisting of 1 no. mobile home, 1 no. touring caravan and a utility building together with laying of hardstanding.
<a href="#"><u>19/00217/CONCOU</u></a>	
<b>Westbourne Parish</b>  <b>Case Officer: Steven Pattie</b> <b>Informal Hearing</b>	4 The Paddocks Common Road Hambrook Westbourne Chichester West Sussex PO18 8UP - Appeal against Enforcement Notice WE-49
<a href="#"><u>19/00107/CONMHC</u></a>	
<b>Westbourne Parish</b>  <b>Case Officer: Steven Pattie</b> <b>Written Representation</b>	Jubilee Wood Bridle Lane Woodmancote Hambrook West Sussex - Appeal against Enforcement Notices WE/50 and WE/51
<a href="#"><u>19/00107/CONMHC</u></a>	
<b>Westbourne Parish</b>  <b>Case Officer: Steven Pattie</b> <b>Written Representation</b>	Jubilee Wood Bridle Lane Woodmancote Hambrook West Sussex - Appeal against Enforcement Notices WE/50 and WE/51

Reference/Procedure	Proposal
<a href="#"><u>13/00163/CONWST</u></a>	
<b>Westbourne Parish</b>  <b>Case Officer: Shona Archer</b>  <b>Public Inquiry continuation dates 11/12<sup>th</sup> January 2022</b>	The Old Army Camp Cemetery Lane Woodmancote Westbourne West Sussex - Appeal against WE/40, WE/41 and WE/42
<a href="#"><u>21/00169/CONDWE</u></a>	
<b>Westbourne Parish</b>  <b>Case Officer: Tara Lang</b>  <b>Public Inquiry</b>	Land South West Of Racton View Marlpit Lane Hambrook Westbourne West Sussex - Appeal against creation of a dwellinghouse and two annex buildings subject to Enforcement Notice WE/54
<a href="#"><u>21/00169/CONDWE</u></a>	
<b>Westbourne Parish</b>  <b>Case Officer: Tara Lang</b>  <b>Public Inquiry</b>	Land South West Of Racton View Marlpit Lane Hambrook Westbourne West Sussex - Appeal against creation of a dwellinghouse and two annex buildings subject to Enforcement Notice WE/53
<a href="#"><u>21/00169/CONDWE</u></a>	
<b>Westbourne Parish</b>  <b>Case Officer: Tara Lang</b>  <b>Public Inquiry</b>	Land South West Of Racton View Marlpit Lane Hambrook Westbourne West Sussex - Appeal against creation of a dwellinghouse and two annex buildings subject to Enforcement Notice WE/52
<a href="#"><u>20/02824/OUT</u></a>	
<b>Westhampnett Parish</b>  <b>Case Officer: Andrew Robbins</b>  <b>Public Inquiry</b>	Land Within The Westhampnett / North East Chichester Strategic Development Location (north Of Madgwick Lane ) Chichester - Outline Application with all matters reserved except for access for the residential development comprising up-to 165 dwellings, including an element of affordable housing; together with an access from Madgwick Lane as well as a relocated agricultural access, also from Madgwick Lane; Green Infrastructure, including the enhancement of the Lavant Valley Linear Greenspace; sustainable drainage systems; and associated infrastructure.

#### 4. VARIATIONS TO SECTION 106 AGREEMENTS

None.

#### 5. CALLED-IN APPLICATIONS

Reference	Proposal	Stage

#### 6. COURT AND OTHER MATTERS

Injunctions		
Site	Breach	Stage
Land North West of Premier Park, Birdham	Of 4 Enforcement Notices and civil Injunction	Injunction to vacate the land and restore it to agricultural use granted by the High Court on 10.8.20. Extension of deadlines granted on 7.1.21. New application lodged by Defendants on 28.4.21 not proceeded with by the Defendants as confirmed by The High Court. LPA has written to the remaining residents of 3 plots asking for their intentions. Human Rights Audit Forms provided and they have been encouraged to liaise with Housing. After HR Forms are returned and update from Housing received, file will be reviewed for Contempt of Court proceedings.

Court Hearings		
Site	Matter	Stage

<b>Prosecutions</b>		
<b>Site</b>	<b>Breach</b>	<b>Stage</b>
Land South of the Stables, Newells Lane	Breach of Enforcement Notice	First court hearing: 25/11/21 at Crawley Magistrates' Court. New and final adjournment requested as Appeal against refusal of Planning Permission has yet to be heard. Matter will have to proceed or be withdrawn on the next occasion. Waiting for a new date from the court.
Cowdown Farm, Compton	Breach of Enforcement Notice	Summons drafted. Court date requested. Waiting for the court to issue a date.
Medmerry View, Earnley	Breach of Enforcement Notice	Summons issued and date provided by the court for first hearing on 13 Jan. 2022 at Crawley Magistrates' Court.
Medmerry View, Earnley	Breach of Condition Notice	Summons issued and date provided by the court for first hearing on 13 Jan. 2022 at Crawley Magistrates' Court.
Oakham Farmhouse, Oving	Breach of Enforcement Notice	Summons drafted. Court date requested. Waiting for the court to issue a date.

## **7. POLICY MATTERS**

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South Downs National Park

Planning Committee

Report of the Director Of Planning and Environment Services

Schedule of Planning Appeals, Court and Policy Matters

Date between 13/10/2021 and 16/11/2021

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

<u>Reference/Procedure</u>	<u>Proposal</u>
<a href="#">SDNP/21/00587/HOUS</a> Northchapel Parish Council Parish  Case Officer: Beverley Stubbington  <b>Householder Appeal</b>	7 Luffs Meadow Northchapel Petworth West Sussex GU28 9HN - Retention of home office (retrospective).
<a href="#">SDNP/21/00350/HOUS</a> Petworth Town Council Parish  Case Officer: Jenna Shore  <b>Householder Appeal</b>	Leith House Angel Street Petworth GU28 0BG - Proposed domestic ancillary outbuilding.
<a href="#">SDNP/20/04081/FUL</a> Petworth Town Council Parish  Case Officer: Beverley Stubbington  <b>Written Representation</b>	The Grove Inn Grove Lane Petworth GU28 0HY - Change of use to 1 no. dwelling and replacement garaging and associated alterations.

<b><u>Reference/Procedure</u></b>	<b>Proposal</b>
<p><a href="#">SDNP/18/00609/BRECO</a> Rogate Parish Council Parish</p> <p>Case Officer: Steven Pattie</p> <p><b>Written Representation</b></p>	<p>Land South of Harting Combe House Sandy Lane Rake Rogate West Sussex - Appeal against Enforcement Notice RG/37</p>

### 3. CURRENT APPEALS

<b><u>Reference/Procedure</u></b>	<b>Proposal</b>
<p><a href="#">SDNP/20/01635/LDP</a> West Lavington Parish Council Parish</p> <p>Case Officer: Derek Price</p> <p><b>Informal Hearing</b></p>	<p>Kennels Farm Selham Road West Lavington Midhurst West Sussex GU29 0AU - Proposed use of buildings at Kennels Farm as Estate Maintenance yard including a joinery workshop, painters workshop, stores and offices.</p>
<p><a href="#">SDNP/21/00587/HOUS</a> Northchapel Parish Council Parish</p> <p>Case Officer: Beverley Stubbington</p> <p><b>Householder Appeal</b></p>	<p>7 Luffs Meadow Northchapel Petworth West Sussex GU28 9HN - Retention of home office (retrospective).</p>
<p><a href="#">SDNP/20/03543/FUL</a> Cocking Parish Council Parish</p> <p>Case Officer: Charlotte Cranmer</p> <p><b>Written Representation</b></p>	<p>Longmeadow Bell Lane Cocking GU29 0HU - Erection of 2 no. dwellings with associated garaging and surface parking.</p>
<p><a href="#">SDNP/20/04533/HOUS</a> Fittleworth Parish Council Parish</p> <p>Case Officer: Beverley Stubbington</p> <p><b>Householder Appeal</b></p>	<p>Dunrovin Limbourne Lane Fittleworth RH20 1HR - Erection of a two storey rear extension and front porch with associated roof works and installation of tile hanging at the first floor level.</p>



<b><u>Reference/Procedure</u></b>	<b>Proposal</b>
<p><a href="#">SDNP/21/00355/FUL</a> Cocking Parish Council Parish</p> <p>Case Officer: Charlotte Cranmer</p> <p><b>Written Representation</b></p>	<p>Longmeadow Bell Lane Cocking GU29 0HU - Erection of 1 no. detached dwelling with associated garaging and associated surface parking.</p>
<p><a href="#">SDNP/20/02935/CND</a> Harting Parish Council Parish</p> <p>Case Officer: Derek Price</p> <p><b>Informal Hearing</b></p>	<p>Three Cornered Piece East Harting Hollow Road East Harting West Sussex GU31 5JJ - Change of use to a mixed use of the land comprising the keeping and grazing of horses and a gypsy and traveller site for one family. (Variation of conditions 1, 2, 3 and 4 of planning permission SDNP/16/06318/FUL- To make the permission permanent, non personal to increase the number of mobile homes by one to change the layout.)</p>
<p><a href="#">SDNP/20/05361/FUL</a> Duncton Parish Council Parish</p> <p>Case Officer: Beverley Stubbington</p> <p><b>Written Representation</b></p>	<p>Laudacre Cottage Beechwood Lane Duncton GU28 0NA - Replacement dwelling, garage and associated works (amendments to design approved under SDNP/16/01733/FUL).</p>
<p><a href="#">SDNP/20/05128/FUL</a> Stedham With Iping Parish Council Parish</p> <p>Case Officer: Louise Kent</p> <p><b>Written Representation</b></p>	<p>The Old Dairy Mill Lane Stedham GU29 0PR - New agricultural barn.</p>
<p><a href="#">SDNP/21/00350/HOUS</a> Petworth Town Council Parish</p> <p>Case Officer: Jenna Shore</p> <p><b>Householder Appeal</b></p>	<p>Leith House Angel Street Petworth GU28 0BG - Proposed domestic ancillary outbuilding.</p>

<b>Reference/Procedure</b>	<b>Proposal</b>
<a href="#"><u>SDNP/21/00278/HOUS</u></a> Petworth Town Council Parish  Case Officer: Jenna Shore  <b>Householder Appeal</b>	Leith House Angel Street Petworth GU28 0BG - Demolition of an existing double garage and alterations and extensions to existing dwelling.
<a href="#"><u>SDNP/20/04081/FUL</u></a> Petworth Town Council Parish  Case Officer: Beverley Stubbington  <b>Written Representation</b>	The Grove Inn Grove Lane Petworth GU28 0HY - Change of use to 1 no. dwelling and replacement garaging and associated alterations.
<a href="#"><u>SDNP/20/04726/HOUS</u></a> Lodsworth Parish Council Parish  Case Officer: Beverley Stubbington  <b>Householder Appeal</b>	St Peters Well Vicarage Lane Lodsworth GU28 9DF - New timber-framed four-bay garage, brick retaining wall and relocation of existing oil tank.
<a href="#"><u>SDNP/18/00609/BRECO</u></a> Rogate Parish Council Parish  Case Officer: Steven Pattie  <b>Written Representation</b>	Land South of Harting Combe House Sandy Lane Rake Rogate West Sussex - Appeal against Enforcement Notice RG/37
<a href="#"><u>SDNP/19/00386/COU</u></a> Fittleworth Parish Council Parish  Case Officer: Sue Payne  <b>Written Representation</b>	Douglaslake Farm Little Bognor Road Fittleworth Pulborough West Sussex RH20 1JS - Appeal against FT/11

#### 4. VARIATIONS TO SECTION 106 AGREEMENTS

#### 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

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