

Parish: Chichester	Ward: Chichester West
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CC/20/01046/REM

Proposal	All outstanding Reserved Matters for the erection of 50 dwellings with associated parking, landscaping, informal open space and associated works on Phase 5, Parcel F, pursuant to permission 14/04301/OUT.		
Site	Land On The West Side Of Broyle Road Chichester West Sussex		
Map Ref	(E) 485000 (N) 106000		
Applicant	Miller Homes Ltd	Agent	Mr Nicholas Billington

RECOMMENDATION TO PERMIT



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1.0 Reason for Committee Referral

Red Card: Cllr John-Henry Bowden - The proposal is for a major development
Parish Objection - Officer recommends Permit

2.0 The Site and Surroundings

- 2.1 The application site forms part of Phase 1 of the West of Chichester Strategic Development Location (SDL) which is allocated by Local Plan Policy 15 for a comprehensive, residential-led mixed-use development. The main part of the application site extends to 1.09 hectares and is identified as Parcel P5.F in the Overall Phasing Plan approved as part of the Phase 1 outline planning permission granted in April 2018 (14/04301/OUT refers). This parcel is identified for residential development in the approved Masterplan, and also in the Parameter Plans which were approved as part of the outline planning permission.
- 2.2 Parcel P5.F is located on the western side of the developed part of the Phase 1 site. It would be directly accessed from its eastern side by the principal 'spine' road serving Phase 1, details of which have been approved under the 'Infrastructure' Reserved Matters application (CC/18/01587/REM refers). The Infrastructure Reserved Matters application also provided the majority of the green infrastructure serving Phase 1 comprising extensive SANGS in the form of a Southern Country Park, a Western Green Link and a Central Green Corridor.
- 2.3 The parcel's western boundary is currently formed by a line of mature trees beyond which lies a large, arable field forming part of the Phase 2 SDL land. The parcel's northern boundary flanks Parcel P.4, the 'Local Centre', which is allocated for a mix of commercial, community and health care uses along with a primary school. To the east and south-east, on the opposite side of the spine road, lie respectively residential parcels P.5G and P.6H.
- 2.4 P.5F currently forms part of a large arable field which reduces in height by approximately 6m between its northern and southern boundaries, and by around 1.5m from west to east. A gravel farm track runs along the site's western boundary which, together with a second track off Newlands Lane, provides access to a group of redundant farm buildings and a mobile telephone mast located adjacent to the parcel's south-west corner. The parcel is generally devoid of significant vegetation other than the tree belts located along the current field boundaries to its southern and western sides.
- 2.5 The remaining part of the application site consists of a 350m long by 15m-30m wide strip of arable land which will form part of the approved E-W landscaped corridor running through the centre of the SDL; this passes the southern side of Parcel P.5F and will provide a pedestrian route from the Western Green Link through to the Central Green Corridor. On its northern side, this land is flanked for its entire length by a belt of mature deciduous trees, whilst on its southern side it is open to the arable fields which run down to meet Newlands Lane. On both sides of the strip lies land identified in the approved Masterplan for residential development forming part of Phase 2.

2.6 The Committee will be aware that Reserved Matters (RM) approval has already been granted in respect of five residential parcels (P2.A, P2.B, P3.C, P3.D and P3.E) and the sports facilities to be located in the south-western corner of the SDL. One further RM application - in respect of an alternative scheme for residential Parcel P3.C - is currently under consideration.

3.0 The Proposal

3.1 The application seeks approval for the reserved matters of Appearance, Layout, Landscaping and Scale in respect of 50 dwellings.

3.2 In terms of housing mix, the affordable housing component consists of 22 units equating to 44% of housing provision within the parcel. Ten units would be provided in a shared ownership tenure comprising 9 x 1 bed flats and 1 x 1 bed coach house. The remaining 12 dwellings would be in a rented tenure comprising a mix of 7 x 1 bed, 1 x 2 bed, 1 x 3 bed and 3 x 4 bed units. The affordable units would be provided in a mix of 3 storey flats and 2 storey coach houses and short terraces.

3.3 The 28 market dwellings would comprise 10 x 2 bed and 18 x 3 bed dwellings provided in a mix of two and two-and-a-half storey short terraces and detached and semi-detached houses.

3.4 In general terms the layout consists of two perimeter blocks of dwellings in the southern part of the parcel, with a third 'partial' block backing onto its northern boundary (with the Local Centre).

3.5 Vehicular access is provided to the northern part of the parcel via a 4.8m wide street which joins the spine road close the site's north-east corner, with this junction being in the position and configuration already approved as part of the Infrastructure Reserved Matters application. The southern part of the site would be accessed from the spine road via a less formal 'cross-over' access located in the parcel's south-east corner, which would also provide maintenance access for the adjacent telephone mast. The initial section of access road leading from the site's northern junction would consist of a tarmac surface flanked by 2m wide footpaths. However, the significant majority of the proposed dwellings would be served by less formal, 4.8m wide shared surface streets, formed in buff coloured pavers.

3.6 At the midpoint of the parcel's eastern boundary, a dedicated pedestrian/cycle access is provided onto the approved shared cycle/footway that runs along the spine road's western side. A 3m wide, shared cycle/footpath is also proposed to run parallel to the site's western boundary within a landscaped belt, providing a route between the Local Centre to the north and the above-mentioned landscaped corridor to the south. This path also includes provision for future links through the parcel's western boundary to the adjacent Phase 2 land.

- 3.7 A 0.1Ha area of informal open space is provided in the parcel's north-west corner. This would form the southern part of a much larger area of open space (including a play area) within the Local Centre, and indicative plans have been submitted to show how this wider area might be configured. Likewise, indicative layouts of the nearest parts of the parcels on the eastern side of the spine road (which have yet to gain Reserved Matters approval) have also been submitted in order to demonstrate that their future development should not be prejudiced by the proposals for P5.F.
- 3.8 Two distinct approaches to the design of the buildings within the parcel are proposed. The first primarily involves the 'outward-facing' buildings of up to three storeys which face on to the spine road and southern boundary. These display a contemporary design approach incorporating various features such as stepped elevations in subtly different facing bricks, box dormers, large, grey-framed windows with vertical emphasis, together with the use of coloured feature panels beneath and to the side of some windows. The parcel's 'interior' displays a more traditional approach, with two storey dwellings formed in a variety of different facing and painted bricks, along with some tile hanging, beneath plain-tiled roofs.
- 3.9 In terms of parking provision, a total of 95 spaces are proposed consisting of 66 allocated, 16 garage/car port and 13 visitor spaces, with the latter distributed throughout the parcel.
- 3.10 With regard to the landscaped corridor leading to the Western Green Link, the submitted plans indicate an informal approach based on a hoggin path flanked by intermittent tree and understorey planting, along with one bench.
- 3.11 As referred to in the response of consultees and discussed in the assessment section of the report below, the application has been subject to considerable amendment since its submission including, the creation of a less fragmented layout, a reduction in the number of the parcel's junctions with the spine road from 4 to 2, better integration with the adjoining development parcels, enhanced pedestrian and cycling infrastructure and permeability along with various changes to the detailed design and treatment of buildings and public and private spaces with the parcel.

4.0 History

14/04301/OUT	PER106	Outline planning application with all matters reserved (except for access) for the first phase of development for up to 750 homes with access from Old Broyle Road, temporary access from Clay Lane, a local centre (with associated employment, retail and community uses), primary school, informal and formal open space (including a Country Park), playing pitches, associated landscaping, utilities and drainage infrastructure with on site foul sewage package treatment plant or pumping station with connection to Tangmere Waste Water Treatment Works.
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18/01587/REM	PER	Approval of reserved matters in respect of Appearance, Landscaping, Layout and Scale following outline planning permission CC/14/04301/OUT - Consent sought for Primary Road, Primary Surface Drainage and Primary Utilities Routing. SANGs land incorporating Western Green Link, Central Green Link and Country Park.
19/01134/REM	PER	All outstanding Reserved Matters for the erection of 73 residential dwellings with associated parking, landscaping, informal open space and associated works on Parcel 2A, pursuant to permission 14/04301/OUT.
19/01531/REM	PER	All outstanding Reserved Matters for the erection of 91 dwellings with associated parking, landscaping, informal open space and associated work on Parcel 2B, pursuant to permission 14/04301/OUT.
19/02385/NMA	PER	Non material amendment for permission CC/14/04301/OUT. Change to wording of condition 33 (sports pitches) regarding timing of commencement of works.
19/02424/REM	WDN	All outstanding Reserved Matters for the erection of 91 dwellings with associated parking, landscaping, informal open space and associated work on Phase 2, Parcel B, pursuant to permission 14/04301/OUT. (scheme 2)
19/02584/REM	PER	Application for all outstanding reserved matters (layout, appearance, scale and landscaping) following outline planning permission CC/14/04301/OUT, for sports facility consisting of 1x adult rugby pitch, 1x adult football pitch, 1x adult cricket pitch and sports pavilion building with associated drainage, landscaping, parking and other works (Phase 1).
19/02626/REM	PER	All outstanding Reserved Matters for the erection of 29 residential dwellings with associated parking, landscaping, informal open space and associated works on Parcel P.3D, pursuant to permission 14/04301/OUT.

19/02819/REM	PER	All outstanding Reserved Matters for the erection of 141 dwellings with associated parking, landscaping, informal open space and associated work on Parcel 3C, pursuant to permission 14/04301/OUT.
19/03122/REM	PCO	All outstanding Reserved Matters for the erection of 141 dwellings with associated parking, landscaping, informal open space and associated work on Phase 3, Parcel C, pursuant to permission 14/04301/OUT (scheme 2).
20/00462/FUL	WDN	Construction of an electrical substation and associated parking to serve the west of Chichester strategic development site.
20/00600/NMA	PER	Non-material amendment to planning permission CC/14/04301/OUT - Proposed additional planning condition to enable the submission and agreement of details of any temporary sales and marketing facilities required on site in relation to the sales and marketing of new homes.
19/03146/REM	PER	All outstanding Reserved Matters for the erection of 154 residential dwellings with associated parking, landscaping, informal open space and associated works on Phase 3, Parcel E, pursuant to permission 14/04301/OUT.
20/00600/NMA	PER	Non-material amendment to planning permission CC/14/04301/OUT - Proposed additional planning condition to enable the submission and agreement of details of any temporary sales and marketing facilities required on site in relation to the sales and marketing of new homes.
20/01256/ADV	PCO	Display of 2 no. non-illuminated V-boards and 18 no. non-illuminated flag poles.

5.0 **Constraints**

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

6.0 **Representations and Consultations**

Comments are summarised unless stated otherwise.

6.1 **Chichester City Council - in full**

Objection. It is recognised that the housing is needed in the area, however it is disappointing that the design and appearance of the buildings is generic and is not high quality, locally influenced design. Cycle lanes should be provided across the development and electric car charging points should be provided for all properties. Further environmental measures should be proposed.

6.2 **Fishbourne Parish Council - in full**

Fishbourne Parish Council objects to a southern access from Clay Lane onto this development. The Council wishes to see improved cycle and pedestrian routes throughout the development to improve connectivity and promote sustainable modes of transport for residents to access the city and beyond.

6.3 **Sussex Police**

The layout has taken into account Secured by Design principles. Various issues should be taken into account at the detailed design stage such as the security specification for doors and windows.

6.4 WSSC Local Highway Authority

Comments of 17 August 2020

The revised arrangements for cycle provision for the flats are acceptable.

The detailed proposals for the treatment of the cycleway cut through between plots 33 and 34 are acceptable and can be conditioned.

The comments of 6th August should have referred to 13 rather than 15 visitor spaces.

Comments of 6 August 2020

WSSC officers attended a meeting with officers from Chichester District Council (CDC) and representatives of the developers to discuss the planning application on 18th June. At this meeting comments were primarily raised about the design and layout of the residential roads in that there were concerns that the submitted layout was poor for pedestrian and cycle legibility and permeability based upon the design being a series of cul-de-sacs and that there were several vehicular access points onto the spine road (4 vehicular access points into the parcel were originally proposed). An alternative design was put forward by officers and the applicant agreed to consider amendments to their originally submitted design.

Revised designs for this parcel were submitted on the 28th July as a result of the discussions that took place at the meeting on 18th June. The comments below relate to the latest proposals for this parcel (plans submitted 28th July).

Parking

The applicant is proposing a total of 95 spaces for this parcel. This is made up of the following:

- 66 allocated parking spaces
- 11 car ports
- 5 garages; and
- 15 visitor spaces

This level of car parking provision equates to 1.9 spaces per unit. The applicant has used the West Sussex County Council Parking Demand Calculator to forecast the likely number of vehicles to be associated in a development of this scale in this location. The applicant has predicted that the car ownership associated with the proposed number of mix of units proposed would be approximately 81 vehicles. Therefore the number of car parking spaces proposed is deemed acceptable and unlikely to result in overspill car parking taking place.

Given the general design and layout of the parking on this parcel it is considered to be well broken up and therefore avoids the dominance of parked cars on the streetscene.

Cycle Parking

The applicant is proposing that each dwelling will be provided with either cycle storage space within a garage or dedicated cycle storage facilities in the back gardens of properties. All of the garages are larger than the standard 6m by 3m that WSCC ask for to ensure there is sufficient space to park a car and multiple bikes. The stores in rear gardens are considered to be of a sufficient size to accommodate a bike and have independent access to the side of the properties.

In light of this the Highway Authority considers the cycle parking for the houses to be policy compliant and appropriate.

The cycle parking for the flats (plots 1 to 10 and 40 to 46) appears to be in two separate communal stores. Drawing number CB_70_068_P5_F_CYC_01 entitled CYCLE STORAGE FLOOR PLAN & ELEVATIONS appears to have proposed vertical hanging racks for the cycle parking. The Highway Authority preference would be for the applicant to propose horizontal cycle storage such as Sheffield Stands. This is because of the communal nature of the store and that horizontal stands ensure it is easier to secure both wheels and the frame of the bike and horizontal cycle parking is easier for all to use as it does not require lifting the bike into position. The applicant could make an amendment prior to determination or further details could be secured via condition.

Residential Street Layout

The revised plans submitted on the 28th July are considered to be a significant improvement on the originally proposed layout. Significant improvements have been made to pedestrian and cycle permeability and legibility which is welcomed by the Highway Authority. The number of vehicular access points from this parcel has been reduced from 4 to 2. The nature of the vehicular access points have also been downgraded as far as is practical in order that they are appropriate for their context and likely use and prioritise pedestrian and cycle movements.

The applicant is also providing a pedestrian/cycle connection between plots 33 and 34 and this is welcomed by the Highway Authority. The link is proposed as 3m wide which is of a sufficient width to accommodate the likely levels of both pedestrians and cyclists. Further specific technical detail of the design and layout including any necessary signing and lining and measures to prevent unwanted vehicle access should be secured via condition.

The hard landscaping proposals are noted and that these include details of the proposed materials to parts of the spine road. These parts of the carriageway are subject to a S38 agreement with WSCC as Highway Authority and the specific detailed design and materials shall be agreed with the Highway Authority as part of the Section 38 process.

Summary

The Highway Authority has no objection to planning application CC20/01046/REM; subject to the inclusion of the necessary conditions detailed below on any permission granted.

The proposals are considered to be a significant improvement upon what was originally submitted. Should Chichester District Council (CDC) as local planning authority approve this application WSCC would recommend that appropriately worded conditions are included on any permission granted to cover the following:

- that no dwelling shall be occupied until the vehicular access, vehicle parking and or garaging, roads, footways and turning spaces serving that development have been constructed and are available to use.
- the provision of visitor car parking spaces.
- the provision of revised cycle parking for the flats which include horizontal cycle parking provision.
- to submit technical details of the design the following aspects; the cycle way link including need signing and lining between plots 33 and 34.

6.5 CDC Design and Conservation

General Comments

Parcel 5F has undergone significant alteration during the application particularly in terms of layout and access which it is considered has resulted in a number of improvements. In particular the number of vehicular access points has been reduced and the routes/wayfinding for pedestrians within the parcel is much improved. The proposed layout is now considered well resolved.

The parcel has two distinct design approaches with a more contemporary frontage along the spine road and a more traditional design approach along the west side of the parcel. Concerns raised regarding the transition between the two approaches have resulted in improvements being made which are now considered more appropriate and an acceptable approach.

The block of flats forming plots 1-9 retain a relatively large height difference between the block and the adjacent houses plots 30-31. Slight level changes in the land are understood to be the reason for this. Despite the height difference the current location of the flat block is considered the most suitable due to it providing a key building on the entrance to the parcel and its proximity to the adjacent local centre. Revisions have also been made to the heights of adjacent plots and the flat block to lessen the height difference which has gone some way to assisting the visual difference.

Parking

Parking within Parcel 5F has been improved during the process of the application. Initial concerns about small poorly overlooked parking courts have been overcome by revisions to the layout. Whilst larger parking courts are still proposed these are considered to have sufficient overlooking and to be located in discrete locations ensuring the parking will not be a dominant feature. The layout has avoided frontages that are dominated by parking which is a welcomed approach and should contribute towards the creation of good quality street scenes and landscaping.

Materials

Within the material palette for the flat blocks u-PVC panels appear to be proposed for the cladding panel adjacent to some windows. It is considered that it would be beneficial for the materials to be conditioned as the use of u-PVC is of concern without first viewing the product and the potential risk for the panels to fade.

As with the other parcels within the development it is considered that verge caps should be avoided due to chunky appearance and fading. The provision of verge details for assessment and approval should be conditioned.

Corner Turners and Visible Side Elevations

Throughout the parcel it is considered that corner turning plots and highly visible side elevations have been detailed and fenestrated appropriately for their level of visibility.

6.6 CDC Housing Enabling Officer

Comments dated 30 July 2020

Following our previous consultation response dated 30 April 2020, the applicant has amended the site layout to reflect that the north eastern block of flats as a single tenure. This change is welcomed and will be easier for registered providers in their management and maintenance of the dwellings. No changes have been made to the mix of the affordable units which was previously accepted.

The pepper potting of the affordable units is consistent with the Council's Planning Obligations and Affordable Housing SPD and will contribute to creating a mixed, balanced and sustainable community.

To conclude, the Housing Delivery Team raises no objections to this application.

Comments dated 30 April 2020

A recurring comment on the each of the phases of this large strategic site, as it comes in as a reserved matters application, is how to ensure a good mix of the market and affordable units required by the outline planning permission is provided over the whole site. This is to avoid enclaves and mono-tenures. It was accepted however that there would be variations and character areas and different densities within the development.

Throughout the process as applications for each packet comes in, the mix is carefully noted to ensure it complies with the requirements of the s106 agreement and give a good spread of units overall. The applicant's 'West of Chichester Affordable Housing Addendum Report', previously submitted, assists by setting out the ranges of mixes in each phase.

With this in mind, I am generally happy with the proposals, with one exception; the affordable housing plan shows a mixed block of eight flats. I cannot see a clear schedule of a breakdown of rented and shared units but I am assuming these are 8 x 1bf for rent and 1 x 1bf for shared ownership. Mixed tenures are not acceptable and all should be rented units.

This would give:

Affordable housing (22):

Affordable rented (13)

1bf 8 (62%)

2bf 1 (8%)

3bh 1 (8%)

4bh 3 (23%)

Shared ownership (9)

1bf 9

44% of the total units of this phase are affordable, which is higher than the 30% overall required. The proportion of shared ownership units to rented is also higher than the 30:70 required overall.

However, it is appreciated that on a phase with a comparatively small number of units, and where there are a comparatively large number of flats, this may skew percentages as more one bedroom and shared ownership units are likely to be provided. This is compounded by some two bedroom houses having been moved from this phase into Phase E to improve the mix there, and hence the low numbers of two bedroom units here.

Due to these very specific reasons, I raise no objections to the percentages or mix on Phase F but future phases, especially as the last applications come forward, to ensure compliant and suitable mixes are provided.

The pepper potting is acceptable

Market Housing (28):

The proposed market mix is:

2b 11 (39%)

3b 17 (61%)

This is smaller sized family housing and is a welcome addition to the market housing stock of the district.

6.7 CDC Drainage Engineer

The proposed surface water drainage for this phase is a combination of infiltration through permeable paving, and an uncontrolled discharge to the adjacent swale. We are satisfied that they have demonstrated that the phase can be adequately drained, and that the approach is in accordance with the principles/scheme approved for the site.

We have surface water conditions applied to application 14/04301/OUT, which requires the detailed design, supported by sufficient groundwater monitoring and percolation tests to be submitted and discharged pre-commencement. As a result we recommend no further conditions are applied to this application.

6.8 CDC Environmental Strategy Officer

Ecology

We are satisfied with the ecological survey (April 2020) and that this is in line with the proposals agreed as part of the outline application.

Policy 40

Following submission of the Sustainability Statement (P5.F April 2020), we are satisfied that the criteria detailed within policy 40 will be met. We are pleased to see the commitment by the applicant to implement measures to achieve a reduction in CO2 emissions of 16.81%. This will be achieved with a fabric first approach and through installing PV on 25 houses on the parcel equating to 50% of properties having PV in this parcel.

6.9 CDC Waste Lead - comments in respect of revised plans only

The amended plans are acceptable in terms of layout, vehicle tracking and the location of bin collection points.

6.10 Third Party Objection

1 Third Party letter of objection has been received concerning:

- a) no serious approach to cycleways, public transport or sustainability
- b) only 50 % of dwellings have solar panels
- c) too many car parking spaces
- d) more provision for EV charging should be provided
- e) spine road culminates in a cul de sac within parcel

6.11 Applicant/Agent's Supporting Information

In addition to the submitted plans the application is accompanied by a suite of supporting technical and other documents including a Design and Access Statement, a Landscape Strategy, an Ecological Survey and sustainability and drainage statements.

7.0 Planning Policy

The Development Plan

- 7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029, the CDC Site Allocation Development Plan Document and all made neighbourhood plans. There is no made neighbourhood plan for Chichester Parish at this time.
- 7.2 The principal planning policies relevant to the consideration of this application are as follows:

Chichester Local Plan: Key Policies 2014-2029

Policy 1: Presumption in Favour of Sustainable Development
Policy 2: Development Strategy and Settlement Hierarchy
Policy 4: Housing Provision
Policy 7: Masterplanning Strategic Development
Policy 8: Transport and Accessibility
Policy 9: Development and Infrastructure Provision
Policy 15: West of Chichester Strategic Development Location
Policy 33: New Residential Development
Policy 34: Affordable Housing
Policy 39: Transport, Accessibility and Parking
Policy 40: Sustainable Design and Construction
Policy 42: Flood Risk and Water Management
Policy 43: Chichester Harbour Area of Outstanding Natural Beauty (AONB)
Policy 48: Natural Environment
Policy 49: Biodiversity
Policy 50: Development and Disturbance of Birds in Chichester and Langstone Harbours
Special Protection Areas
Policy 52: Green Infrastructure
Policy 54: Open Space, Sport and Recreation

National Policy and Guidance

- 7.3 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

7.4 Consideration should also be given to the following paragraph and sections: Sections 2, 4, 5, 8, 9, 11, 12, 14 and 15. The relevant paragraphs of the National Planning Practice Guidance have also been taken into account.

Other Local Policy and Guidance

7.5 The following Supplementary Planning Documents are material to the determination of this planning application:

- Planning Obligations and Affordable Housing SPD
- Surface Water and Foul Drainage SPD
- CDC Waste Storage and Collection Guidance

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

- Encourage and support people who live and work in the district and to adopt healthy and active lifestyles
- Protect and support the most vulnerable in society including the elderly, young, carers, families in crisis and the socially isolated
- Maintain the low levels of crime in the district in the light of reducing resources
- Promote and increase sustainable, environmentally friendly initiatives in the district
- Influence local policies in order to conserve and enhance the qualities and distinctiveness of our area.

8.0 Planning Comments

8.1 The main issues arising from this proposal are:

- i. Principle of the development
- ii. Layout, character and design
- iii. Housing mix
- iv. Landscaping
- v. Sustainability
- vi. Other matters
- vii. Significant conditions

i) Principle of the development

8.2 As set out above, the principle of developing the SDL for a residential-led, mixed use development has been established by the 2018 outline planning permission. That permission included a set of approved parameter plans detailing land uses, street hierarchy, storey heights, footpaths and cycle-ways, public open space and the quantum and density of development throughout the SDL.

8.3 As part of the first Reserved Matters application for residential development (Parcel P2.A - 19/01134/REM refers) a Residential Architectural Design Strategy was also approved. This document sets out the broad design principles for each of the identified residential character areas within Phase 1 of the SDL, with the intention of making these areas architecturally distinctive.

8.4 Given that this development parcel is allocated for residential use by the outline permission's parameter plans, the following sections of this report are primarily concerned with the assessment of the proposal against the remaining reserved matters of layout, scale, appearance and landscaping, alongside other relevant material planning considerations. Clearly, broad conformity with the approved parameter plans, Architectural Design Strategy (ADS) and Masterplan are important considerations in this case.

ii) Layout, Character and Design

8.5 In terms of the approved Master Plan (incorporating both Phases 1 and 2), Parcel P5.F is located broadly centrally to the SDL. The approved parameter plans reflect this location, and identify it as being suitable for development in the Upper Density range (35-45 dpHa) and with building heights of up to 3 storeys along the spine road frontage, with 2 storeys elsewhere. With regard to the Architectural Design Strategy, P5.F is located within the Local Centre Residential Character Area. Within this Area, development should respond to the transition from the Local Centre vernacular and spine road 'edge' on its northern and eastern sides respectively, to the softer, green edges on its southern and western sides.

8.6 The approach to the layout of the parcel and the treatment of the buildings within it has been subject to significant amendment during the course of the application.

8.7 A less fragmented, more coherent block structure is proposed in the revised plans, alongside the key change of reducing the number of originally proposed junctions with the spine road from four to two. As noted above, one of the omitted junctions has been replaced with a 3m wide dedicated pedestrian/cycle link from the eastern edge of the parcel directly onto the combined footpath/cycleway which runs along the spine road's western side. Further, the southernmost junction has been re-designed to take the form of an informal cross-over arrangement, resulting in an environment where it should be clear to motorists that the crossing of the junction by pedestrians and cyclists using the cycleway is prioritised.

8.8 The proportion of shared surface has been increased in order to reflect the parcel's soft edges western and southern edges, and to reinforce its low speed (20mph) environment. Pedestrian crossing points have been introduced where footways are used. Further, future links to the Phase 2 land to the west of the parcel have been provided from the proposed cycleway which runs parallel to the western boundary.

8.9 The E-W path to be located within the landscaped corridor to the south of the parcel has been extended to meet its eastern boundary in order to ensure a continuous onward route to the Central Green Corridor when subsequent phases come forward. Similarly, land in the south-east corner of this area is safeguarded in order to ensure that the spine road's combined pedestrian/cycleway can be continued seamlessly into Phase 2.

8.10 Opportunities have also been taken to break up some areas of parking and to introduce additional open space, including increasing the amenity space serving each of the two affordable housing flatted buildings.

- 8.11 Overall, the revised layout is considered to provide good levels of vehicular and pedestrian permeability in a coherent and legible layout of streets which seeks to prioritise use by pedestrians and cyclists. The submitted plans also now indicate satisfactory access and turning for both waste and emergency vehicles.
- 8.12 It is noted that, relative to the Infrastructure Reserved Matters application, one further vehicular access onto the spine road has been introduced, and that this may be of concern to some in the local cycling community who wish to limit the number of instances of the spine road's combined foot/cycleway being crossed. Whilst these concerns are acknowledged, it is the case that as individual development parcels are brought forward there is a balance to be struck between providing appropriate permeability throughout those parcels and the wider development, and ensuring that the approved cycleway remains an attractive route. In this case, and following negotiations, the number of originally proposed crossings of the cycleway has been halved. Further, as set out above, the southern entrance point into the parcel has been downgraded in status and now takes the form of a less formal dropped-kerb cross-over arrangement which specifically accommodates and prioritises cyclists using the cycleway. This is considered an acceptable approach.
- 8.13 The Highway Authority has welcomed the changes to the proposals and, subject to the conditions referred to above and set out in the recommendation below, raises no objections in terms of either highway safety or the distribution or quantum of car parking which meets the anticipated demand. The LHA has also confirmed that the detailed design of the spine road's two junctions with the Parcel, including the provision for cyclists crossing them, will be finalised as part of the S38 highways adoption process.
- 8.14 The density of development (approximately 45dpHa overall) is in accordance with the approved parameter plans, which also indicate that the proposed maximum storey height of 3 storeys to the spine road frontage is appropriate. The gardens serving the various houses within the parcel are considered to be of appropriate size, with back-to-back distances that will provide an acceptable level of privacy. As noted above, the amenity space serving the two flatted blocks has been increased in size during the application process and is now considered acceptable.
- 8.15 All parking areas and areas of public open space are subject to appropriate levels of surveillance. All of the dwellings would be served by appropriate bin storage and collection arrangements, and adequate arrangements for cycle storage have also been incorporated.
- 8.16 Turning to detailed design considerations, the use of a combination of contemporary and traditional design styles within the parcel, as described at paragraph 3.8 above, is considered acceptable. The contemporary buildings proposed (primarily) along the Parcel's eastern and southern boundaries are consistent in terms of scale, materials and detailing with the buildings that have already gained Reserved Matters approval in locations that front onto the spine road and/or adjoin the Local Centre (where a contemporary design approach is envisaged). The dwellings of a more traditional design, which largely face onto the western boundary, are likewise consistent with the approach that has been established on other residential parcels in terms of scale, height, materials and elevational treatment.

- 8.17 As with the overall layout, a range of improvements to the design and treatment of a number of proposed buildings have been secured during the course of the application.
- 8.18 For example, as the Design Officer has commented, the point at which the design approach changes from contemporary to traditional has been altered in some streets in order to affect a more logical transition. In terms of the southern-most street in the parcel, given the existence of wider views of this part of the development from the landscaped corridor to its south, the approach has changed from a mixed contemporary/traditional street, to one based solely on contemporary buildings. Elsewhere, floor levels have been altered in order to provide a more graduated street scene, and additional chimneys and fenestration have been introduced throughout the parcel to create more visual interest.
- 8.19 In conclusion on this issue, it is considered that the approach to the layout and detailed design set out in the amended proposals successfully responds to the context of the site. Further, the proposals provide a satisfactory living environment for prospective residents and comply with the approved Residential Architectural Design Strategy and parameter plans. There are no outstanding objections with regard to highway safety or on the grounds of the level or distribution of parking provision.

iii) Housing Mix

- 8.20 The 22 proposed affordable dwellings equate to 44% of the overall housing on this parcel, which exceeds the standard 30/70 split which is usually applied to developments that are required to make an affordable housing contribution. However, as noted by the Housing Officer, it must be acknowledged that the division of a strategic scale development site into different parcels will, given the varying characters and scale of those parcels, inevitably result in a variation of affordable housing proportions as successive Reserved Matters applications come forward. The key requirement on a SDL-wide basis, however, is to ensure that the overall 70/30 split is maintained, and officers have been carefully monitoring the position as successive phases come forward.
- 8.21 Miller Homes' affordable housing delivery trajectory has resulted in a cumulative 'shortfall' of around 6 dwellings (out of 256 given RM permission) prior to the current application being submitted. This trajectory is intentional, reflecting the fact that P5.F has been earmarked for development at the higher end of the parameter plans' density range, and can include buildings of up to three storeys height. As noted in the preceding sections of this report, the design and layout of the proposed buildings is considered acceptable, and the Housing Officer has confirmed that the distribution of affordable units throughout the parcel (no more than 11 in any location) accords with the adopted Affordable Housing SPD. It is noted that the provision of 22 affordable homes in this parcel would mean that, in order for Miller Homes' to meet its requirement for a 70/30 split across all of its Phase 1 residential parcels, its final parcel (P6.H), would revert to a 'standard' 30/70 split.

8.22 In summary on this issue, there is no objection to either the quantum or distribution of affordable housing within the parcel. The mix of market housing is likewise considered acceptable.

iv) Landscaping

8.23 The application is accompanied by detailed planting proposals which have been amended during the course of the application, resulting in the provision of 75 new trees within the parcel, an increase of 30 compared to the originally submitted plans.

8.24 In order to soften views into the parcel, existing planting along its boundaries has been supplemented with a mix of native tree species including hornbeam, hawthorn, oak and beech. Tree planting within the public open space in the site's north-west corner has been enhanced, and a previously proposed hedgerow has been omitted in order to ensure this area flows appropriately into the adjoining open space that will form part of the Local Centre. The removal of two previously proposed junctions has also allowed for enhanced landscaping along the spine road frontage.

8.25 Within the parcel, additional tree, hedgerow and shrub planting has been focussed towards parking areas in order to soften their appearance and improve outlook for residents.

8.26 In terms of hard landscaping, a variety of surface materials are proposed. As with the approach already established in respect of other residential parcels, shared surface areas are to be formed in buff-coloured pavers, with final details as to their permeability to be established when discharging the outline planning permission's surface water disposal condition. The initial section of access road leading from the northern junction would comprise tarmac, with a rumble strip denoting the change to the shared surface area.

8.27 With regard to boundary treatments, the submitted plans indicate the use of larch lap fencing to internal garden boundaries, with close boarded fencing to the rear and side of private parking areas. In areas where boundaries are likely to be prominent in the street scene, including the boundary with the Local Centre, 1.8m high brick walls are proposed, with a string course detail to add visual interest.

8.28 A low key approach has been taken to the treatment of the E-W landscaped corridor which primarily involves the creation of a meandering hoggin footpath set within grassland margins. Around 20 new oak, chestnut, lime and beech trees are proposed along the path's route, with the aim of supplementing the robust tree belt on the path's northern side, but largely retaining the expansive and unimpeded southerly views that are currently available from this elevated area, including glimpsed views of the cathedral spire. These trees would be planted at Heavy and Extra Heavy Standard sizes in order to provide instant impact. The proposals in respect of this area are considered acceptable, although it is acknowledged that it may necessary to revisit its treatment when proposals for Phase 2 development on its southern side come forward.

8.29 The proposed soft landscaping, planting and tree protection proposals are considered acceptable. In line with the approach on other parcels, the recommendation below includes a requirement to implement these details no later than the first planting season following the practical completion of the last dwelling in the phase. The indicative submitted hard landscaping details are likewise considered acceptable, however, it should be noted that the final approval of these details is required under the terms of the planning conditions attached to the outline planning permission.

v) Sustainability

8.30 The applicant has submitted a Sustainability Statement which sets out the range of measures which have either already been secured on a site-wide basis through the outline planning permission or through approval of the Infrastructure Reserved Matters, or are proposed as part of this application. The Statement aims to reflect the commitment provided in the approved Residential Architectural Design Strategy to address the various criteria contained in Local Policy 40 (Sustainable Design and Construction), with a key aim being to achieve an at least 10% reduction in energy demand above current Building Regulation standards.

8.31 Whilst it is not necessary to repeat the content of Statement in this report, its key measures and conclusions in respect of Policy 40's criteria can be summarised as follows:

- Alongside the habitat enhancements arising from the extensive landscaping proposals outlined above, detailed ecological enhancement and protections measures are proposed (including bird and bat boxes, swallow nests and hedgehog holes in fencing and walls), with these secured through planning conditions attached to the outline planning permission.
- Dwellings will be designed to achieve 105 litres of water consumption per person per day - which exceeds the requirements of Policy 40 - with water consumption controlled via proposed planning condition 14 set out below.
- The proposals have been assessed against Building For Life Standards and, based on the preceding analysis of the application, the Statement's conclusion that the development performs generally well against the methodology's criteria is accepted.
- The proposals incorporate a variety of sustainable design and construction measures including various fabric-first measures, the use of high efficiency heating and hot water systems and low energy fittings and solar powered street lights.
- In terms of renewable energy, it is proposed to provide solar panels the roofs of all 13 dwellings orientated within 20 degrees of south, together with an additional 12 dwellings with a generally south/south-west facing roof slope - this equates to 50% of dwellings within the parcel.
- Overall, the combined effect of the fabric first and renewable energy measures would be to deliver a 16.8% reduction in CO2 emissions when measured against the requirements of the Building Regulations.
- The solar panels will be installed in-roof, rather than on top of a pre-tiled roof, to minimise disturbance to the visual appearance of the dwellings.
- A SUDS approach has been taken to surface water disposal.

8.32 In conclusion on this issue it is considered that the submitted Sustainability Statement, which has been reviewed by the Council's Environment Officers, demonstrates a high standard of sustainable design and construction that protects and enhances the environment, in compliance with Policy 40 of the Chichester Local Plan. The significant improvement against the requirements of the current Building Regulations in terms of CO2 production and energy demand is to be welcomed, with the latter also exceeding the target set out in the approved Residential Design Strategy. Final details of the package of sustainability measures and its implementation will be secured under the requirements of condition 28 of the outline permission.

vi) Other matters

8.33 The Drainage Engineer has confirmed that the submitted indicative surface water drainage proposals demonstrate that the site is capable of being satisfactorily drained through a combination of infiltration and, where it can be justified, direct drainage to the site-wide surface water disposal network. Final details of the means of disposal must be submitted under the terms of Condition 13 of the outline planning permission.

vii) Significant Conditions

8.34 This is an application for the approval of Reserved Matters and it should be noted that the bulk of the planning conditions controlling and managing the development are attached to the overarching outline planning permission. These conditions required the submission of further details on a phase-by-phase basis in respect of various matters such as materials and finishes, contaminated land, levels, construction and environmental management plans, landscape and ecological management plans, surface and foul drainage, noise mitigation, sustainable design and construction and street lighting. Whilst some of these details have been submitted indicatively in order to inform this RM application (e.g. sustainable design and construction, materials, levels and surface water drainage), final approval will be required under separate discharge of condition applications.

8.35 In view of the above, the recommendation below is subject to a limited number of conditions relating to the Reserved Matters including, the carrying out of the development in accordance with the submitted landscaping details, securing tree protection measures and ensuring various parking, pedestrian and cycling infrastructure is provided at an appropriate time and in an appropriate manner.

Conclusion

8.36 West of Chichester is one of the Council's key strategic sites for delivering new housing during the Local Plan period. This Reserved Matters application accords with the principles established by the outline planning permission and the approved parameter plans. Based on the preceding assessment it is considered the proposal complies with relevant development plan policies, the parameters of the outline consent and the approved Residential Architectural Design Strategy. The proposed housing mix, layout, detailed design and landscaping are all appropriate to the context of the site. In addition, the applicant has provided details in relation to sustainable design and construction in order to demonstrate compliance with the requirements of Local Plan policy 40.

8.37 On this basis it is recommended that, subject to the planning conditions set out below, approval of the remaining reserved matters in respect of Parcel P.5F is granted.

Human Rights

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

RECOMMENDATION

PERMIT subject to the following conditions and informatives:-

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

- **CB_70_068_P5_F**:000; 001D; 002C; 003C; 004C; 005C; 006C; 007C; 008C; 009C; 011C; 013C

- **CB_70_068_P5_F_SS**: 01C; 02C; 03C; 04B

- **CB_70_068_P5_F**: **EA**_E01A, P01A; **ED**_E01A, P01A; **KN**_E01A, E02A, P01B; **1BF**_E01A, E02A, E03A, E04A, E05A, E06A, E07A, E08A, P01A, P02A, P03A, P04A, P05A, P06A; **1BCH**_E01, P01; **2BCH**_E01A, P01A; **3BH**_E01B, P01A; **4BH**_E01B, E02A, P01B, P02A; **BR**_E01A, E02A, P01A, P02A; **CYC**_01B, 01A, 02A; **TI**_E01A, E02A, E03, E04, P01A, P02A, P03, P04.

- **MILL22774**: 03B, 10D, 11C (Sheets 1 to 3) and 12D (Sheets 1 to 3)

- **MLR/E4856/**: 001E, 002E, 003E, 004F, 009A.

- Ecological Enhancements plan (Parcel 5F) rev B

Reason: To ensure the development complies with the planning permission.

2) **No development shall commence**, until protective fencing has been erected around all trees, shrubs and other natural features not scheduled for removal in accordance with the submitted Tree Protection Plan (ref. MIL22774-03B Phase 5 Parcel F). Thereafter the protective fencing shall be retained for the duration of the works and the development shall be carried out in strict accordance with the recommendations and methodology of the submitted Arboricultural Impact Assessment and Method Statement (ref. MILL22701aia-amsA Phase 5 Parcel F Revision B) and in accordance with BS5837:2012. No unauthorised access or placement of goods, fuels or chemicals, soil or other materials shall take place inside the fenced area; soil levels within the root protection area of the trees/hedgerows to be retained shall not be raised or lowered, and there shall be no burning of materials where it could cause damage to any tree or tree group to be retained on the site or on land adjoining at any time.

Reason: To ensure that trees on and around the site are adequately protected from damage to their health and stability and/or amenity value. It is considered necessary for this to be a pre-commencement condition as these details need to be agreed prior to the construction of the development and thus go to the heart of the planning permission.

3) All soft landscape works shall be carried out in accordance with the approved details and plans and specifications as listed below and in accordance with the recommendations of the appropriate British Standards or other recognised codes of good practice. **These works shall be carried out in the first planting season after practical completion of the development or occupation of the final dwelling** in Parcel P5.F whichever is earlier, unless otherwise first agreed in writing by the Local Planning Authority. Any trees or plants which, within a period of 5 years after planting, are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved unless otherwise first agreed in writing by the Local Planning Authority:

- Soft Landscape Proposals plans MIL22774 11 Rev C Sheets 1 to 3
- Soft Landscape Specification document ref MILL22774 spec

Reason: To ensure the provision and establishment of a reasonable standard of landscape in accordance with the approved designs.

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

Reason: To ensure the treatment used is appropriate in the interest of amenity and to ensure a development of visual quality

5) **Prior to the occupation of Plots 33 and 34** the pedestrian/cycle link proposed between them shall be completed in accordance with the submitted details including surface materials, the provision of level transitions and the installation of 4 no. Type 2 Sign Bollards as specified on application drawing S278/38/17 Rev B in the locations detailed on the approved Planning Layout Drawing. Once provided, the pedestrian/cycle link shall be maintained in a condition that is fit for purpose in perpetuity.

Reason: To ensure adequate and safe access for cyclists and pedestrians

6) **No dwelling hereby permitted shall be first occupied** until the vehicular accesses, roads, footways and vehicle turning areas serving that dwelling have been constructed, surfaced and drained in accordance with the approved plans. These spaces shall thereafter be retained at all times for their designated use.

Reason: To secure satisfactory standards of access for the proposed development and in the interests of road safety.

7) **No dwelling hereby permitted shall be first occupied** until the provision for vehicle parking (including garaging) and cycle and bin storage associated with that dwelling has been constructed in accordance with the approved plans and is ready for use. This provision shall thereafter be retained at all times for its designated use.

Reason: To provide adequate on-site car and cycle parking and waste storage for the development

8) The shared cycle/footway proposed adjacent and parallel to the western boundary of Parcel P5.F shall be completed in accordance with the approved plans **prior to occupation of the 45th dwelling in the Parcel**. For the avoidance of doubt, for the purposes of this condition completion shall be taken to mean completion/connection of the cycle/footway (i) to the Parcel's internal roads; and (ii) up to the Parcel's northern and western boundaries; and (iii) to the proposed east-west orientated footpath located within the landscaped corridor positioned along the southern boundary of the site.

Reason: To accord with the terms of the application and to ensure adequate provision for pedestrians and cyclists.

9) The east-west orientated footpath, associated bench and connecting section of footway leading to the vehicular access located to the south-east of Plots 40-46 shall be completed/installed in accordance with the submitted details **prior to occupation of the 45th dwelling in Parcel P5.F or the 375th dwelling comprised in outline planning permission 14/04301/OUT**, whichever is the sooner.

Reason: To accord with the terms of the application and to ensure adequate provision for pedestrians.

10) **No dwelling hereby permitted shall be first occupied** until the solar panels associated with that dwelling have been constructed in accordance with details to be approved pursuant to condition 28 of application reference 14/04301/OUT and are ready for use.

Reason: To secure an energy supply from renewable resources, to comply with the requirements of Policy 40 of the Chichester Local Plan: Key Policies 2014-2029.

11) The visitor parking spaces serving the development shall have been constructed, surfaced and drained in accordance with the approved plans **prior to first occupation of the closest dwelling to each visitor space hereby permitted**. The visitor spaces shall thereafter be retained at all times for their designated use.

Reason: To secure satisfactory standards of access and parking for the proposed development and in the interests of road safety.

12) Notwithstanding the block paving details shown on the submitted hard surfacing drawings the final details of the block paving (in terms of whether it is permeable or non-permeable) shall be approved pursuant to condition 13 on application reference 14/04301/OUT.

Reason: To retain flexibility and to allow full consideration of the surface water drainage pursuant to condition 13 on application reference 14/04301/OUT.

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

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

14) The land shown hatched and annotated as 'Safeguarded Land for future 3m wide shared foot and cycle link to Phase 2' on the approved Planning Layout drawing reference CB_70_068_P5_F_001 Rev D shall be safeguarded for future use as an extension to the shared foot/cycleway adjoining its northern side. Permission shall not be unreasonably withheld for the development of that land for that purpose, or for the right of the public to pass and re-pass over that land.

Reason: To ensure future connections to the adjoining land forming part of the second phase of the strategic development allocated by Local Plan Policy 15.

INFORMATIVES:

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

2) This permission shall be read in conjunction with the planning conditions imposed on the outline consent 14/04301/OUT, and the associated Legal Agreement, dated 11th April 2018, made under Section 106 of the Town and Country Planning Act 1990.

3) You are reminded that, notwithstanding the information contained in the submitted plans in connection with various detailed matters such as external materials, ecological mitigation and enhancements and sustainability measures, where the approval of the same or similar details is also a requirement of the conditions of the outline planning permission, those conditions and the details approved pursuant to them shall take precedence.

4) The applicant is requested to ensure that purchasers of new dwellings are provided with an opportunity to purchase additional solar photovoltaics panels for their dwelling and/or garage, where the purchase takes place before the completion of the dwelling and/or garage (i.e. off plan or before completion of the roof). An undertaking to this effect should be included in the details submitted in to discharge condition 28 of application reference 14/04301/OUT in respect of this phase of the development.

5) You are advised to take into account the comments of the Design Officer regarding the materials for the proposed window panels when seeking to discharge condition 26 on application reference 14/04301/OUT in respect of this phase of the development.

For further information on this application please contact Steve Harris on 01243 534734

To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q972JOERIFW00>