

Parish: Chichester	Ward: Chichester West
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CC/20/03108/REM

Proposal	All outstanding Reserved Matters for the erection of 65 residential dwellings with associated parking, landscaping, informal open space and associated works on Phase 6.H, pursuant to permission 14/04301/OUT.		
Site	Land West Of Centurion Way And West Of Old 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

2.0 The Site and Surroundings

- 2.1 The application site forms part 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 including up to 1600 homes. Outline planning permission for 'Phase 1' of the SDL was granted in 2018 for its first 750 homes along with a mixed use neighbourhood centre (14/04301/OUT refers).
- 2.2 The site extends to 2.05 hectares and is identified as Parcel P6.H in the Overall Phasing Plan approved pursuant to the Phase 1 outline planning permission. This parcel is allocated for residential development in the approved Masterplan, and also in the Parameter Plans which were approved as part of the outline planning permission.
- 2.3 Parcel P6.H is located in the south-western corner of the developed part of the Phase 1 site and adjoins the southern end of 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 (CGC).
- 2.4 P.6H forms part of what was originally a large, arable field which reduces in height by approximately 8m between its northern and southern boundaries. The site's northern boundary is formed by a belt of mature trees which forms part of a landscaped buffer between this parcel and the adjacent residential parcel, P5.G. The parcel's southern boundary is lined by sporadic trees and a drainage ditch beyond which lies a section of Newlands Lane - a designated Public Footpath - which has the SDL's Country Park on its southern side.
- 2.5 On its eastern side the site adjoins a tree-lined section of the Central Green Corridor. The majority of this section of the CGC flanks residential Parcel P6.I on its eastern side, however, a short section adjacent to the parcel's south-east corner adjoins both the western end of the SDL's allotments and the garden of no.84 Newlands Lane, the westernmost of the row of six private dwellings which front onto the Lane.
- 2.6 The western boundary of the site comprises a belt of attractive, mature deciduous trees which flanks a large arable field forming part of Phase 2 of the SDL; this land is identified for residential development in the approved Masterplan.
- 2.7 The Committee will be aware that Reserved Matters (RM) approval has already been granted in respect of seven residential parcels (P2.A, P2.B, P3.C, P3.D, P3.E, P5.F and P5.G) and the sports facilities which are to be located in the south-western corner of the SDL. Four further RM applications in respect of (i) the SDL's final solely residential parcel, P6.I; and (ii) the Phase 1 allotments; and (iii) the residential, community, health and employment-related elements of the mixed use Local Centre; and (iv) the Local Centre's primary school, are 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 65 dwellings.
- 3.2 In terms of housing mix, the affordable housing component consists of 15 dwellings, equating to 23% of housing provision within the parcel. Four units would be provided in a shared ownership tenure comprising 4x 2 bed houses. The remaining 11 affordable dwellings would be in a rented tenure comprising 2 x 2 bed wheelchair-accessible houses, 6 x 3 bed houses and 3 x 4 bed houses. The affordable units would be provided in a mix two storey semi-detached and terraced houses.
- 3.3 The 50 market dwellings would comprise 24 x 2 bed, 21 x 3 bed and 5 x 4/5 bed dwellings provided in a mix of two storey detached, semi-detached and terraced houses.
- 3.4 In general terms the layout consists of six perimeter blocks defined by streets and pedestrian/cycle routes running through the parcel and around its perimeter.
- 3.5 Vehicular access from the spine road is provided in the north-west corner of the parcel, with a 4.8m tertiary order road winding through the centre of the parcel on a broadly north-south alignment. This road meets one of the SDL's second order, 5.5m wide streets which runs through the centre of the parcel on an east-west alignment, connecting to residential parcel P6.I to the east, and providing a future connection to the adjacent Phase 2 land at a point approximately half way down the parcel's western boundary. The remaining, lowest order streets within the parcel comprise 4.8m wide shared surfaces formed in buff-coloured pavers.
- 3.6 In line with the outline planning permission parameter plans, the parcel contains a number of footpaths and cycleways which form part of the SDL's wider movement network. These include a hoggin footpath through the landscaped buffer along the parcel's northern boundary which connects to a crossing of the CGC at its eastern end, and to footpaths leading to the Western Green Link at its western end. A 3m wide cycleway runs parallel and adjacent to the site's western boundary, emerging onto Newlands Lane opposite an entrance to the Country Park from which an approved cycleway provides an onward route towards the approved sports facilities. A further footpath runs parallel to the site's eastern boundary, also connecting to Newlands Lane at its southern end.
- 3.7 In terms of open space, the parcel contains generous landscaped buffers on both its northern and western sides. In the north-west corner of the site a broadly rectangular, landscaped 'pocket park' is proposed for use by all residents of the development. A further area of landscaped open space which varies in depth from 25m to 40m would be provided along the southern boundary of the parcel.
- 3.8 The design of the dwellings follows a traditional approach involving a mix of detached, semi-detached and short terraces of two storey houses in a mix of facing materials including brick, painted brick along with some tile hanging and flint work, all beneath plain tiled roofs.
- 3.9 In terms of parking provision, a total of 162 spaces are proposed consisting of 119 on-plot spaces, 27 garage and 16 visitor spaces, with the latter distributed throughout 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.
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.
19/02424/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	PER	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.
20/01046/REM	PER	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.
20/02473/REM	PER	All outstanding Reserved Matters for the erection of 55 dwellings with associated parking, landscaping, informal open space and associated work on Phase 5, Parcel G, pursuant to permission 14/04301/OUT.
20/03166/REM	PCO	All outstanding Reserved Matters for the erection of 86 dwellings with associated parking, landscaping, informal open space and associated work on Phase 6I, pursuant to permission 14/04301/OUT.
20/03167/REM	PCO	All outstanding Reserved Matters for creation of allotment gardens with associated parking, landscaping, informal open space and works pursuant to permission 14/04301/OUT.
21/00460/REM	PCO	All outstanding Reserved Matters for the erection of buildings within the West of Chichester Local Centre to include a retail building with 8no. affordable dwellings, 4no. employment (office) buildings, 2no. health care facility buildings, a community centre and public open space to include a Locally Equipped Area of Play and Multi-Use Games Area; associated parking, landscaping and associated work in relation to the above; all pursuant to permission CC/14/04301/OUT.
21/00461/REM	PCO	All outstanding Reserved Matters for the erection of a one-form entry primary school and associated ancillary buildings, access, parking, landscaping and works in relation to the above pursuant to permission CC/14/04301/OUT.

5.0 Constraints

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

6.0 Representations and Consultations

Comments are summarised unless stated otherwise.

6.1 Chichester City Council - in full

No objection. The City Council is pleased to note that our previous comments in respect of surrounding land parcels appear to have been heeded in respect of this application, particularly in respect of provision of cycle and footpaths around the site and a significant improvement on solar panel provision created by an increase in southern facing properties. We look forward to further improvement on future land parcels.

6.2 Sussex Police

No objections. Various advice, technical guidance and best practice should be taken into account at the implementation stage of the development.

6.3 WSCC Local Highway Authority - in full

Comments of 17 March 2021

Further to submission of the revised layout plan for Parcel 6H I can confirm that this takes account of the Highway Authority's earlier comments and is deemed acceptable.

The applicant has now revised the traffic calming features on the secondary street to include a raised table where the proposed cycle route in the eastern part of the parcel crosses the road; this is welcomed by the Highway Authority.

With regards cycling on Newlands Lane the applicant has now confirmed that they intend to make Newlands Lane a permissive route for cyclists by informal consent. This commitment is welcomed by WSCC as Highway Authority and further details of the signage could be secured via an appropriately worded condition on any permission granted. Officers are not in a position to require that the developers allow cycling along this stretch of Newlands Lane but the applicant has offered it and this is therefore to be welcomed and shall ensure continuous cycle journeys from this parcel and beyond by bike are feasible.

WSCC as Highway Authority has no objections to planning application CC/20/03108/REM subject to inclusion of the aforementioned conditions on previous consultation responses on any permission granted.

Comments of 24 February 2021

In light of the further information and revised designs submitted by the applicant in February 2021 WSCC as Highway Authority has the following comments to make on planning application CC/20/03108/REM for Parcel 6H of the West of Chichester development. It should be noted that the Highway Authority provided initial comments to the application dated 4th February 2021 where various comments were raised and further information was requested. WSCC as Highway Authority have the following comments to make on the revised plans which seek to address the original comments:

Car Parking - the applicant has increased the parking from 160 to 162 car parking spaces. 2 additional visitor parking spaces are proposed from that originally proposed (14 to 16 spaces). The overall parking of 162 spaces is considered appropriate and in line with other recent approvals on the wider site.

Pedestrian crossing points - previously the Highway Authority requested additional crossing points to that shown by the applicant. The applicant has now provided these and better aligned the crossing points onto the pedestrian desire line. These changes are welcomed and the pedestrian crossing points are deemed appropriate.

Cycle route on the western side of the parcel - the applicant has realigned the cycle link connection onto Newlands Lane so it accords with the parameter plan and provides a more direct onward connection onto the County Park. The Highway Authority assume no bollard or barriers are proposed at the point this route joins Newlands Lane but the applicant has not explicitly confirmed this. Previously WSCC asked for a better degree of priority for pedestrians and cyclists where the cycle link on the western side of the parcel passes over the secondary road. The applicant has stated that they have considered the potential options carefully and that in this particular instance, given the higher order of the road, it was not possible to safely prioritise cyclists and pedestrians crossing this route above vehicles. They state that a dropped kerb crossing is to be provided and signage shall indicate that cyclists should give way. It may not have been explicit from the original Highway Authority comments but it was always envisaged that pedestrians and cyclists would give way to vehicles on the secondary route. The request was more whether a raised feature could be installed in this area to slow vehicle movements at a potential point of conflict to help reduce the severity of an accident should one occur. The Highway Authority would just want the applicant to fully understand WSCC perspective on this to fully ensure that there is not the possibility to install a ramped feature in this location to mirror the treatments elsewhere on this section of the secondary road. Further details of the signing and lining of the cycle route should be secured via condition.

Footway between plots 32 and 35 - the applicant has amended the design of the carriageway in this area of the parcel and is proposing a shared surface approach. Given the status of this route and the likely number of units that it serves this approach is considered acceptable to the Highway Authority.

Newlands Lane and proposed connections onto it - the applicant does not appear to have clarified whether there is an intention for Newlands Lane to be upgraded to Bridleway status.

Highway layout and priority of route at access off spine road and parcel 5G - the applicant has revised the road hierarchy at the northern end of this parcel so it better reflects the street hierarchy; this is welcomed by the Highway Authority.

Summary

The applicant should clarify whether a raised feature could be provided on the secondary route where the cycle link crosses the road and whether they intend to upgrade Newlands Lane to bridleway status. WSCC as Highway Authority have no objections in principle subject to the inclusion of the aforementioned conditions within the Highway Authority's initial comments dated 4th February 2021.

Comments of 4 February 2021

Car Parking

The applicant is proposing a total of 160 car parking spaces for this parcel of 65 dwellings.

This comprises of:

- 119 allocated spaces
- 27 garage spaces
- 14 unallocated visitor bays

The level of car parking is proportionally similar to that proposed at earlier reserved matters applications for different development parcels on this site; which have already been granted consent. The vehicle spaces per dwelling are set out below for this and other development parcels.

- Parcel 2A 73 units (CC/19/01134/REM) - 2.57 vehicle spaces per dwelling
- Parcel 2B 91 units (CC/19/01531/REM) - 2.62 vehicle spaces per dwelling
- Parcel 6H 65 units (this application) - 2.54 vehicle parking spaces per dwelling

The proposed level of car parking is similar to previously approved parcels and therefore the proposed level of car parking is deemed acceptable and not considered to result in significant levels of overspill car parking taking place.

The applicant has tried to reduce the dominance of parking by accommodating vehicles in various different ways and across the site and has generally achieved it so vehicles are not overly dominant. Where there is a potential dominance of parking for example by between plots 154 to 160 the applicant has tried to break up the overall dominance of the parking with landscaping and footpaths to properties. This also helps provide respite to pedestrians walking in front of these spaces rather than it being a long continuous vehicle crossover where cars could be emerging from. The Local Planning Authority should consider the dominance of parked vehicles from a visual perspective.

Cycle Parking

The applicant is proposing that each house will be provided with either cycle storage space within a garage or through dedicated cycle storage facilities in the back gardens.

All the proposed garage spaces are greater than the minimum requirements of 6m by 3m to accommodate the storage of both cars and bikes. The applicant has stated that all houses without a garage shall have a 1.8m x 1.2m shed for cycle storage. All back gardens have a separate access point which prevents the need for users to carry their bike through the property.

The proposed cycle storage is therefore considered appropriate and an appropriately worded condition should secure their implementation prior to the first occupation of each house they are serving.

Residential Street Layout

The residential roads have been designed to a 20mph design speed and in accordance with guidance within the Manual for Streets. This is in order to encourage a low vehicle speed environment and encourage pedestrian and cycle trips within the site.

The applicant has submitted a highway geometry plan to demonstrate the carriageway widths, visibility splays and kerb radii proposed. The majority of carriageway widths within the parcel are 4.8m wide. A secondary route runs east/west through this parcel and this is proposed as being 5.5m. Footways are provided in non-shared surface streets and they are 2m. The design and alignment of road is generally considered appropriate for its context and sufficient to keep vehicle speeds low.

The Highway Authority wishes to make the following comments in relation to street layout:

1 - Car Parking - some of the car parking proposed is not independently accessible in that it requires a user to move one car to access another eg plots 32 and 41 for example. However, these spaces are all within the same household ownership and therefore is not considered to be an issue that requires addressing through the design at planning stage.

2 Crossing points - details of proposed crossing points have been provided.

In addition to those proposed by the applicant the Highway Authority would look for the additional crossing points at the following locations

- To the east of the junction of the access road to 5G.

- At the same junction but on the arm that heads south into parcel 6G and crosses east/west

- On the staggered junction in the centre of the northern part of the parcel between plots 9 and 59 and plot 18 and 50.

Also, some of the crossing points could be better located to be on the desire line especially the crossing facilities outside the following properties (plots 17 & 9, 59 & 50, 46 & 19, 19 & 26, 27 & 35 and 38 & the north/south cycle route). Currently the proposed crossings are set back into the side roads but should ideally be placed on the desire line for pedestrians. Details of the location of dropped kerb/tactile paving could be provided prior to determination or secured via condition.

3 Exclusion of the southern part of the parcel from this REM - it is not apparent as to why the most southerly part of this parcel has been excluded from the REM application. In order to take a holistic approach to the entire parcel and adjacent land it would be beneficial if the detail was included for this part of the parcel as part of this application.

4 Cycle route on the western side of the parcel - further details of the signing, lining and tactile paving of this route can be secured via condition.

Clarification is also sought as to whether there is a better way of providing a greater degree of priority for pedestrian and cyclists over the secondary road that runs east/west through the parcel (to the west of plot 41). Raised features are proposed on the secondary road and it may be beneficial to provide an additional raised feature at this junction outside plots 38/41. This would help slow speeds at a potential conflict point between vehicles and

cyclists. Clarification is also sought from the applicant as to why the connection onto Newlands Lane is located where it is. The outline parameter plan showed the connection entering Newlands Lane at a point directly opposite the approved access point. I assume to facilitate convenient onward journeys to/from the south/Country Park. The applicant should provide clarification on this matter. Barriers would only be required in this location if due to the gradient there was considered to be excessive speed on the approach to the junction with Newlands Lane.

5 Footway between plots 32 and 35 - the proposed footway arrangement in this location appears to differ to everywhere else in the parcel. The general approach is to provide either a shared surface (which is delineated by a change in surface material) or provide a traditional carriageway with a footpath either side. It is not apparent as to the design rationale to change this approach here. The carriageway is designed in a traditional approach with what appears to be a tarmac surface, but no footway is proposed. As stated in all other parcels the Highway Authority's preference is for either a traditional approach with 2m footway on both sides if it is providing access to properties or a shared surface approach. If a shared surface approach is proposed a different material (ideally block work should be implemented). The applicant should clarify and alter the design in this location. In this location the Highway Authority's preference is for the route running north to south to have a footway either side before the side roads and cul-de-sacs turn into shared surfaces.

6 Newlands Lane and the proposed connections onto it - Colleagues in PROW have been internally consulted and advised that their preference, if possible, would be for Newlands Lane to be upgraded to Bridleway status. It is however noted that it is only shown as a footpath on the previously approved outline parameter plans and therefore could not be insisted upon. The landowner would need to enter into a Creation Order upgrading its status from Footpath to Bridleway the applicant would need to contact WSCC PROW team to begin the process. Due to it being dedication it is not open to public objection.

7 Highway layout and priority of route at access off spine road and Parcel 5G - the Highway Authority are aware that the applicant is considering amending the priority of the first access into this parcel so rather than priority leading into 5G the main route would head direct into Parcel 6H. This approach is welcomed by the Highway Authority and accords more closely with the parameter plan. The applicant needs to ensure that whatever is proposed in this area for Parcel 5G is replicated as part of this parcel.

Summary

The Highway Authority have no in principle objections to planning application CC/20/03108/REM. However, prior to determination the applicant should provide clarification on the points raised within these comments.

Should CDC wish to approve this application WSCC as Highway Authority would recommend that appropriately worded conditions are included on any permission granted that require the following:

- that no dwelling shall be occupied until the vehicular access, roads, footways, car/garaging and cycle parking and turning spaces serving that development have been constructed and are available to use.
- the provision of visitor car parking spaces.
- to submit technical details of the design of the cycle way link in the western part of the parcel, including details of signing, lining and tactile paving

6.5 CDC Housing Enabling Officer

Throughout the planning applications and consultations for this development it has always been appreciated that, being a large strategic site, different phases will vary a little from the Strategic Housing Market Assessment (SHMA) mix as they come in as a reserved matters applications. The SHMA will be met overall, and such variations avoid enclaves and mono-tenures giving different character areas and densities within the development.

The mixes and the sizes for both the market and the affordable units are acceptable on this phase. Units are being monitored as phases come forward to ensure they meet the planning permission, the s106 and that they give a good range of units. As the reserved matters planning applications for all phases are nearing their end the developer must ensure that the balance of units in the last phases meets the required s106 mix.

The affordable/market split (23:77%) and the affordable rent/shared ownership (73:27%) split are acceptable, bearing in mind my comments above.

Registered Provider

Affordable units are to be handed over to a RP, whom the council approves, on completion. Affordable housing units are to be externally indistinguishable from market housing.

Disabled Units

It is noted that two potential wheelchair units are identified. The need and suitability as assessed by occupational therapists will be considered nearer the time of building out.

Pepper potting

The pepper potting is acceptable.

6.6 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 a surface water condition 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.

6.7 CDC Environmental Strategy Officer

Ecology

We are satisfied with the Ecological Report Parcel H (Nov 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, 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 23.81%. This will be achieved with a fabric first approach and through installing PV on 33 houses on the parcel equating to 50.7% of properties having PV in this parcel.

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

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

6.9 Third Party Objection

4 Third Party objections have been received concerning:

- a) Proposals do not meet place-making or sustainability objectives
- b) Will exacerbate air quality and congestion issues in the locality
- c) Character of Chichester is being destroyed
- d) No mention of walking or cycling in the submitted plans and documents
- e) Plan fails to recognise equality issues and Highways Code
- f) East-west road conflicts with cycle path that crosses it
- g) Design of southernmost junction of spine road with Parcel 5.G does not facilitate safe use of the spine road cycleway.

6.10 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, design and landscaping
- iii. Housing mix
- iv. Sustainability
- v. Other matters
- vi. Significant conditions

i) Principle of the development

- 8.2 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, footpath and cycleways, 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.
- 8.4 Given that P6.H 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, conformity with the approved parameter plans, Architectural Design Strategy (ADS) and Masterplan are key considerations in this case.

ii) Layout, character, design and landscaping

- 8.5 As noted above, P6.H is located in the south-western corner of the Phase 1 site and at the edge of its developed area. The approved parameter plans reflect this context and identify it as being suitable for development in the Medium Density range (25-35 dpHa) with building heights of up to 2 storeys.
- 8.6 With regard to the approved Architectural Design Strategy, P6.H is located within the Southern Cluster Character Area where development should respond to the semi-rural character of the surrounding area, including the Southern Country Park which faces the southern boundary of the site across Newlands Lane. The Strategy suggests that the parcel's strong boundary vegetation should be retained, with built form based on a permeable block structure that incorporates strong frontages along the parcel's primary streets alongside a more organic form of development to the parcel's softer southern edge.
- 8.7 It is considered that the proposals, which have been subject to amendment during the course of the application, successfully respond to the principles established by the Design Strategy and parameter plans. The layout follows sound urban design principles, being based on perimeter blocks that provide good levels of vehicular and pedestrian permeability in a coherent and legible layout of streets that follows the agreed street hierarchy. Further, as set out in paragraph 3.6 above, the proposals include various foot and cycleway provision with connections to both surrounding parcels and the adjacent public footpath network.
- 8.8 The density of development accords with the approved parameter plans, as does the proposed maximum building height of 2 storeys. The gardens serving the various houses within the parcel are of an appropriate size, with back-to-back distances that will provide an acceptable level of privacy.
- 8.9 The Highway Authority has welcomed the various layout changes made throughout the progress of the application including the re-prioritisation of the road leading into the parcel from the spine road, the introduction of traffic calming measures where the cycleway crosses the secondary street and the realignment of the cycleway in order that it emerges at a point on Newlands Lane where easy access to the Country Park is facilitated. Further, the LHA has raised no objections in terms of the distribution or quantum of parking or the arrangements for access and turning for waste and emergency vehicles.
- 8.10 In terms of landscaping and open space provision, existing peripheral planting has been retained and, where necessary, enhanced with new native hedgerow and tree species. Species such as hornbeam, silver birch and field maple are distributed throughout the parcel's interior, along with sections of hedgerow and pockets of domestic shrub planting, all of which serve to soften the development and break up areas of parking.
- 8.11 The proposed pocket park represents a useful area of informal open space which is particularly well located to serve the residents of the flats located in parcels P5.G and P5.F. Vehicle speeds in the vicinity of the park will be controlled by the use of a combination of entrance ramps and contrasting road surface materials (brick pavers).

- 8.12 The combination of a lower development density and the provision of a meaningful belt of open space – which has been strengthened significantly during the course of the application - represent a suitable response to the semi-rural, southern edge of the parcel. The new development will be seen from Newlands Lane, but views into the site will be softened and filtered by the intervening boundary planting.
- 8.13 With regard to detailed design considerations, the proposed approach of traditionally designed, two storey dwellings using a mixed palette of materials accords with the approved Design Strategy and is consistent with the approach taken on similarly located parcels elsewhere in the SDL. During the course of the application various improvements have been secured including the introduction of more chimneys, a greater variety in porch design and the creation of more interest to the side elevations of a number of corner-turning dwellings.
- 8.14 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 the parcel's higher order roads formed in a mix of tarmac and charcoal pavers with 2m wide tarmac footpaths on either side. Modest ramps and textured rumble strips denote changes in road surface materials, acting as traffic calming features.
- 8.15 In conclusion on this issue, it is considered that the approach to the layout, design and landscaping set out in the amended proposals successfully responds to the context of the site. The proposals will provide a satisfactory living environment for prospective residents and will comply with the approved Residential Architectural Design Strategy and parameter plans. There are no objections with regard to highway safety or on the grounds of the level or distribution of parking provision.

iii) Housing Mix

- 8.16 The affordable housing provision consists of 15 dwellings, equating to 23% of housing provision within the parcel. Whilst this falls short of the standard 30/70 split usually applied to developments in the District, variations between parcels are inevitable on a strategic site of this scale. There are no concerns regarding the proportion or mix of affordable units proposed in the final Phase 1 parcels (P6.I and the Local Centre) that are awaiting determination and, accordingly, the overall mix and tenure requirements for the Phase 1 site will be met. On this basis the Housing officer has raised no objections.

iv) Sustainability

- 8.17 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 application, 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.

- 8.18 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 landscaping proposals outlined above, detailed ecological enhancement and protection measures are proposed (including bird and bat boxes, swift bricks, log piles 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.
 - 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 to the roofs of at least 50% of the proposed dwellings, with the combined effect of the fabric first and renewable energy measures would be to deliver a 23.8% 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.

8.19 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 good 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.

v) Other matters

8.20 The Highway Authority has commented on the possibility of Newlands Lane being upgraded to Bridleway status. Newlands Lane is currently a designated public footpath, although the initial 200m section running from the Centurion Way comprises a private metalled road providing vehicular access to the six dwellings referred to in paragraph 2.7 above. Re-designating the Lane as a Bridleway would formally establish the right for the public to cycle along it, which would in turn facilitate some journeys between Parklands/Centurion Way and the cycleway connections from the lane to the Country Park and Parcels 6I and 6H.

8.21 With regard to this issue it is important to initially acknowledge that the Phase 1 outline planning permission parameter plans designate Newlands Lane, which is owned by the developers, as a pedestrian rather than a cycling route. Consequently, it would not be appropriate to require the developer to go through the process of seeking to formally re-designate all or part of it as a bridleway. This is acknowledged by the Highway Authority in its comments of 4 February set out above.

8.22 However, following discussions, the developers have confirmed that they have no objections in principle to the 350m section of the Lane between the south-west corner of Parcel 6H and Centurion Way being used by cyclists. In this respect there is an acceptance that, due to the width and surface treatment of this section, it would be likely to be used by cyclists in any case.

8.23 At the time of writing, the most straightforward means of achieving cycling along this section of the lane appears to be through it comprising a 'permissive route for cyclists by informal consent', and the Highway Authority has confirmed its acceptance of this approach. Given the very low number of vehicular movements along this open and straight section of the lane, there should be no issues in terms of potential conflicts between pedestrians, cyclists and motorised vehicles.

8.24 The permissive arrangement is likely to be facilitated through the use of appropriate signage at either end of the section of the lane in question and Condition 6 below reserves details of such signage prior to development of the cycleway.

vi) Significant Conditions

8.25 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.

8.26 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

8.27 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, 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. Finally, the developers' in-principle agreement to permit the public to cycle along the section of Newlands Lane that is in their control is strongly welcomed.

8.28 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 P6.H is granted.

Human Rights

8.29 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_P6_H_**:000 A; 001 G; 003 B; 004 B; 005 B; 006 B; 007 B; 008 C; 009 B; 013 B

- **CB_70_068_P6_H_SS_**: 01 A, 02 A, 03 A, 04 A, 05 A, 06 A, 07 A, 08 B

- **CB_70_068_P6_H_**: **2BH_**E01 A, E02 A, P01 A, P02 A; **2BHW-**E01 A, P01; **3BH_**E01 A, E02 A, E03, E04, P01, P02 A, P03, P04; **4BH_**E01 A, E02 A, P01, P02; **AP_**E01, E02, P01; **BR_**E01, E02 A, E03 A, E04, E05 A, E06 A, E07, P01, P02 A, P03, P04 A, P05; **GAR_**01, 02, 03, 04 A, 05 A; **PA_**E01 A, E02, P01 A, P02; **TI_**E01, E02, P01; **BF_**E01 A, E02 A, P01 A; **EA_**E01, E02, E03, E04, E05, E06, E07, P01, P02; **KI_**E01, P01; **KN_**E01, P01; /b **LA_**E01, E02, P01.

- **MILL22773_**10D, 11D (sheets 1-4), 12D (sheets 1-4), -03 A.

- **MLR-E4857** - 001 D, 002 E, 003 E, 009 C

- Plan 2. Enhancements plan

- 757/DET/13

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. MILL22773-03 (Phase 6 Parcel H). 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: MILL22773aia-ams (Phase 6 Parcel H) 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 P6.H** 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:

- Whitehouse Farm, Land West of Chichester, Phase 6, Parcel H Soft Landscape Specification ref: MILL22773 spec
- Soft Landscape Proposals drawings MILL22773 11 Sheets 1 to 4 (all Rev C) including the planting specification detailed therein

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

4) Notwithstanding the submitted details **no development in respect of the shared surface areas hereby permitted shall commence** unless and until technical details have been submitted to demonstrate that they will be constructed so as to withstand the manoeuvring of waste collection freighters. The shared surface areas shall be constructed in accordance with the approved details and thereafter maintained in a condition that is fit for purpose in perpetuity.

Reason: In the interests of highway safety

5) **No dwelling within Parcel P6.H shall first be occupied** unless and until the footpaths and cycleways proposed adjacent to the site's western, northern and eastern boundaries and to the south of the open space located in the north-western corner of the site have been constructed in their entirety in accordance with the approved plans **and details which have first been submitted to and approved in writing by the Local Planning Authority** setting out (i) how connections from the site boundary to the surface of the Newlands Lane will be achieved; and (ii) where it is proposed, details of any signage to be erected on Newlands Lane relating to the owners' agreement to allow on an informal basis its use by cyclists between the Centurion Way bridge and the south-west corner of site. The development shall not be carried out other than in accordance with the approved details which 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 development in connection with the cycleway proposed adjacent to the western boundary of the site shall commence** unless and until details of signage, surface markings and, where necessary, any safety-related infrastructure relating to (i) its crossing of the east-west orientated street; and (ii) its junction with Newlands Lane, have first been submitted to and approved in writing by the Local Planning Authority. The approved details shall be carried out prior to first occupation of any dwelling within Parcel P6.H and shall thereafter be maintained in a condition that is fit for purpose in perpetuity.

Reason: To ensure adequate and safe access for cyclists.

7) **No dwelling within Parcel P6.H shall first be occupied** unless and 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.

8) **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

9) **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.

10) 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.

11) The construction of all pitched roofs forming part of the development (including those to dwellings, garages and porches) shall not be carried out other than in accordance with the approved drawing reference 757/DET/13.

Reason: For the avoidance of doubt and to ensure a development of visual quality.

12) 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.

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.

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=QKM9ZOERJ7W00>