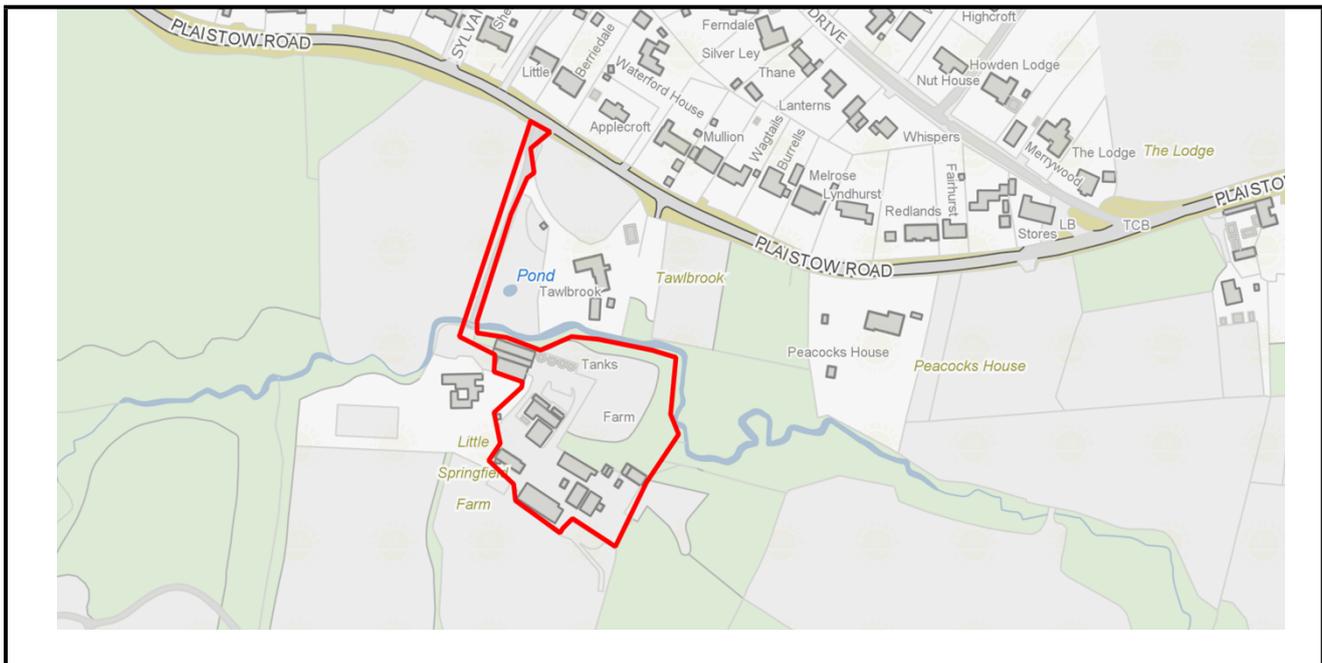


Parish: Plaistow And Ifold	Ward: Loxwood
-------------------------------	------------------

PS/19/02182/FUL

Proposal	Part demolition of existing outbuildings with the retention of one industrial unit (Unit B); Change of use of retained industrial unit (Unit B) from Class B2/B8 to B1(c)/B8; and, erection of 8 no. detached dwellings, play area, landscaping and associated works.		
Site	Little Springfield Farm, Plaistow Road, Ifold, Loxwood, RH14 0TS.		
Map Ref	(E) 502670 (N) 130353		
Applicant	Mr And Mrs J King-Wilson	Agent	Mrs K Simmons

RECOMMENDATION TO REFUSE



	<p>NOT TO SCALE</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>
---	----------------------------	--

1.0 Reason for Committee Referral

1.1 Red Card: Cllr Janet Duncton - Exceptional level of public interest.

2.0 The Site and Surroundings

- 2.1 The application site lies within the designated rural area on the southern side of Plaistow Road, to the south of the village of Ifold, and approximately 123m beyond the Settlement Boundary (SB). The site is bounded by paddocks to the north and south, ancient woodland to the east, and a dwellinghouse to the west. The site is approximately 0.5 ha in size and occupied by 20 industrial buildings, providing approximately 1,450 square metres of business floorspace. Formerly a farmyard, it was used for industrial purposes until January 2015. It is noted that at the time of the Officer's site visit the premises were vacant, insofar as there was no businesses being run from them.
- 2.2 The site is accessed from Plaistow Road, to the north-west corner via a driveway approximately 115m in length. The access is shared with two dwellings; Tawlbrook (located close to Plaistow Road) and the dwelling (bungalow) known as Little Springfield Farm, which adjoins the western boundary of the application site. The driveway is 5m in width at its junction with Plaistow Road, narrowing to approximately 2.5m wide for the remainder of its length together with grass verges to each side. The access driveway is constrained at the southern end where it crosses a bridge over a watercourse.
- 2.3 Surrounding the application site is open countryside; paddocks to the north and south and ancient woodland to the east. Although there are two properties nearby, and the settlement of Ifold is adjacent to the site access driveway, the application site has a strong rural character. The land slopes down from Plaistow Road towards the site, and whilst public views are constrained by the existing agricultural buildings in the north-west corner, the site may be glimpsed from Plaistow Road, despite it being set back from the road. There are extensive views out of the site across the surrounding countryside.
- 2.4 The site is located primarily within Flood Zone 1 with a portion of the site falling within Flood Zones 2 and 3, adjacent to the water course running to the north of the site.

3.0 The Proposal

- 3.1 The application seeks planning permission for the demolition and removal of the majority of the existing industrial buildings within the red line area as outlined on the submitted 'Location Plan' (101/Rev02). The submitted 'Site Plan' (103/Rev03) indicates that one light industrial unit, within Use Class B2/B8 (marked as 'B' on the 'Site Plan') would be retained and subsequently altered to operate within a B1(c)/B8 Use Class. The retained unit would be accessed from the existing dwelling (Little Springfield Farm), located within the 'blue edged' land. The scheme would also include the clearance of paraphernalia and detritus associated with the existing lawful use and the remediation of the land for the redevelopment of the brownfield site to provide 8 (open market), detached homes, with access drive ways, children's play area and landscaping.

- 3.2 With regards to the proposed children's play area; whilst the submitted plans indicate the proposed play area would be equipped, no further clarification has been submitted as to what would be provided or how the play area would be managed and maintained. The Agent has since confirmed (email dated: 24.06.2020) that the play area will be equipped and the intention is that a management company would be established and owned by the future residents of the proposed development. The Parish Council have been approached as to whether they would like to take responsibility for the management and maintenance of the play area for wider public use. However, they declined as they felt strongly that they should not be encouraging people to cross Plaistow Road.
- 3.3 The proposed scheme would comprise a mix of properties, to include:
- 3 x 2-bed properties (Plots 1, 2 & 3);
 - 4 x 3-bed properties (Plots 5, 6, 7 & 8); and,
 - 1 x 4-bed properties (Plot 4).
- 3.4 The site is set back from the main streetscene and accessed via a long drive, which leads south from Plaistow Road. The proposed dwellings would be situated in an 'L-shaped' formation and would front on to the open space/play area, with the rear gardens orientated to the west and south. Waste storage and cycle parking would be provided for each dwelling.
- 3.5 The proposed dwellings seek to incorporate elements of contemporary design (white render and black weatherboard cladding), together with the use of local materials (clay tiles and red brick). The proposed development would utilise the existing access arrangement which currently serves the existing dwellings (Tawlbrook and Little Springfield Farm) and commercial units. Each dwelling would benefit from off-street parking, in addition to an integral garage. This results in a total of 21 parking spaces to serve the 8 dwellings, with an additional 4 visitor spaces. Furthermore, 4 parking spaces are proposed to serve the retained B1(c)/B8 unit.
- 3.6 The proposed two-storey dwellings would be set back from the road by front gardens and driveways/areas of hardstanding. The dwellings would be set within landscaped plots, which would include further tree planting to the south-west and southern boundaries and wildflower meadow planting to the north-east of the site, adjacent to the area of open space. The proposed dwellings would be constructed in red brickwork/white render to the lower half, with a mixture of white render/black weatherboarding to the top half. The dwellings would incorporate pitched roofs with a combination of hipped, half-hipped, 'barn end' and 'catslide' roofs, finished in clay tiles.
- 3.7 Amended plans have been received during the course of the application in an attempt to address concerns around design, layout and housing mix. The main amendments are summarised below:
- The proposed number of dwellings has been reduced from 9 to 8.
 - The proposed layout has been 'flipped', with the proposed dwellings now fronting onto the open space.
 - The proposed dwellings have adopted elements of a contemporary style.
 - The window within the 'home offices' in plots 5 to 8 has been removed to make these non-habitable rooms.
 - The proposed unit size has been amended to provide three 2-bed properties, four 3-bed properties and one 4-bed property.

4.0 History

02/03398/ELD	PER	Mixed use of the land and buildings at Little Springfield Farm falling within Classes B2 and B8 of the Use Class Order.
14/04100/FUL	REF	Demolition of existing industrial buildings and erection of 3 no. detached dwelling houses with associated landscaping, surfacing, car parking provision and access works. (Dismissed at appeal – PINS ref. APP/L3815/W/15/3129444)

5.0 Constraints

Listed Building	NO
Conservation Area	NO
Rural Area	YES
AONB	NO
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 Plaistow and Ifold Parish Council

Further comment

Plaistow and Ifold Parish Council raises no objection to the change of use.

Further comment

Plaistow and Ifold Parish Council make no additional comments in relation to this amended application.

Original comment

The Parish Council makes no comment in relation to this application.

The site falls within the definition of brownfield and is currently B2 and B8 use classes. The site has been recognised as redundant through a planning appeal decision and the buildings obsolete. Additionally, there would be no loss of suitable employment land should the use class change. The historic B2/B8 use classes are incompatible with the surrounding countryside, adjacent residential dwellings and road access. The Parish Council's emerging Neighbourhood Plan (Reg 15 stage) is supportive of the housing mix.

6.2 Environment Agency

Further comment

The Environment Agency (EA) notes that the Applicant is proposing to discharge treated foul water to a drainage field. This may require an environmental permit, a variation of an existing permit or an exception from an environmental permit from the EA. The Applicant must ensure that the operations at the site are in accordance with the Environmental Permitting (England and Wales) Regulations 2016. Please note that the need for an environmental permit is separate to the need for planning permission. The granting of planning permission does not necessarily lead to the granting of a permit.

The EA notes that the drainage strategy refers to a public foul sewer being located further than 350 metres away. However, the EA would recommend that applicant checks this as the EA records indicate that there may be a public foul sewer closer than 350 metres to the development site along Plaistow Road. As a rule of thumb, connection to the public foul sewer should be considered to be potentially feasible where the distance from the development site to the sewer is less than the number of properties multiplied by 30 metres, as explained in the guidance on the General Binding Rules.

Original comment

The Flood Risk Assessment (FRA) accurately addresses the flood risk and states that finished floor levels will be set above future flood levels. Therefore, the Environment Agency has no objection to the application but has advised that Ordinary Watercourse consent may be required from the Lead Local Flood Authority due to the location of the site in close proximity of an ordinary watercourse. A condition is recommended to ensure the development is carried out in accordance with the submitted FRA.

6.3 Southern Water

Environment Agency shall be consulted directly regarding the use of a private wastewater treatment works which disposes of effluent to sub-soil irrigation.

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

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

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

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The Council's technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse.

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

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

6.4 Forestry Commission

Ancient woodlands are irreplaceable. They have great value because they have a long history of woodland cover, with many features remaining undisturbed. This applies equally to Ancient Semi Natural Woodland (ASNW) and Plantations on Ancient Woodland Sites (PAWS).

It is Government policy to refuse development that will result in the loss or deterioration of irreplaceable habitats including ancient woodland, ancient trees or veteran trees, unless "there are wholly exceptional reasons and a suitable compensation strategy exists" (National Planning Policy Framework paragraph 175c).

The Forestry Commission is a non-statutory consultee on developments in or within 500m of ancient woodland.

The Forestry Commission has prepared joint standing advice with Natural England (Last updated 5 November 2018) on ancient woodland, ancient trees and veteran trees which we refer you to in the first instance. This:

- is provided in place of individual responses to planning consultations;
- should be taken into account by planning authorities where relevant when determining planning applications;
- will provide you with links to Natural England's Ancient Woodland Inventory, assessment guides and other tools to assist you in assessing potential impacts.

In the majority of cases this will provide the advice you need to help you make your decision about a development proposal. In the wider planning context the Forestry Commission encourages local authorities to consider the role of trees in delivering planning objectives. For instance through:

- The inclusion of green infrastructure (including trees and woodland) in and around new development; and,
- The use of locally sourced wood in construction and as a sustainable, carbon lean fuel.

6.5 WSCC Lead Local Flood Authority

The FRA for this application proposes that sustainable drainage techniques would be used to control the surface water from this development.

In line with Defra's non-statutory technical standards for sustainable drainage systems, for a brownfield site such as this, the peak runoff rate and runoff volume should be as close as reasonably practicable to the Greenfield runoff rate/volume from the development for the same rainfall event. If this is not possible, significant betterment, at least 50% reduction in rate from the peak pre-redevelopment rate, should be achievable.

All works to be undertaken in accordance with the LPA agreed detailed surface water drainage designs and calculations for the site, based on sustainable drainage principles.

The maintenance and management of the SUDs system should be set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved designs.

No objection raised, subject to conditions.

6.6 WSCC Highways

The application proposes the demolition of the existing B2 units on the site, with the exception of one and the construction of 8 dwellings, internal access roads and a play area. Access will be taken from the existing access on to Plaistow Road, via the Little Springfield Farm access, with no alterations planned to this access. There are no recorded incidents in close proximity of this access; the access appears to be operating safely with the existing commercial use.

In terms of trip generation the Transport Report compares the existing commercial trips currently taking place, with the trips lost by the demolition of the commercial units (except one) and the addition of the residential units. There is expected to be a reduction in trips during the AM and PM peak hours. The LHA would raise no concerns to trip generation.

Parking and turning can be accommodated on site to stop any overspill parking on the highway. Tracking has also been provided to demonstrate that refuse collection can take place on site and the vehicles can enter, turn and exit the site in forward gear.

The Local Highway Authority does not consider that the 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.

No objection, subject to conditions securing the following: Construction Management Plan; vehicle turning space; and, cycle and car parking spaces.

6.7 WSCC Fire and Rescue Service

No objection, subject to conditions relating to fire hydrants.

6.8 CDC Planning Policy

Development Plan and other emerging plans

The Chichester Local Plan: Key Policies (CLP) was adopted by the Council on 14th July 2015 and now forms part of the statutory development plan for the parts of the District outside of the South Downs National Park. Planning legislation requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

The Council has begun work on a Local Plan Review to consider the development needs of the Chichester Plan Area through to 2036. Consultation on a Preferred Approach Local Plan (Regulation 18) took place between December 2018 and February 2019. At this stage, the Local Plan Review is considered to be at an early stage of preparation and thus carries very little weight in the determination of this planning application.

Work on the Neighbourhood Plan for Plaistow and Ifold is well advanced and the plan was published by the Council as part of regulation 16 of the Neighbourhood Plan (General) Regulations (as amended) on 27 February until 14 April 2020. Due to the Covid19 restrictions during that period it will be necessary for CDC to undertake a repeat regulation 16 consultation in due course.

Adopted Chichester Local Plan: Key Policies

Of relevance to the consideration of this planning application is Policy 45 which seeks to ensure that development would only be granted where it requires a countryside location and meets essential, small scale and local need which cannot be met within or immediately adjacent to existing settlements. It goes on to state that planning permission will be granted for sustainable development in the countryside where it can be demonstrated that the site is, amongst other considerations, 'located close to an established settlement'.

Site Allocations Development Plan Document

The site identified in Policy PL1 Land North of Little Springfield Farm makes provision for about 10 dwellings to meet the requirements of the adopted Local Plan. Consequently this site provides over and above that requirement. Therefore this proposal would help to meet the identified increase in housing need for the Chichester plan area.

Plaistow and Ifold Neighbourhood Plan

The Neighbourhood Plan for Plaistow and Ifold was submitted under Regulation 15 on 21 July 2019, and was published on 27 February 2020 for consultation in relation to Regulation 16 of the Neighbourhood Plan regulations. Due to the Covid19 restrictions during that period it will be necessary for CDC to undertake a repeat regulation 16 consultation in due course.

Policy EE4 - Brownfield Site included within the NP identifies land at Little Springfield Farm for a mix of use classes including B1(c) light industrial and C3 residential. The precise mix of uses and quantum of floorspace is to be subject to evidence in the form of a viability assessment and the use of live/work units to be encouraged. It is noted that the site identified in the NP does not match that of the red line boundary identified in the application substitute location plan (101 Rev 02). In addition the proposal appears to relate just to residential use. At this stage it is questioned why the application site is larger than that identified in the neighbourhood plan and also how far this application meets the requirement of that albeit draft policy.

Interim Policy Statement for Housing Development

In accordance with national planning policy, the Council regularly prepares an assessment of the supply of housing land. The most recent assessment of supply concluded that as at 31 March 2019 the Council could demonstrate 5.4 years supply, based on the 435 dwellings per annum target in the adopted Local Plan. Under current national planning policy, from 15 July 2020 the adopted Local Plan will be more than five years old and therefore housing supply will be assessed against a figure informed by the Government's standard methodology for assessing housing need. The assessment of supply is currently being updated, but the expectation is that the Council's housing supply measured against that new target (calculated to be 628 dwellings per annum for 2020) will be a little less than 4 years, subject to any additional information from developers on housing delivery. Therefore the presumption in favour of sustainable development, as set out in paragraph 11 of the National Planning Policy Framework will apply.

The Council has therefore brought forward an Interim Position Statement for Housing Development, setting out proactive measures the Council is taking to build the supply of housing, and to encourage appropriate housing schemes. At its meeting of 3 June 2020, Planning Committee approved the draft Interim Policy Statement to be used to assess relevant planning applications with immediate effect, and to publish the draft document for consultation. Account will therefore need to be taken of the criteria set out in the draft document as a material consideration.

Conclusions

The adopted Local Plan and adopted Site Allocations DPD represent the Development Plan against which any subsequent planning application will be determined against. In that context the level of development planned for Plaistow and Ifold in the Neighbourhood Plan is to be met by the site identified in the Site Allocations DPD and as yet the submission version of the Neighbourhood Plan has not been tested through Examination. In the light of the inconsistencies between the application and the intended draft policy of the neighbourhood plan, further clarification from the applicant is required on these inconsistencies.

Consequently, bearing in mind its countryside location and taking account of the above an objection would be raised at this stage.

6.9 CDC Environmental Health Officer

It is evident that it is the intention to demolish existing outbuildings and cease the current industrial cleaning processes at site. It is noted on the proposed site plan that it is intended to keep a light industrial unit situated to the north east of the application site. The applicant has stated they would be happy for the use class to be restricted to B1/B8 for this unit and is likely to accommodate the storage of equipment.

In order to protect the amenity to the proposed residential dwellings, it is considered necessary to restrict the use of the industrial unit on the application site to B1 (light industrial) / B8 (distribution). If B8 use were permitted times of delivery should be restricted to 07:00 to 19:00 Monday to Saturday and at no times on Sundays, Public Holidays or Bank Holidays.

6.10 CDC Housing Enabling Officer

Further comment

The applicant has submitted revised plans for the 8 proposed dwellings. This has resulted in a reduction in the floor space. A revised affordable housing commuted sum figure of £408,800 is required in line with Policy 34 of the adopted Local Plan. The figure has been calculated in accordance with the Planning Obligations and Affordable Housing SPD at 1168 m² x £350.

The proposed mix of market units is broadly in line with the requirements from my previous comments and meets the SHMA. It is noted that the applicant has removed the window within the 'home office' in plots 5-8 to make these non-habitable rooms. Special consideration must be taken to ensure that a window is not added at a later stage to create this into a smaller sized bedroom. Plot 4's 4th bedroom replicates the home office in plots 5-8 in that it does not show a window. We require this plan to be amended to ensure that it is habitable through the addition of a window.

To conclude, subject to the applicant agreeing to pay the commuted sum, the Housing Delivery Team raises no objections to this proposal.

Original comment

This application seeks to deliver 8 open market residential dwellings. Policy 34 of the adopted Chichester Local Plan requires an affordable housing financial contribution to be sought on schemes with a net increase of 6 to 10 dwellings in rural designated areas under S157(1) of the Housing Act 1985. Plaistow and Ifold Parish is designated as rural for this purpose and therefore an affordable housing commuted sum of £454,300 is required. This has been calculated in accordance with the Planning Obligations and Affordable Housing SPD at 1298m² x £350.

The proposed mix is not in line with the SHMA requirements in that it provides too many 4 bedroom units. Plaistow and Ifold's existing housing stock is weighted in favour of the larger 4+ bedroom units (56.8%). The floor plans for the 2 bedroom units show an upstairs 'Home Office' measured at 13.5m². This is large enough to accommodate a double bedroom. The 3 bedroom unit's first floor plans have the same floor space and internal

layout as the 4 bedroom dwellings. The difference between them is that the 4th bedroom in plots 4 & 5 now show a 'home office' in plots 6 and 7. I therefore have concerns that these units are not reflective of their actual size and will further add to the provision of larger units. Taking into account the SHMA requirements and existing stock, we require 1 less 4 bedroom unit in lieu of a 3 bedroom unit. The 2 and 3 bedroom unit floor plans should also be amended to show that there is no capacity for an additional bedroom on the first floor.

If the reduction in the unit size results in a decrease in the gross internal floor area, the Housing Delivery Team should be re-consulted to provide a revised commuted sum figure.

To conclude, the Housing Delivery Team is unable to support this application until the mix of market units and associated floors plans have been amended to meet the above requirements.

6.11 CDC Drainage Engineer

Further comment

The submitted drainage strategy is for the proposed foul drainage which the Drainage Engineer would not comment on, based on the Drainage Engineer's knowledge of the local geology, a discharge to the watercourse is likely to be required and the applicant should be advised that the outfall structure/rate will need Ordinary Watercourse Consent, in addition to any permissions from the Environment Agency.

Original comment

Flood Risk: Parts of the site fall within Flood Zones 2/3 (moderate/high risk). The CDC Drainage Engineer has reviewed the submitted FRA and suggests that the recommended minimum FFLs of 29.2m AOD is conditioned. The new dwellings are to be located in Flood Zone 1 (low risk). Therefore subject to the minimum FFLs and satisfactory surface water drainage, the CDC Drainage Engineer has no objection to the proposed use, scale or location on flood risk grounds.

Surface Water Drainage: The application form selects 'sustainable drainage systems' or 'soakaways' for surface water drainage. This approach is acceptable in principle. Based on our knowledge of the local geology, soakaways are unlikely to work; therefore a sustainable drainage system with a restricted discharge to the adjacent watercourse is likely to be required. This discharge should be restricted to greenfield rates and storage provided for the 1 in 100yr event + 40% climate change.

A condition to secure full details of the proposed surface water drainage scheme is recommended to ensure the development is adequately drained. In addition, the applicant would be advised that ordinary watercourse consent would be required for all alterations or discharges to ordinary watercourses.

6.12 CDC Environmental Strategy Officer

Further comment

Bats: Following submission of the Ecological Impact Assessment (EIA) (June 2020), the Environmental Strategy Officer is content 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.

Enhancements: The Environmental Strategy Officer is happy that the proposed ecological enhancements included within the Ecology and Sustainability Enhancement Plan and EIA (June 2020) are suitable and a condition should be used to ensure this takes place.

Policy 40: Following submission of the Sustainability Statement and Sustainability appraisal update letter (June 11, 2020), the Environmental Strategy Officer is satisfied that the criteria detailed within Policy 40 will be met. The Environmental Strategy Officer is pleased to see the commitment by the applicant to implement measures to achieve a reduction in CO2 emissions of 19.49% through a fabric first approach and PV on all properties along with the inclusion of an electric car charge point on each property.

Further comment

The Environmental Strategy Unit are generally content with the submitted Sustainability Statement and are pleased to see the commitment by the applicant to implement measures to achieve a reduction in CO2 emissions through the installation of PV. In order for the Environmental Strategy Unit to be satisfied that Policy 40 is fully complied with, the Environmental Strategy Unit require the following information:

- What percentage reduction in CO2 emissions will using the renewables create?
- What percentage of the properties on the site will have renewable technologies installed on them?
- What percentage reduction in CO2 emissions will be created from both renewable technologies and fabric first approach combined? CDC are looking for around 19% reduction.
- How many electric car charging points will be installed onsite?

Further comment

The mitigation that has been proposed is based on evidence which was collected in the August 2014 survey. Natural England (NE) guidance states that the surveys are only valid for 2-3 years, making these surveys out of date. NE have this advice because the conditions and habitats can change over time making survey results inaccurate for current conditions. The Environmental Strategy Officer is reluctant to condition further survey work, as it can not only cause issues obtaining a NE license, but also because if bat mitigation is required it may result in material changes to a planning permission (for example the installation of a bat loft). Ideally this survey work is required prior to determination.

Further comment

Bats: As detailed within the Ecological Assessment (Jan 2020) there is potential for bats to be roosting within the property on site. Due to this and as recommend within the survey further bat emergence surveys are required to determine if bats are roosting onsite prior to determination. This survey needs to be undertaken by a suitably qualified ecologist during the active breeding period (May to September) and submitted for our approval with the planning application. If bats are found to be roosting within the building mitigation will be required and a mitigation strategy should be produced and also submitted with the planning application prior to determination.

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.

Reptiles: To ensure the site remains unsuitable for reptiles, continued management of the site must take place to ensure reptile habitat does not develop onsite. If this is not possible then a precautionary approach should be taken within the site with regards to reptiles.

Badgers: Due to the records of a badger sett to the east of site, if construction does not take place within 12 months of the Ecological Assessment (Jan 2020), prior to start on site a badger survey should be undertaken to ensure badgers are not using the site. If a badger sett is found onsite, Natural England should be consulted and a mitigation strategy produced.

Nesting Birds: Any works to the trees or vegetation clearance on the site should only be undertaken outside of the bird breeding season which takes place between 1st March to 1st October. If works are required within this time an ecologist will need to check the site before any works take place (with 24 hours of any work). We would like bird boxes to be installed on the new units / and or tree within the garden of the property.

Enhancements: We require a number of enhancements are incorporated within the scheme and shown with the landscaping strategy. These include;

- Any trees removed should be replace at a ratio of 2:1.
- Wildflower meadow planting used.
- Filling any gaps in tree lines or hedgerows with native species.
- Bat and bird boxes installed on the site.
- Grassland areas managed to benefit reptiles.
- Log piles onsite.
- We require that gaps are included at the bottom of the fences to allow movement of small mammals across the site.
- Two hedgehog nesting boxes included on the site

Original comment

The Phase One Habitat Survey (March 2014) which has been submitted with this application is unfortunately out of date. Following Natural England's guidance surveys are only valid for 2-3 years and once this period has passed new surveys are required because enough time has passed for the habitats and species to have dramatically changed within the site. We require that an updated phase one habitat survey is undertaken and it may also be necessary that a new bat emergence survey, GCN and reptile survey would also be required.

6.13 CDC Contract Services (Waste)

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

The plans shows the freighter would enter the site and proceed in a forward motion, turning in the turning head at end of the road, and leave the site in a forward motion which is ideal.

The plans show some large trees either side of the passes place and one opposite the third house in, which may cause an obstruction to our refuse freighter. Please could these trees be moved or a suitable plan put in place to ensure they are cut back regularly to prevent access issues?

All road surfaces should be constructed in a material suitably strong enough to take the weight of a 26 tonne vehicle. The use of concrete block paving is discouraged unless it is of a highway standard, as these tend to move under the weight of our vehicles.

To prevent access issues please may I insist that either parking restrictions are put in place or adequate visitor parking is provided to prevent visitors from parking at the side of the road. Failure to address this issue at this stage may result in our refuse crew not being able to carry out their collections.

Bin Collection Points: Generally the collection point should be outside the front of the property just inside the property boundary, at the closest point to the public highway.

6.14 Third Party Representations

1 letter of objection has been received concerning:

- Following a previous refusal and dismissed appeal, the site should not convert to residential development.
- Policy EE4 requires further evaluation through the Neighbourhood Plan process, which has not yet been completed.
- The site is next to ancient woodland, badger setts, a water course and other wildlife.
- The residential development would impact on the natural environment.

- Previous application was dismissed at appeal due to its 'unsustainable location' in relation to facilities, employment, shops and community infrastructure, and this remains the case.
- The application gives little consideration to the suggested potential usage for the site when compared with the intent of Policy EE4. Policy EE4 was never intended to support any particular planning application.
- Assessment of Policy EE4 in The Plan at Independent Examination would be impartial.

7 Letters of support have been received concerning:

- Historically the site has been used for heavy industrial use which is considered to be wholly unacceptable in this residential area.
- Appropriate location for housing development within the Parish.
- The houses are in line with the current smaller housing needs of the area.
- Reuse of an existing brownfield site which currently has derelict storage buildings.

1 Letter commenting on the following has been received:

- Disagreement that the number of objections represents a high level of interest.

7.0 Planning Policy

The Development Plan

- 7.1 The Development Plan for the area comprises the Chichester Local Plan (CLP): Key Policies 2014-2029, the CDC Site Allocation Development Plan Document (DPD) (2014-2029) and all made neighbourhood plans.
- 7.2 The principle 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 4: Housing Provision
 Policy 5: Parish Housing Sites 2012- 2029
 Policy 6: Neighbourhood Development Plans
 Policy 8: Transport and Accessibility
 Policy 25: Development in the North of the Plan area
 Policy 26: Existing Employment Sites
 Policy 33: New Residential Development
 Policy 34: Affordable Housing
 Policy 35: Affordable Housing Exception Sites
 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 46: Alterations, Change of Use and/or Re-use of Existing Buildings in the Countryside

Policy 47: Heritage and Design
Policy 48: Natural Environment
Policy 49: Biodiversity
Policy 52: Green Infrastructure

Neighbourhood Plan

- 7.3 There is no made Neighbourhood Plan for Plaistow and Ifold at this time. The emerging Plaistow and Ifold Neighbourhood Plan (NP) was submitted under Regulation 15 on 21 July 2019 and was published on 27 February 2020 for consultation (Regulation 16). Due to the Covid19 restrictions during that period it will be necessary for CDC to undertake a repeat regulation 16 consultation in due course. The emerging NP is therefore in its early draft stages and has yet to go to examination or be adopted by Chichester District Council (CDC). Policies of note are:

Plaistow and Ifold Neighbourhood Plan (2014-2029)

EH2 Protection of Natural Environment
EH3 Protection of Trees, Woodlands and Natural Vegetation
EH5 Artificial Light Emissions (External Lighting on Buildings and Structures)
EH6 Street Lighting
Ci1 Reducing Flood Risk
Ci2 Connection to Technology Networks
H3 Affordable Housing
H4 Housing Density and Design Principles
EE1 Live/Work Facilities
EE2 Supporting the Local Economy
EE4 Brownfield Site
T1 Ensuring Highway Safety

National Policy and Guidance

- 7.4 Government planning policy now comprises the revised National Planning Policy Framework (NPPF 2019), which took effect from 19 February 2019. 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 2 (Achieving sustainable development), 3 (Plan-making), 4 (Decision-making), 5 (Delivering a sufficient supply of homes), 8 (Promoting healthy and safe communities), 9 (Promoting sustainable transport), 11 (Making effective use of land), 12 (Achieving well-designed places), 14 (Meeting the challenge of climate change, flooding and coastal change) and 15 (Conserving and enhancing the natural environment). The relevant paragraphs of the National Planning Practice Guidance have also been taken into account.
- 7.6 The Government's New Homes Bonus (NHB) which was set up in response to historically low levels of housebuilding, aims to reward local authorities who grant planning permissions for new housing. Through the NHB the government will match the additional council tax raised by each council for each new house built for each of the six years after that house is built. As a result, councils will receive an automatic, six-year, 100 per cent increase in the amount of revenue derived from each new house built in their area. It follows that by allowing more homes to be built in their area local councils will receive more money to pay for the increased services that will be required, to hold down council tax. The NHB is intended to be an incentive for local government and local people, to encourage rather than resist, new housing of types and in places that are sensitive to local concerns and with which local communities are, therefore, content. Section 143 of the Localism Act which amends S.70 of the Town and Country Planning Act makes certain financial considerations such as the NHB, material considerations in the determination of planning applications for new housing. The amount of weight to be attached to the NHB will be at the discretion of the decision taker when carrying out the final balancing exercise along with the other material considerations relevant to that application.

Other Local Policy and Guidance

- 7.7 Draft Interim Policy Statement for housing was approved by Planning Committee on 3rd June 2020 and is currently out to public consultation.
- 7.8 The following Supplementary Planning Documents are material to the determination of this planning application:
- Planning Obligations and Affordable Housing SPD (2016).
 - Surface Water and Foul Drainage SPD (2016).
 - CDC Waste Storage and Collection Guidance.
 - The CDC Design Protocol (December 2013).
 - CDC PGN3: Design Guidelines for Alterations to Dwellings and Extensions.
- 7.9 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.
 - Encourage partner organisation to work together to deliver rural projects and ensure that our communities are not isolated.
 - 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. The principle of development and sustainability
- ii. Loss of employment land
- iii. Housing mix, density and affordable housing provision
- iv. Design, layout and impact on rural character
- v. Highways safety, access and parking
- vi. Residential amenity
- vii. Standard of accommodation and amenity space
- viii. Flood risk and drainage
- ix. Ecology and biodiversity
- x. Sustainable design and construction

Assessment

- i. The principle of development and sustainability

Principle

8.2 A previous application (ref.14/04100/FUL) for the demolition of the existing industrial buildings and erection of three detached dwellinghouses with associated landscaping, surfacing, car parking provision and access works was refused in June 2015 and subsequently dismissed at appeal (PINS ref.APP/L3815/W/15/3129444) in March 2016. The reasons for refusal were as follows:

1) Insufficient evidence has been submitted to demonstrate that the existing employment site has been sufficiently marketed for employment purposes and is no longer required and is unlikely to be re-used or redeveloped for Business (B1-B8) or similar uses. The proposed development would therefore be harmful to the local economy by virtue of the unjustified loss of existing employment land. In addition, the proposal due to the location of the site, divorced from the Settlement Policy Area of Ifold, is likely to result in dependence on the private motor car for journeys carried out by future occupiers of the application site. The proposal would as a result constitute an unsustainable form of development that would be harmful to the economy and the environment contrary to the Core Principles and Paragraphs 7, 14, 30 and 55 of the NPPF, policies RE1 and B8 of the Chichester District Local Plan, First Review 1999 and policies 1, 2, 4, 5, 26 and 39 of the Chichester Local Plan: Key Policies Pre-submission 2014-2020.

2) The proposed development by virtue of the domestic design in combination with the size, height, scale and massing of the proposed dwellings and the large garages, with relatively small gardens and lack of screening to boundaries would result in an overly suburban and incongruous form of development that would detract from the rural character and appearance of the locality. The proposal by reason of the limited extent of the garden land associated with each plot and is likely to lead to pressure on the land surrounding the application site to be used for residential purposes, which would exacerbate the harm to the character of the surrounding area. Furthermore, the proposal fails to provide a mix of dwellings required to meet the local housing need, with an over-provision of large dwellings contrary to the Council's Strategic Housing Market Assessment 2012. The proposal would therefore be contrary to the Core Principles and

Sections 6 and 7 of the NPPF, policies H4 and BE11 of the Chichester District Local Plan, First Review 1999, and policies 1, 33 and 48 of the Chichester Local Plan: Key Policies Pre-submission 2014-2029.

- 8.3 The Inspector concluded that the proposed development would not result in a material loss of industrial land harmful to the local economy and that it would provide an appropriate mix of dwelling sizes. However, the Inspector also stated that the proposal would be unsustainably located, outside the Settlement Boundary in the open countryside and that it would harm the character and appearance of the surrounding area. The Inspector considered that the lack of harm to the economy and housing need did not outweigh the harm that was identified.
- 8.4 The Inspector opined that the: *'Positive benefits derive from the scheme in the context of the additional housing. However, the Council can identify a five year housing land supply, the proposal only provides three additional units and there is an emerging allocations plan considering the location of additional housing in the immediate locality. On this basis I conclude that the harm that I have identified outweighs the positive benefits of the scheme. The proposals would not support the environmental or social roles required to meet the objective of sustainable development as set out in the Framework and therefore the appeal should fail.'*
- 8.5 The current application proposes eight new dwellings outside any defined Settlement Boundary. Policy 1 of the Chichester Local Plan (CLP) reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF). Local Plan Policy 2 sets out a development strategy and settlement hierarchy that directs new residential development to locations within the boundaries of identified settlements. Local Plan Policy 45 states: *'Within the countryside, outside Settlement Boundaries, development will be granted where it requires a countryside location and meets the essential, small scale, and local need which cannot be met within or immediately adjacent to existing settlements'*.
- 8.6 These policies are compatible with Paragraphs 78 and 79 of the NPPF, which state that housing should be located where it will enhance or maintain the vitality of rural communities but generally avoid the development of isolated homes in the countryside. The application site is located outside any defined Settlement Boundary and would therefore constitute development within the countryside. It is not in a location ideally suited to new housing and it is not been demonstrated that the proposed housing requires this specific countryside location.
- 8.7 A justification for the proposal has been provided with the application. The justification asserts that the proposal is compliant with Policy EE4 of the emerging Plaistow and Ifold Neighbourhood Plan and that the proposal would entail the reuse of Previously Developed Land (PDL) close to the Settlement Boundary. The Agent also argues that the Settlement Boundary must be readjusted to take account of the allocated site on land north of Little Springfield Farm for 10 dwellings in Policy PL1 of the Site Allocation DPD. Furthermore, the Agent also considers that the proposal would 'tidy up' an eyesore in the countryside which is occupied by 20 former industrial buildings (which can be used on an unrestricted basis).

- 8.8 The Neighbourhood Plan for Plaistow and Ifold was submitted under Regulation 15 on 21 July 2019, and was published on 27 February for consultation in relation to Regulation 16 of the Neighbourhood Plan regulations. The consultation period ran until 14 April 2020. This timescale has been affected by Covid-19 and therefore Chichester District Council (CDC) Policy Officers have confirmed that the Regulation 16 consultation will need to be rerun. A timescale for this is not currently known. Therefore, at this time, as the Neighbourhood Plan has limited weight in determining planning applications.
- 8.9 Draft Policy EE4 - Brownfield Site included within the Neighbourhood Plan, identifies land at Little Springfield Farm for a mix of use classes including B1(c) light industrial and C3 residential. The policy states that the precise mix of uses and quantum of floorspace is to be subject to evidence in the form of a viability assessment and the use of live/work units is to be encouraged.
- 8.10 Notwithstanding the above, there are several inconsistencies with the current application and the draft Neighbourhood Plan Policy EE4. These include:
- The site identified in the Neighbourhood Plan does not match that of the red line boundary identified in the application Location Plan (101/Rev02). The size of the site outlined by the 'red edge' is larger in comparison to the site outlined in the Neighbourhood Plan.
 - No viability assessment has been submitted with the current application, in order to evidence the precise mix of uses and quantum of floorspace.
 - No live/work assessment has been undertaken.
 - No viability assessment to establish how much B1/B8 use could be retained/provided. Only one B1/B8 unit is to be retained, which would be accessed from the residential curtilage of the existing dwelling (Little Springfield Farm) within the 'blue edged' line.
 - It is considered that the development is not sensitively designed to reflect the rural character of the area.
 - No detailed phasing scheme has been submitted.
- 8.11 Whilst the draft neighbourhood plan is a material consideration that carries limited weight at this stage, the adopted Local Plan and adopted Site Allocations DPD represent the Development Plan against which any current planning application must be determined. The allocated site on Land North of Little Springfield Farm for 10 dwellings in Policy PL1 of the Site Allocation DPD currently meets the allocation in Policy 5 for Plaistow and Ifold. Whilst it is acknowledged that this does not prevent further housing coming forward, the site allocation DPD does meet the currently identified need.
- 8.12 With regard to the above, CDC has acknowledged that the position outlined above will be different post July 2020 and has therefore brought forward the Interim Policy Statement (IPS) for Housing (June 2020). The NPPF states that for applications involving the provision of housing, the adopted plan policies are deemed to be out-of-date in situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites, and the permission in favour of sustainable development applies. In that case, national policy states (Paragraph 11. d) that permission should be granted unless (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or (ii) any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. While the presumption applies, the Council will seek to ensure that planning applications for good

quality housing developments of an appropriate scale and in accessible locations are supported. The following criteria within the IPS set out what the Council considers good quality development in the Local Plan area and are assessed below:

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).

Whilst technically the access road adjoins the Settlement Boundary (on the other side of Plaistow Road), the substantive element of the site is not continuous with the settlement boundary and therefore does not meet this criterion.

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

It is considered the proposal meets this point.

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 the proposal meets this point.

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.

It is considered the proposal fails this point.

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 intervisibility between the South Downs National Park and the Chichester Harbour AONB.

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.

Not 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.

It is considered the proposal would meet the above criterion.

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 current application would fail to meet the energy targets set out above. The current proposals achieve a reduction in CO2 emissions of 19.49% through a combination of a fabric first approach and PV on all properties. The standards above require at least a 19% improvement in terms of minimising energy consumption together with an additional 10% of energy supplied from renewable resources.

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.

It is not considered that the proposal is of a high-quality design that respects and enhances the existing character of Ifold and does not contribute to creating places of high architectural and build quality.

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.

It is not considered that the proposed development is sustainably located in accessibility terms.

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.

It is considered the application satisfies this point.

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.

It is considered the application satisfies this point.

8.13 For the reasons outlined above the proposal is contrary to the CLP and not an allocated site in the Site Allocations DPD, which meets housing numbers for Plaistow and Ifold. Whilst the Plaistow and Ifold Neighbourhood Plan is acknowledged, the Neighbourhood Plan is not at an advanced enough stage to give weight and in any event, as outlined above there are inconsistencies with the current application and the Neighbourhood Plan. The current proposal has been assessed against the Draft Interim Policy Statement for Housing (June 2020) which is a material consideration and does not meet five of the twelve criteria highlighted above. Therefore, on balance at this stage, an objection in principle is raised.

Sustainability

8.14 The environmental strand of sustainability includes, inter alia, the protection and enhancement of the natural and built environment, helping to improve biodiversity whilst minimising waste and pollution. The impact of the development upon the natural and built environment and biodiversity are addressed below.

8.15 It is considered that whilst there is a village shop in Ifold, and there are bus routes to nearby villages and towns further afield, the proposal is likely to result in journeys being predominantly made using a private motor vehicle due to the location of the site removed from the core of the village. The proposal would therefore unjustifiably encourage the use of non-sustainable modes of transport.

8.16 In dismissing the previous appeal (PINS ref. APP/L3815/W/15/3129444, March 2015) at the application site, the Inspector opined: *'The use of the site for residential purposes and the day to day living needs of residents would require services associated with residential use including shopping, schools, doctors and other health services to name a few. None of these are directly available at Ifold and given the limited bus services available and poor pedestrian and cycle linkages residents of the development would be heavily reliant on the private car, this would be an unsustainable for of development in this countryside location'*.

8.17 In addition, the Inspector stated: *'As there is no overriding need to provide housing in the area, as there is a five year supply of housing land, and the site lies outside the Settlement Boundary of a recently adopted local plan, with an emerging allocations plan seeking to address the provision of the housing requirements in the area it would seem to me that to grant consent for this development in the countryside would conflict with the provisions of the development plan. Presently the site is identified as in open countryside and is in a location where in the future occupiers would be heavily reliant on the private car, this is therefore an unsustainable location...I conclude that the proposed development would result in an unsustainable pattern of development, having regard to its accessibility. Consequently it would conflict with policies 1, 2 and 39 of the CLP which amongst other matters require development to be sustainably located, within the settlement hierarchy and that can be accessed by sustainable modes of transport.'*

Conclusion on principle of development and sustainability

8.18 For the reasons stated above and having regard to the material planning considerations, the proposal is contrary to the CLP and not an allocated site in the Site Allocations DPD, which meets housing numbers for Plaistow and Ifold. Whilst the current aims and objectives of the draft Plaistow and Ifold Neighbourhood Plan are acknowledged, the Neighbourhood Plan is not at an advanced enough stage to give substantive weight, and in any event as outlined above, there are inconsistencies with the current application and the Neighbourhood Plan. The current proposal does not conform to the Draft Interim Policy Statement for Housing (June 2020), therefore on balance at this stage, an objection in principle is raised. In this instance the proposal would introduce eight new dwellings outside any Settlement Boundary, defined as countryside, and thus is not considered to be a sustainable location; contrary to the Draft Interim Policy Statement for Housing (June 2020), Local Plan Policies 1, 2 and 45 and Paragraphs 78 and 79 of the National Planning Policy Framework (as amended). The proposal is therefore unacceptable in principle.

ii. Loss of employment land

8.19 Policy 26 of the CLP states, in part, that existing employment sites will be retained to safeguard their contribution to the local economy. It goes on to state that planning permission will be granted for alternative uses on land or floorspace currently or previously used in employment generating uses where it has been demonstrated that the site is no longer required and is unlikely to be re-used or redeveloped for employment purposes.

8.20 Paragraph 121 of the National Planning Policy Framework (NPPF) states that: *'Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to:*

a) use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework...'

8.21 In terms of the above, it is acknowledged that the previous appeal (PINS ref. APP/L3815/W/15/3129444, March 2015) forms a material consideration with regards to the loss of the existing employment provision. In dismissing an appeal at the application site, the Inspector considered the loss of employment provision and opined:

8.22 *'The site is presently not being used for business purposes with the main occupier ceasing in January 2015 and the last other user vacating at the end of 2014 and with the other buildings not being occupied for some time... Given the previous marketing, the more recent assessment of that and the involvement of Gascoines I am also satisfied that there is evidence to suggest that the buildings in their present condition would be unlikely to be let at a viable return... I am satisfied that it has been demonstrated that the site is no longer required and is unlikely to be reused or redeveloped for employment uses and therefore the proposal complies with Policy 26... On the basis of the above I conclude that the proposed development would not result in material harm to employment land supply in the local economy. Consequently it would not conflict with Policies 3 or 26 of the CLP which seek to ensure a flexible supply of employment land and premises, amongst other matters, through the protection of existing employment sites and premises.'*

8.23 Placing significant weight on the above appeal decision, the Local Planning Authority (LPA) must accept that a reason for refusal regarding the loss of employment provision on this site could not be sustained.

iii. Housing mix, density and affordable housing provision

8.24 The NPPF states that Local Planning Authorities (LPAs) should; plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community, identify the size, type and tenure and range of housing that is required in particular locations, reflecting local demand (paragraph 60-61). Policy 33 of the CLP identifies the need to provide an appropriate density of development. This will be determined by its immediate context, on-site constraints, the type of development proposed and the need to provide an appropriate mix of dwellings.

8.25 The proposal seeks the provision of 8 open market dwellings only. As amended, the proposed mix would be 47.5% 2 bedroom dwellings, 50% 3 bedroom dwellings and 12.5% 4 bedroom dwellings and as such, would comply with the need identified within the SHMA. Following amendments, which include a reduction in the number of dwelling proposed (previously 9 now 8); the removal of windows within the 'home offices' in plots 5 to 8 to make these non-habitable rooms, together with amendments to the proposed size of the units, the Council's Housing Enabling Officer supports the proposed housing mix as smaller units tend to be more affordable than larger units and the proposal would help to balance the existing housing stock in the area which is weighted towards larger properties. It is noted the Agent also removed the windows within the 'home offices' in response to the Housing Officer's comments. Although the LPA understands the issue with regard to housing mix, the resultant impact on living standards is not ideal, however it is considered that this issue could be dealt with by way of a condition to secure final fenestration details if all other elements were acceptable.

8.26 Policy 34 of the CLP states that: *'On sites of 6 to 10 dwellings in areas designated as rural areas under section 157(1) of the Housing Act 1985 the Council will seek a financial contribution for the provision of affordable dwellings as a commuted sum unless the developer makes onsite provision.'* No affordable housing provision is proposed on site and the Council's Housing Enabling Officer is satisfied with this. Therefore in order to be policy compliant the Council require a commuted sum of £408,800.

8.27 Densities of 35 dwellings per hectare are broadly considered appropriate by the Council on most greenfield and brownfield development across the Plan Area. The requirement to provide the appropriate density of development will be determined by its immediate context, on-site constraints, the type of development proposed and the need to provide an appropriate mix of dwellings.

8.28 The application site is approximately 0.5ha in size and the proposal is for a total of 8 dwellings. The proposal would therefore result in a net density of approx. 16 dwellings per hectare. Whilst it is recognised this would be a low density, consideration is given to the proposed housing mix, the site's position within the countryside, the location of Flood Zones 2 and 3 to the north of the site and the existing footprint of the brownfield site. Therefore, in this particular instance it is not considered that the low density of this scheme would warrant a reason for refusal.

iv. Design, layout and impact on rural character

8.29 The NPPF places an emphasis on achieving sustainable development, for which good design is a fundamental element. One of the Core Planning Principles set out in the NPPF is to: 'support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations and by fostering a well-designed and safe built environment with accessible services and open spaces'.

8.30 Paragraph 124 of the NPPF further emphasises that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people. Paragraph 127 sets out that developments should ensure that they function well and add to the overall quality of an area; developments are visually attractive; developments are sympathetic to local character and history; developments should establish or maintain a strong sense of place and should optimise the potential of a site to accommodate and sustain an appropriate mix of development. Paragraph 170 outlines that: *'Planning policies and decisions should contribute to and enhance the natural and local environment by...recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland'*.

8.31 Policy 33 of CLP also requires new development to meet the highest standards of design and to be in keeping with the character of the surrounding area and its setting in the landscape. In addition, Policy 33 of the proposed development states that development should respect and where possible enhance the character of the surrounding area and site, in terms of its proportion, form, massing, siting, layout, density, height, size, scale, neighbouring and public amenity and detailed design.

- 8.32 The proposed dwellings seek to incorporate elements of contemporary design (white render and black weatherboard cladding), together with the use of local materials (clay tiles and red brick). Whilst it is acknowledged that the settlement of Ifold embodies various dwelling styles (typically large detached dwellings in spacious plots), it is considered that the opted design approach would result in a uniformed and engineered appearance. The proposed dwellings would be laid out in regimented lines, punctuated by small retained gaps, which would manifest as a solid block of development within the countryside.
- 8.33 The appearance of the dwellings combined with their scale, bulk and 'L shaped' layout, would result in buildings that would appear out of context in the rural landscape. The proposed use of black weatherboard cladding would be at odds with the prevailing 'traditional' palette of materials found in the wider settlement of Ifold and would be considered to convey a stark and urbanising appearance. If all other elements of the proposal were deemed acceptable, a condition could be imposed to secure a more 'muted palette' of materials was secured. Whilst it is accepted that the existing farm buildings, now in industrial use, are of a substantial scale both spreading across the site and those at the northern edge of the site are of a significant height and include a row of silos; these buildings are of a character and appearance that is expected within a rural setting, indeed they were agricultural buildings used for the farming of the land. It is therefore considered that the presence of these existing buildings on the site do not justify the provision of 8 dwellings, that would have a fairly uniform, engineered look in a rural open setting.
- 8.34 In dismissing an appeal at the application site, the Inspector noted the agricultural character of the existing layout and opined: *'The volume, height, and scale of the buildings are such that the existing development provides for a significant built form in the open countryside. However, these buildings were originally agricultural and retain that appearance. The layout of buildings is arranged around what would have been a farm yard and would be a not uncommon appearance in a modern farm enterprise. The rustic nature and appearance, including the materials, could be reasonably expected in a countryside location and are not out of place'*.
- 8.35 It is considered that the generic, bulky design and contrived 'L shaped' layout of the properties would represent an incongruous residential development in comparison to the wider, rural area. With regards to the previous appeal, the Inspector stated:
- 'The proposed development would replace these with three large residential properties, in small plots, and would result in significant change to the character and appearance of this location. The design, layout and separation of the properties would appear suburban in character and result in significant domestication of the site. The proposed buildings in association with the existing bungalow would result in a small enclave of residential development away from the main road and from the village, appearing isolated...Whilst views into the site would be limited, the development would be glimpsed through the trees from Plaistow Road and would appear as an incongruous residential development in a countryside location. The Framework notes that the intrinsic character and beauty of the countryside should be recognised. The tight suburban form of the proposed residential development of this site would not contribute to the distinctive rural landscape character of the area...For the reasons given above I conclude that the proposed development would result in material harm to the character and appearance of the area. Consequently it would conflict with Policies 1, 33 and 48 of the CLP, which seek to secure high quality and sustainable development that protects the distinctive local character of the area'*.

8.36 Although the number of units is different from the appeal scheme, some of the same issues remain. With regard to the material consideration above, this proposal of 8, albeit smaller, units proposes a contrived 'L shaped' layout which would appear suburban in character, resulting in significant domestication of the site and thereby changing the rural character of the area. The 'L shaped' layout of the site would also result in an awkward and ill-conceived arrangement with Plot 4 fronting on to the turning space and the flank elevation of Plot 5. In addition, the design of the dwellings is considered unrefined and bulky in appearance, which would primarily serve function over form. This is particular evident to the rear and side elevations of Plots 1, 2 and 3, which feature bulky and incongruous additions to the roofs in order to provide accommodation. Furthermore, the resultant ill-proportioned roof forms and poor fenestration arrangement and alignment, creates a cluster of dwellings which collectively do not meet the highest standard of design as required by Policy 33 of the CLP.

8.37 For the reasons outlined above, the proposed development by reason of its design, materials, scale, bulk, layout and separation, would appear overly suburban and incongruous in character and would result in significant domestication of the site that would detract from the rural character and appearance of the locality. The proposed buildings, in association with the existing bungalow, would result in a small enclave of residential development isolated from the main road and from the village. As such the proposal would not constitute high quality development within the countryside and would be contrary to the aims and objectives of the National Planning Policy Framework (as amended) and Policies 1, 2, 33, 45 and 48 of the Chichester Local Plan: Key Policies 2014-2029.

v. Highways safety, access and parking

8.38 Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Additionally, Policy 39 of the Chichester Local Plan asserts that development should be designed to minimise additional traffic generation.

8.39 Access to the proposed development would be taken from the existing access on to Plaistow Road, via the Little Springfield Farm access, with no alterations planned to this access. There are no recorded incidents in close proximity of this access and as such, the access appears to be operating safely with the existing commercial use.

8.40 In terms of trip generation the submitted 'Transport Assessment' compares the existing commercial trips currently taking place, with the trips lost by the demolition of the commercial units (except one) and the addition of the residential units. There is expected to be a reduction in trips during the AM and PM peak hours. WSCC raise no concerns with regards to trip generation.

8.41 Parking and turning can be accommodated on site to stop any overspill parking on the highway. Tracking has also been provided to demonstrate that refuse collection can take place on site and the vehicles can enter, turn and exit the site in forward gear.

vi. Residential amenity

8.42 The NPPF states at Paragraph 127 that planning should ensure a good quality of amenity for existing and future users (of places), and Policy 33 of the Chichester Local Plan include requirements to protect the amenities of neighbouring properties.

8.43 Due to the distances between the proposed dwellings, and the existing dwellings to the west and north it is considered that the proposal would not result in an unacceptable level of overlooking, or an overbearing relationship, that would be harmful to the living conditions of the neighbouring dwellings or the future occupiers of the proposed dwellings. The proposed development is therefore in accordance with the aims and objectives of the NPPF and Policy 33 of the CLP.

vii. Standard of accommodation and amenity space

8.44 Paragraph 127 of the NPPF 2019 also requires developments to promote health and well-being, with a high standard of amenity for future users. Local Plan Policy 33 requires that new residential development provides a high-quality living environment for future occupants, in keeping with the character of the surrounding area.

8.45 With regard to the CDC Housing Officer's Comments (Paragraph 6.10 refers), amendments were sought to secure a window in Bedroom 4 of Plot 4. However, the Agent contended (email dated: 24.06.2020) that two Velux windows would be adequate to serve the bedroom. Whilst the bedroom would have sufficient access to daylight and ventilation, it is acknowledged the outlook would be limited. However, on balance, it is not considered that this identified harm would be so significant as to warrant a reason for refusal in this instance. Having regard to the indicated floor areas, access to natural light and the provision of an acceptable outlook, it is considered that the proposed dwellings would provide an acceptable standard of living environment for future occupiers. Furthermore, the houses are provided with private amenity space to the rear and would have access to a landscaped area with play park to the north-east of the site.

8.46 In principle the provision of open community space, including a children's play area and informal planting approach is acceptable. However, due to the isolated location of the site, which is detached from the main settlement of Ifold by approx. 123m, children would need to cross Plaistow Road and walk down a long driveway (115m in length) to access the play area. Therefore, it is not considered that the community facilities would be successfully utilised by the existing community in Ifold and would merely serve the residential cul-de-sac.

8.47 The Agent for the application has confirmed that it is the intention for the play area to be equipped and for a management company to be established and owned by the future residents of the proposed development. If all other aspects of the proposal were considered to be acceptable, the final details of what would be provided and the associated maintenance requirements could be reasonably dealt with by way of condition.

- 8.48 The submitted plans indicate that the intention is to demolish the majority of the existing outbuildings and cease the current industrial cleaning processes at the site. It is however noted that the 'Proposed Site Plan' (1146.103.DP/REV03) indicates that one light industrial unit (marked as 'B' on the 'Site Plan') would be retained. The retained unit is located to the north-west of the application site, approx. 4m to the rear (west) of Plot 1.
- 8.49 The retained unit would subsequently change use to a B1(c)/B8 Use Class and it is understood that the unit would remain in the ownership of Little Springfield Farm. In the event permission would be forthcoming it would be important to protect the amenity of the proposed residential dwellings to the east and south-east via a condition controlling the use and hours of delivery. It is noted that the Environmental Health Team raise no objection to the proposal, subject to the recommended conditions.

viii. Flood risk and drainage

- 8.50 There is a watercourse running along the northern part of the site. The access/egress crosses Flood Zones 2 and 3 with the dwellings occupying Flood Zone 1; therefore a Flood Risk Assessment (FRA) has been submitted with the application. The proposed dwellings would have a finished floor level of 0.8m above the 1 in 100 year flood event level. The FRA concludes that the risk of flooding would therefore be low.
- 8.51 The proposed foul drainage would be via a package treatment plant due to the lack of main foul drainage, and whilst in principle the site may be developed without increasing the risk of flooding, technical details, including percolation testing would need to be secured to ensure an appropriate mitigation strategy would be provided.
- 8.52 The Environment Agency has confirmed that it has no objections, subject to the implementation of the recommendations within the FRA. It is noted that the Applicant is proposing to discharge treated foul water to a drainage field. The Applicant is advised that this may require an Environmental Permit from the Environment Agency, which is in addition to planning permission. The proposal therefore would not result in development within an area at risk of flooding, or an increased risk of flooding elsewhere and meets national and local planning policies in this respect.

ix. Ecology and biodiversity

- 8.53 Policy 49 of the CLP asserts that development should safeguard the biodiversity value of the site and demonstrable harm to habitats or species which are protected or which are of importance to biodiversity is avoided or mitigated.
- 8.54 A Preliminary Ecological Appraisal and Preliminary Roost Assessment of the site was undertaken on 18th December 2019, to update previous survey work undertaken by AEW Ltd in August 2014. Follow-up bat surveys were recommended and subsequently undertaken in May and June 2020. The surveys revealed single bats roosting in both buildings B04 and B06 on site. The roosts are day roosts of single male/non-breeding females and as such are roosts of low conservation status. A detailed mitigation strategy to allow development to proceed lawfully is detailed within the submitted report.

8.55 Following submission of the Ecological Impact Assessment (EIA) (June 2020), the Environmental Strategy Officer is content that the bat mitigation proposed would be suitable. Furthermore, to ensure the site remains unsuitable for reptiles, continued management of the site is required to take place to ensure reptile habitat does not develop onsite. If all other elements were acceptable, a condition could be imposed to ensure the recommended mitigation takes place. The applicants would also be advised that a Natural England Protected Species License will be required for the works, and this would need to be obtained prior to any works taking place.

x. Sustainable design and construction

8.56 Policy 40 of the CLP requires all new dwellings to demonstrate sustainable design and construction. The applicant has submitted a 'Sustainability Statement' as part of application. The proposal will employ the following measure to reduce carbon emissions:

- Fabric first approach.
- Space and hot water needs will be met through efficient services.
- Low energy light fittings.
- Units will have a water consumption of less than 110 litres per person per day.
- Photovoltaic (PV) array on roofs.
- Ecological enhancements would be secured.
- Cycle storage and Electric Vehicle (EV) charging points.
- The use of sustainable materials, pollution prevention and effective waste management.

8.57 The applicant states that the measures outlined in the Sustainability Statement will achieve a reduction of 19.45% kWh/year or 19.49% CO₂ emissions. All the proposed dwellings would have PV panels installed to the south and/or east facing roof slopes. The submitted Sustainability Statement details that the PV panels would be installed 'in-roof', as opposed to being fitted once the roofs have been tiled, in order to minimise disturbance to the visual appearance of the dwellings. Details of how the solar PV panels would be installed on the roof would need to be secured by way of planning condition, if permission were to be granted. The scheme would provide a 9.75% reduction in CO₂ emissions from fabric first measures and a 9.75% reduction in CO₂ emissions from renewables.

8.58 The submitted Sustainability Statement details that each dwelling would have access to an EV charging point. The submitted 'Ecology & Sustainability Enhancement Plan' (121/Rev01) details that 8 EV charging points would be provided. The applicant also states that the estimated maximum water consumption would be 105 litres per day. This would be less than the standard of 110 litres per day set out in Policy 40 of the CLP.

8.59 Subject to all other matters being considered acceptable, a detailed scheme for sustainable building techniques and renewable energy would also be secured by condition in line with the submitted details.

CIL & Section 106 Agreement

8.60 The development is CIL liable. The S106 Agreement has not been progressed due to the fundamental issues discussed above. If the development was otherwise acceptable, obligations would be required to secure a commuted sum of £408,800 towards affordable housing provision.

Conclusion

- 8.61 Based on the above assessment it is considered the proposal is contrary to the Chichester Local Plan and is not an allocated site in the Site Allocations DPD, which meets housing numbers for Plaistow and Ifold. Whilst the current objectives of the draft Plaistow and Ifold Neighbourhood Plan is acknowledged, the Neighbourhood Plan is not at an advanced enough stage to carry weight and in any event, there are inconsistencies with the current application and the Neighbourhood Plan. The current proposal has been assessed against the Draft Interim Policy Statement for Housing (June 2020) and does not accord with five of the twelve criterion. In this instance the site lies outside of the defined Settlement Boundary and is located in designated countryside, whereby 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. In this case, it has not been demonstrated that the proposed dwellings require a countryside location, nor that it is required to meet an essential, small and local need. In consequence, the proposed dwellings would result in an unjustified, unsustainable and harmful form of development that is located outside the Settlement Boundary. This is in conflict with the aims and objectives of the National Planning Policy Framework (as amended), Policies 1, 2 and 45 of Chichester Local Plan: Key Policies 2014-2029 and the Draft Interim Policy Statement for Housing (June 2020). There are no exceptional circumstances that are of sufficient weight, so as to justify the development that is contrary to these policies and statement.
- 8.62 Furthermore, the proposed development by reason of its design, materials, scale, bulk, layout and separation, would appear overly suburban and incongruous in character and would result in significant domestication of the site that would detract from the rural character and appearance of the locality. The proposed buildings, in association with the existing bungalow, would result in a small enclave of residential development isolated from the main road and from the village. As such the proposal would not constitute high quality development within the countryside and would be contrary to the aims and objectives of the National Planning Policy Framework (as amended) and Policies 1, 2, 33, 45 and 48 of the Chichester Local Plan: Key Policies 2014-2029.
- 8.63 In addition, in the absence of any on site provision, the applicant has made no provision for the payment of a commuted sum towards affordable housing, therefore the proposal conflicts with the aims and objectives of the National Planning Policy Framework (as amended), Policy 34 of the Chichester Local Plan: Key Policies 2014-2029 and the Planning Obligations and Affordable Housing SPD (2016).

Human Rights

- 8.64 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 refuse is justified and proportionate.

RECOMMENDATION

REFUSE for the following reasons:-

- 1) The proposal is contrary to the Chichester Local Plan: Key Policies 2014-2029 and is not an allocated site in the Site Allocations Development Plan Document (2014-2029), which meets housing numbers for Plaistow and Ifold. Whilst the Plaistow and Ifold Neighbourhood Plan is acknowledged, the Neighbourhood Plan is not at an advanced enough stage to carry weight and in any event, there are inconsistencies with the current application and the Neighbourhood Plan. The current proposal has been assessed against the Draft Interim Policy Statement for Housing (June 2020) and does not accord with five of the twelve criterion. The site lies outside of the defined Settlement Boundary and is located in designated countryside, whereby 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. In this case, it has not been demonstrated that the proposed dwellings require a countryside location, nor that it is required to meet an essential, small and local need. In consequence, the proposed dwellings would result in an unjustified, unsustainable and harmful form of development that is located outside the Settlement Boundary. This is in conflict with the aims and objectives of the National Planning Policy Framework (as amended), Policies 1, 2 and 45 of Chichester Local Plan: Key Policies 2014-2029 and the Draft Interim Policy Statement for Housing (June 2020). There are no exceptional circumstances that are of sufficient weight, so as to justify the development that is contrary to these policies.
- 2) The proposed development by reason of its design, materials, scale, bulk, layout and separation, would appear overly suburban and incongruous in character and would result in significant domestication of the site that would detract from the rural character and appearance of the locality. The proposed buildings, in association with the existing bungalow, would result in a small enclave of residential development isolated from the main road and from the village. As such the proposal would not constitute high quality development within the countryside and would be contrary to the aims and objectives of the National Planning Policy Framework (as amended) and Policies 1, 2, 33, 45 and 48 of the Chichester Local Plan: Key Policies 2014-2029.
- 3) In the absence of any on site provision, the applicant has made no provision for the payment of a commuted sum towards affordable housing, therefore the proposal conflicts with the aims and objectives of the National Planning Policy Framework (as amended), Policy 34 of the Chichester Local Plan: Key Policies 2014-2029 and the Planning Obligations and Affordable Housing SPD (2016).

INFORMATIVES

- 1) The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

2) This decision related to plans; 101/REV02, 102/REV03, 103/REV03, 104/REV03, 105/REV03, 106/REV03, 107/REV03, 108/REV03, 109/REV03, 110/REV03, 111/REV03, 116/REV01, 117/REV01, 118/REV03, 119/REV03, 121/REV01, 122/REV01, 602-01/REVA.

For further information on this application please contact Jane Thatcher on 01243 534734

To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PWYB3OERH8700>