

# Chichester District Council

## STATEMENT OF CONSULTATION

The Town and Country Planning (Local Planning) (England) Regulations 2012  
Regulation 12

### Planning Obligations & Affordable Housing Supplementary Planning Document



## **1. Introduction**

1.1 This document sets out how Chichester District Council involved the public in the preparation of the Planning Obligations & Affordable Housing Supplementary Planning Document (SPD) in accordance with Regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and Chichester's Statement of Community Involvement.

1.2 The regulations require that a SPD is accompanied by a consultation statement setting out the following:

- Who was consulted regarding the SPD
- Summary of the main issues raised; and
- How the issues have been addressed in the SPD.

## **2. Purpose of the SPD**

2.1 A Supplementary Planning Document (SPD) provides greater detail on the Council's policies set out in the Chichester Local Plan: Key Policies 2014 – 2029 and high level planning documents. The National Planning Policy framework (NPPF) supports the production of SPDs where they can help developers make successful applications or aid infrastructure delivery.

2.2 This SPD sets out Chichester District Council's proposed policy for securing developer contributions from new developments within the local plan area that require planning permission, and will be an important material consideration in determining planning applications.

## **3. Consultation process – who was consulted regarding the SPD**

3.1 The purpose of the consultation was to seek comments from stakeholders and members of the public on the Draft SPD. All statutory consultees were notified (City/Town/Parish Councils including those which adjoin the District in neighbouring local authority areas, relevant county authorities, adjoining local authorities, specific consultation bodies) as well as registered individuals and organisations on the Local Plan database, local agents, Elected members and various District Council and West Sussex County Council staff. The consultation was advertised on the Council's website and the local press giving all those not on the Council's database an opportunity to take part in the consultation. The consultation ran for a period of six weeks from 19 September 2014 until 30 October 2014.

3.2 A total of 22 respondents made representations to the consultation and raised a total of 72 comments. Table 1 below provides a breakdown of the type of respondent:

**Table 1 – Type of consultation respondent**

<b>Type of respondent</b>	<b>Name</b>
Statutory Consultee	South East Water; Environment Agency; English Heritage; Southern Water; Sport England.
Other Local Authorities	West Sussex County Council
City/Town/Parish Councils	Kirdford Parish Council
Developers/Representatives	Anchor 2020; Blue Cedar Homes; Hallam Land Management; Linden Homes & Miller Strategic Ltd; Martin Grant Homes; Commercial Estates Group & DC Heaver & Eurequity Ltd; Icen Projects.
Businesses	Goodwood Estate Company Ltd
Organisations/Trusts	RSPB; The Theatres Trust; The Woodland Trust
Individuals	Four individuals
	Total = 22

3.3 The full detail of all representations can be viewed through the Council's Consultation Portal at: <http://chichester-consult.limehouse.co.uk/portal/>

**4. How the issues raised by respondents have been addressed in the SPD.**

4.1 The issues raised, council's response and proposed modifications are shown in Table 2 overleaf:

Table 2

Draft Planning & Affordable Housing Supplementary Planning Document

Consultee Representations and Council's Response

ID	Consultee	Consultation Point	Support	Support with mods	Object	Have Comments	Consultee Representations	Council's response	Proposed change to SPD
SPD 1	Mr Alistair Tait	Para 4.24		✓			A phasing plan or clause should be included automatically unless good reason can be shown as to why it should not.	Agree - the SPD will be amended accordingly	Amend para 4.25 as follows: replace word " <del>may</del> " with word " <u>will</u> " usually in first sentence.
SPD 2	Mr Alistair Tait	Para 4.25		✓			The developer should demonstrate clearly all the possible sources of grant funding that were pursued. Where grant funding is not available, reasons should be given together with confirmatory evidence from the funding source. The Council should give reasons for any decision to accept a reduced affordable housing contribution.	Agree - the SPD will be amended accordingly  The reasons for the Council's decision will either be set out in the planning officer's report or the Planning Committee minutes.	Amend para 4.26) as follows: Where <u>government</u> grant funding is not available <u>the Council will advise as to whether any subsidy requirement to deliver the full or improved affordable housing quota is available from the council (e.g. Commuted sum funds, capital grant)..</u> If no funding is available delivery of.... considered <del>and</del> . Only....
SPD 3	Mr Alistair Tait	Para 4.36				✓	This is rather open ended. Some attempt should be made to quantify or apportion the part of the contributions collected that will be used to offset the cost of officer(s) posts.	This is very difficult to assess as the amount collected could vary enormously and does not easily equate to the cost	No Change required to the SPD.

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								of the post, therefore the allocation of commuted sums to cover the cost of the post will be agreed by the Council's Cabinet, as and when required.	
SPD 4	Mr Alistair Tait	Para 4.39		✓			Shared ownership can be expensive for the occupier and difficult to dispose of when the time comes to move on. Whilst full ownership and future sale of such units on the open market should not be permitted, there should be a mechanism whereby an approved body can step in and enable the occupier to move on.	There is nothing to stop the shared owner from selling his share to another local person on a shared ownership basis.	No Change required to the SPD.
SPD 5	Mr Alistair Tait	Para 4.55				✓	In what circumstances would a developer be expected to maintain an open space for a defect period longer than 1 year? How is the requirement to maintain the new provision in perpetuity sustained if the developer goes out of business?	The usual defect period is 1 year and there doesn't appear to be any reason to extend this unless the open space is to be phased. Most maintenance is dealt with by a management company on behalf of the developer. The costs are then passed onto the new residents of the development.	No Change required to the SPD.
SPD 6	Mr Alistair Tait	Para 4.64				✓	The new residents should be actively encouraged to set up a Neighbourhood Watch scheme.	The comment is noted but it is not appropriate for this	No Change required to the SPD.

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								to be included within the SPD as it is not a planning requirement.	
SPD 7	Mr Jerry Goodman	Para 4.45				✓	The Council should strengthen their policy and development requirements for sustainable transport schemes ie cyclepath facilities to encourage commuters to use cycle routes. By nature of local topography, these may need to be distinct and separate from 'leisure routes'. In particular there needs to be a policy that aims to achieve a Commuter route from Selsey to Chichester in the next round of housing development. It is so important for the safety of cyclists, vehicle passengers and efficient transport times to separate the two modus operandi. Cycling is a healthy activity which needs a safe, direct routing to be successful.	Paragraph 4.45 bullet point 4 already makes provision for cycle facilities required as a result of a particular development. Existing or cumulative infrastructure requirements can be dealt with through transport budgets and/or CIL.	No Change required to the SPD.
SPD 8	South East Water	Para 4.64				✓	We assess the ability of the water mains network to continue to supply new and existing customers with sufficient flow and pressure and our Business Plan includes investment in reinforcement where necessary to ensure we can supply such sites as proposed across the district. We have a statutory duty to supply any reasonable additional demand requested for domestic purposes  However, we are aware that development is planned across Chichester. New mains will be required for new developments to reinforce our existing network to meet the additional demand and this may cause temporary disruption to	The comments are noted.	No Change required to the SPD.

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							<p>traffic in the surrounding areas.</p> <p>The Water Act enables us to charge developers for a contribution towards any reinforcement and new mains required as a result of new development to ensure we maintain levels of service for both new and existing customers.</p>		
SPD 9	The Theatres Trust	Para 4.57		✓			<p>A review of the Council's draft guidance on planning obligations is essential to ensure that the range and level of contributions towards local infrastructure needs are kept up to date and maximised in the context of Community Infrastructure Levy practice and guidance. Your draft CIL is intended to replace some types of Section 106 planning obligations; however other site-specific mitigation measures will continue to be required. Although many of your leisure and cultural facilities may be funded through CIL, site-specific projects may require S106 funding and the Council should therefore seek S106 contributions in respect of culture in appropriate cases.</p> <p>The provision for open space, sports and recreation facilities via s106 is quite clear, however, the provision of built facilities is limited and should be revised to include and broader range of community and cultural facilities. Item 156 of the National Planning Policy Framework states that local planning authorities should set out the strategic priorities for the area of their Local Plan to include strategic policies for the provision of health, security, community and <u>cultural infrastructure</u> . While community halls are an asset, sustainable communities need access to a range of community and</p>	<p>It is unlikely that a single development would generate the need for a cultural requirement in its own right. It is more likely that this would be addressed by the diverse uses of a community facility. New purpose built cultural facilities could result from the general growth of the area or region, and thus may be provided through a range of funding sources including CIL.</p>	No Change required to the SPD.

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							<p>cultural facilities and section 4.57 should therefore support the development of a wider range of built facilities. As the supporting text rightly points out, fewer larger, but better equipped and more functional venues would usually be more appropriate.</p> <p><b>Suggested Modification:</b></p> <p>While community halls are an asset, sustainable communities need access to a range of community and cultural facilities and section 4.57 should therefore support the development of a wider range of built facilities. As the supporting text rightly points out, fewer larger, but better equipped and more functional venues would usually be more appropriate.</p>		
SPD 10	The Theatres Trust	Para 4.57		✓			<p>S106 is also usually used when an existing community or cultural facility (or indeed any other recreation or public facility) is being redeveloped to ensure the new development includes an adequate replacement facility. The SPD should therefore include guidance on this form of obligation.</p> <p><b>Suggested Modification:</b></p> <p>The SPD should therefore include guidance on this form of obligation.</p>	Local Plan Policy 38 (Local and Community Facilities) outlines the authority's approach to retaining such facilities. In combination with Paragraph 4.59 this provides adequate guidance in these scenarios.	No Change required to the SPD.
SPD 11	Hallam Land Management Ltd	Para 4.64				✓	<p>Hallam Land Management note that the SPD establishes that planning obligations and contributions may be sought (in addition to what is sought through CIL) to a range of matters, such as transport, education, public open space</p>	<p>The comment is noted.</p> <p>The SPD has been drafted to accord with Regulation</p>	No Change required to the SPD.



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							<p>and sport and recreational facilities for example.</p> <p>Contributions and other obligations should only be sought where they are fully justified against all of the requirements of Regulation 122(2) of the Community Infrastructure Levy Regulations 2010.</p> <p>Hallam Land Management welcomes the Council's approach on page 24 of the SPD that financial contributions may be utilised to provide off-site access management and mitigation measures in relation to the Chichester and Langstone Harbour and Pagham Harbour.</p>	122(2) of the Community Infrastructure regulations 2010.	
SPD 12	Hallam Land Management Ltd	Para 4.6				✓	The draft SPD introduces requirements such as the appropriate tenure split and the acknowledgement (for example at paragraph 4.6) that it may be necessary to vary the tenure split for site specific reasons. However, the Council should not seek to establish such requirements as 'policy' which it appears as though it attempts to do (again see paragraph 4.6).	Agree - the SPD will be amended accordingly.	Para 4.7 will be amended to remove the word ' <del>policy</del> ' from the last sentence.
SPD 13	Hallam Land Management Ltd	Para 4.26				✓	Paragraph 4.26 of the SPD confirms that the Council will accept financial contributions towards affordable housing in 'exceptional circumstances', and as such it would be useful to provide an explanation as what might be considered an exceptional circumstance.	Agree - the SPD will be amended accordingly	Para 4.27 Insert at end of paragraph " <u>In determining whether affordable housing should be provided on a site the Council will consider the suitability of the site in terms of its proximity to services, facilities and public transport as well as, viability and any constraints which restrict</u>

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							<p>Paragraph 4.26 appears to suggest that financial contributions towards affordable housing will be sought from all sheltered, extra-care and assisted living schemes but is not clear. The SPD should be clarified in this regard, but in any event should be amended such that affordable housing (on-site or contributions) from such schemes will only be sought where the proposal properly falls within Use Class C3 since the planning policy context only seeks affordable housing from the proposed development of 'dwellings'.</p> <p>The Council must acknowledge that its position, set out within the draft SPD regarding the tenure mix and housing mix of affordable housing is guidance only and is not planning policy.</p>	<p>Agree - the SPD will be amended accordingly Its status is supplementary to policy, and as such is a material consideration. This is explained on page 4.</p>	<p><u>the layout and ability to provide the full housing requirements on site."</u></p> <p>Para 4.27 amend to read: "<u>On all residential development sites where there is a net increase of 11 or more dwellings the .... on-site, this includes all sheltered, extra care and assisted living schemes which fall within use class C3.</u>" <u>unless there are exceptional circumstances that mean...</u></p>
SPD 14	Miss Jill Burt	Para 4.6				✓	<p>Is tenure and policy interchangeable and why seek 40% when 30% seems to be acceptable?</p>	<p>Para 4.6 makes it clear that the 40% affordable housing target will only apply until the new Local Plan or CIL is adopted at which time it will reduce to 30%. The need to provide 40% affordable housing is justified by evidence from the housing waiting list and SHMA, but</p>	<p>The SPD will be amended to remove reference to 40% affordable housing, as it will not be adopted until both the Local Plan and CIL are adopted. The wording to be deleted is as follows: <del>The Council will be seeking 40% affordable housing until the Local Plan or CIL is adopted. After</del></p>

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								once the CIL is introduced viability evidence indicates only 30% is deliverable.	<del>the Local Plan or CIL is adopted it will expect that.</del>
SPD 15	Miss Jill Burt	Para 4.9				✓	<p>If it is true that the elderly and the young adults are finding great difficulty in obtaining affordable housing in the present economic climate, is there enough attention to 1 bedded homes?</p> <p><b>Suggested Modification:</b></p> <p>Take another look at large houses---are they really the best use of limited funds---suggest they encourage multiple occupancy and discourage young adults from "flying the nest"!</p>	The SHMA provides the evidence for the mix that will be negotiated.	No Change required to the SPD.
SPD 16	Miss Jill Burt	Para 4.11	✓				<p>Excellent idea---BUT local recent developments still seem to concentrate on LARGE houses all be it, on rather small plots so they look cramped.</p> <p><b>Suggested Modification:</b></p> <p>Is the profit for developers in the larger properties? Assuming the profit is very much reduced in affordable housing, is this why the other houses are large. Suggest the developer considers smaller private houses as I think "socially" the mix would be more even.</p>	The SPD is guided by the SHMA recommendations, which takes all the available evidence into account and assesses housing need in line with government guidance.	No Change required to the SPD.
SPD 17	Miss Jill Burt	Para 4.14				✓	Where does this "rule" originate---does it take into account that locally incomes can vary by the season?	This is based on Bank of England guidance to Building Societies and Mortgage lenders.	No Change required to the SPD.

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SPD 18	Iceni Projects	Para 4.7			✓		<p>The SHMA's recommendations for housing mix are for the District as a whole and should not serve as a strict dwelling mix policy for every site. In this regard, every residential site is different. Some sites are well suited to high density flatted development for young professionals, other sites are better suited to large, family dwellings. The Plan should not arbitrarily be setting policy based on SHMA aspirations across the wider area, especially with respect to market housing. Applicants should have flexibility to devise a market mix that is best suited to the site and best suited to the housing market and therefore the text should be highlighting that flexibility exists, especially in respect of market housing mix</p> <p><b>Suggested Modification:</b></p> <p>A more flexible position on market housing mix</p>	Agree - the SPD will be amended accordingly	<p>Extend paragraph 4.8 to read: <u>“Individual sites will be expected to reflect the needs of the Strategic Housing Market Assessment, subject to site specific circumstances and the character of the local area. Proposals will be required to demonstrate how schemes address local need and demand, and the extent to which development proposals will deliver mixed sustainable communities or a robust justification where such potential has not been optimised. It is recognised that certain sites, especially small or brownfield sites, may be highly constrained whilst others may lend themselves to particular types of development. Again such factors will be taken into</u></p>

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									<u>consideration as part of the appraisal process, although the primary tests of meeting local need and delivering mixed communities will remain in place.</u> Para 4.9 – delete “At the individual scheme level.”
SPD 19	Iceni Projects	Para 4.11			✓		<p>The affordable housing mix addresses affordability and should be based on local housing need, not market housing. The market housing mix should not be predicated on local housing need. Market housing in Chichester is not exclusive to existing residents in the District. Housebuilders have the greatest insight into the housing market and will therefore seek a market housing mix which reflects market demand. Aside from ensuring that market housing provides a broad mix to reflect the need for different household sizes, the planning system should not be specifying the market housing mix.</p> <p><b>Suggested Modification:</b></p> <p>Removal of paragraph and replacement of text committing Council to a wide variety of housing sizes to reflect the need for different household sizes, including large family housing.</p>	The NPPF, paragraph 50, second bullet point states that planning authorities should identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand.	No Change required to the SPD.

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SPD 20	Woodland Trust	Para 4.51				✓	<p><b><u>We believe that trees are an important part of any new development and we would like to see mention of this in the document.</u></b></p> <p>Rationale/evidence: The Government launched The Big Tree Plant in December 2010. The Big Tree Plant is a campaign to encourage people and communities to plant more trees in England's towns, cities and neighbourhoods. The Big Tree Plant website* states that:</p> <p>‘Trees can make a street come to life, by attracting wildlife, changing colours throughout the seasons, and creating shade and shelter. They shield houses from traffic noise, can help save energy, and reduce the risk of flooding.’ The website goes on to say ‘There is evidence that trees in cities can also help fight the effects of air pollution and climate change.’</p> <p>An important publication from the Forestry Commission, <b>The Case for Trees in development and the urban environment</b> (Forestry Commission, July 2010), sets out ‘ <i>The multiple value of trees for people and places – increasing greenspace and tree numbers is likely to remain one of the most effective tools for making urban areas more convivial</i>’, and lists (on p.10) the benefits as –</p> <ul style="list-style-type: none"> <li>• Climate change contributions</li> <li>• Environment advantages</li> <li>• Economic dividends</li> <li>• Social benefits.</li> </ul>	The SPD s covers this issue in paragraph 1.2 bullet points 3 and 5. Landscaping (including existing & new tree planting) & Ecology are normally dealt with through conditions for individual planning applications. Clearly the list of planning conditions stated in the SPD is not exhaustive & where necessary & appropriate conditions will also include tree protection issues, new tree planting etc. The CIL Regulation 123 list includes green infrastructure (off site) including landscaping & woodland creation as infrastructure that may be funded through CIL.	No Change required to the SPD.

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							<p>Trees within our towns and cities provide a huge number of benefits and services as outlined in guidance produced by the Trees and Design Action Group - <b>'No Trees, No Future' (Trees and Design Action Group, 2010)</b> :</p> <p><i>'There is a growing body of evidence that trees in urban areas bring a wide range of benefits.</i></p> <p><u><i>Economic benefits of urban trees:</i></u></p> <ul style="list-style-type: none"> <li>• <i>Trees can increase property values by 7-15 per cent.</i></li> <li>• <i>As trees grow larger, the lift they give to property values grows proportionately.</i></li> <li>• <i>They can improve the environmental performance of buildings by reducing heating and cooling costs, thereby cutting bills.</i></li> <li>• <i>Mature landscapes with trees can be worth more as development sites.</i></li> <li>• <i>Trees create a positive perception of a place for potential property buyers.</i></li> <li>• <i>Urban trees improve the health of local populations, reducing healthcare costs.</i></li> <li>• <i>Trees can enhance the prospect of securing planning permission.</i></li> <li>• <i>They can provide a potential long-term</i></li> </ul>		

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							<p><i>renewable energy resource.</i></p> <p><u><i>Social benefits of urban trees:</i></u></p> <ul style="list-style-type: none"> <li>• <i>Trees help create a sense of place and local identity.</i></li> <li>• <i>They benefit communities by increasing pride in the local area.</i></li> <li>• <i>They create focal points and landmarks.</i></li> <li>• <i>They have a positive impact on people's physical and mental health.</i></li> <li>• <i>They have a positive impact on crime reduction.</i></li> </ul> <p><u><i>Environmental benefits of urban trees:</i></u></p> <ul style="list-style-type: none"> <li>• <i>Urban trees reduce the 'urban heat island effect' of localised temperature extremes.</i></li> <li>• <i>They provide shade, making streets and buildings cooler in summer.</i></li> <li>• <i>They help remove dust and particulates from the air.</i></li> <li>• <i>They help to reduce traffic noise by absorbing and deflecting sound.</i></li> </ul>		



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							<ul style="list-style-type: none"> <li>• <i>They help to reduce wind speeds.</i></li> <li>• <i>By providing food and shelter for wildlife they help increase biodiversity.</i></li> <li>• <i>They reduce the effects of flash flooding by slowing the rate at which rainfall reaches the ground.</i></li> <li>• <i>When planted on polluted ground they help improve its quality.</i></li> </ul> <p><i>[For research references see the full report: <a href="http://www.forestry.gov.uk/tdag">www.forestry.gov.uk/tdag</a> ]</i></p> <p><b>The Independent Panel on Forestry final report (2012) states:</b></p> <p>"We believe there should be more, and better maintained trees, close to where people live. This means more trees on urban streets, more trees in town parks, and tree "corridors" from the centre of towns and cities out to local woods and forests with good access. We want people to enjoy the health benefits of access to trees and woodlands, and we want our urban areas to have more natural shade and to be more resilient to climate change."</p> <p><b><u>2. We would like to emphasize the need to protect mature trees/plant larger varieties of tree</u></b> _</p> <p><i>'The benefits that trees bring to urban areas are proportionate to their size: in general, large,</i></p>		

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							<p><i>mature trees bring more benefits than small ones. They provide more shade and shelter, and catch more rain in their leaf canopies. However, in urban areas, our large, mature trees are under threat, while the new trees being planted tend to be smaller varieties ... One of the key problems, however, is that when planning a new development, trees are usually one of the last considerations. By then, it is usually too late to retain any existing mature trees or create an environment suitable for planting new large species trees. 'No Trees, No Future' (Trees and Design Action Group, 2010)</i></p> <p><b>The Independent Panel on Forestry Final Report (2012) states (page 25):</b></p> <p>Programmes to replace ageing tree stocks should look to maximise their future resilience to climate change, alongside their biodiversity and aesthetic value. Often, this will mean replacing large trees with the same, rather than with more numerous but smaller ornamental cultivars of lower biodiversity and aesthetic value"</p>		

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SPD 21	Mr Simon Oakley	Para 1.7				✓	Does this para reflect all recent changes in NPPG re pooling (e.g. Highways Agency requirements)?	Agree - the SPD will be amended accordingly	A new sentence will be added at to the end of para 1.7 to read: <u>The exceptions to this are affordable housing, and S278 contributions in respect of the Strategic Road network collected by the Highways Agency where there are no pooling restrictions.</u>
SPD 22	Mr Simon Oakley	Para 4.44				✓	Transport and Highways.  4.42-46 Is there a need to reflect S106 contributions for off-site pooling requirements (e.g. for Highways Agency projects) in this para or section? No mention is made in this section of the Highways Agency.	Agree - the SPD will be amended accordingly	Paragraph 1.7 will be amended to read: <u>The exceptions to this are affordable housing, and s278 contributions in respect of the Strategic Road network collected by the Highways Agency where there are no pooling restrictions.</u>
SPD 23	Mr Simon Oakley	Para 4.47				✓	Is there a need to specify how Secondary and other educational needs facilities will be provided?  Need to make clear that the financial contribution (toward construction and development) for on-site provision of Primary Education is for the facility within the site. Suggest add at end "...on-site."  Is there a need to refer to WSCC's role in	Agree - the SPD will be amended accordingly	A new sentence will be added to the start of paragraph 4.49 to read: <u>Education facilities are assessed by West Sussex County Council which provides the necessary information to the District Council as</u>

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							<p>assessing education facility requirements and the mechanism to determine thresholds at which on-site provision is required?</p> <p>In order to evidence, need to footnote the source (and baseline date) of the figures shown in table.</p>		<p><u>referenced in the Infrastructure Delivery Plan. Education facilities required in respect of the wider growth of the area may be funded in part or in whole through the CIL as specified in the CIL Regulation 123 list.</u></p> <p>The table will be referenced with: Source :WSCC 2013.</p>
SPD 24	Mr Simon Oakley	Para 4.48				✓	In order to evidence, need to footnote the source of the figures shown in table.	Agree - the SPD will be amended accordingly	The table in para 4.49 will be referenced with: Source :WSCC 2013.
SPD 25	Mr Simon Oakley	Para 4.51				✓	The 2011 Census showed a significant variation between Chichester District Parishes in household size and occupancy rates as well as age profile. As this SPD proposes a change from a per dwelling to a population method of open space calculation which could significantly affect provision in areas of higher population density (e.g. Strategic Development Locations which are designed to attract more working age, hence family, populations). Suggest add to para 4.51 "Actual provision above these minima should reflect existing and expected population demographics, and any overall provision shortfall (e.g. arising from collective under provision from other permitted sites), of the	There is no evidence that similar sized developments in different parts of the plan area will have significantly different occupancy levels.	No Change required to the SPD

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							<p>settlement to which development is attached.”</p> <p>Footnote 3. Need to add parking to specifics of the accompanying built facilities (note WSCC Parking Standards). Also need to clarify that land for built facilities/car parking is in addition to open space standards in table (not clear in para 4.54).</p> <p>Need to clarify thresholds for built facilities accompanying Sports fields with more than one playing pitch (e.g. one set of changing rooms per adult size pitch or per adult/junior pitch?). Multi match provision necessary to ensure simultaneous use of same ground by differing age/gender teams.</p>	<p>Agree - the SPD will be amended accordingly</p> <p>Agree - the SPD will be amended accordingly</p>	<p>Paragraph 4.53 penultimate sentence will be extended to read:  <u>“Any land required for parking, access or built facilities are in addition to the standards. Parking for built provision will be calculated based on West Sussex County Council Parking Standards and Transport Contributions Methodology Supplementary Planning Guidance.”</u></p> <p>Paragraph 4.58 (will be extended as follows:  <u>“...changing rooms, and associated parking and access commensurate with the scale of development proposed”.</u></p>
SPD 26	Mr Simon Oakley	Para 4.52				✓	<p>Following comments above on para 4.51, suggest add “However there are significant variations in household size and occupancy rates as well as age profile between Settlements and higher rates are expected (due to their purpose, scale and location) at Strategic Development Locations. This should be taken</p>	<p>There is no evidence that similar sized developments in different parts of the plan area will have significantly</p>	<p>No Change required to the SPD.</p>

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							into account when determining on-site open space and community facility provision.”	different occupancy levels.	
SPD 27	Mr Simon Oakley	Para 4.53				✓	<p>Given provision via CIL does not require nor provide sufficient funds for (noting anticipated scale of funding gap) land to be provided, how are cumulative shortfalls in provision arising from incremental development (likely to be significant in settlements with a number of 50 – 199 dwelling developments) to be addressed? Para 1.7 notes S106 pooling is possible for up to 5 separate obligations and NPPG appears to indicate that this could apply to specific projects.</p> <p>It appears therefore that there is scope to require obligations from sites between 10 and 199 dwellings in the same or adjacent settlements that could be pooled to address cumulative shortfalls. A mechanism to identify potential developments for pooling obligations is via Local Plan strategic (not the individual &gt;500 dwelling sites) and Parish allocations, plus windfall (incl post Apr 2012 permissions, id in Neighbourhood Plans and pro-rata allowance from LP total), for &gt;199 dwellings in any one Parish/Settlement. E.g. where a Parish/Settlement is expected to take development on a number of sites with a cumulative total &gt;199 dwellings, each application for &gt;10 dwellings could be required to demonstrate how it would provide, via an S106 agreement, pro-rata provision toward allotments, natural green space and parks etc within the Parish/Settlement. The same principle could be applied for Parishes/settlements with total development expected in the 49-199 dwelling range with respect to amenity open</p>	The use of S106 is to be restricted to what is necessary to make a development acceptable. This would be difficult to predict in advance of a planning application being made.	No Change required to the SPD.

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							<p>space.</p> <p>A Neighbourhood Plan could marry up that cumulative need with a specific project/land allocation to meet it. E.g. a Parish has a cumulative allocation of 220 houses. In its Neighbourhood Plan it has identified 5 sites to meet this allocation. Could this SPD make provision for the pooling of obligations from the identified set of 5 sites toward a project (e.g, allotments) identified in the NP within the NP area?</p> <p>This is not double dipping with CIL as these obligations would be meeting, pro rata, the specific open space etc needs of individual developments (note the Open Space Study produced provision standards, used in this SPD, based on overall population numbers). By relating it to a specific area, this would meet the planning obligation test of being directly related to a development (i.e. the Local Plan has set a scale of development in a location and this SPD specifies the thresholds at which certain provision is required. It also mitigates against sites being artificially subdivided in order to come in below thresholds.</p>	<p>The provision should be made on site occasionally off-site where very limited pooling could occur. However, Parishes have freedom to use the CIL collected in their parish on this type of infrastructure if they identify this as a priority.</p>	
SPD 28	Mr Simon Oakley	Quantity Standards for open space				✓	<p>Given no difference between two right hand columns, why shown separately? Suggest amalgamate.</p> <p>How practical is it to expect sites as small as 10</p>	<p>Agree - the SPD will be amended accordingly</p> <p>Agree - the SPD</p>	<p>The two right hand columns in the table will be merged.</p> <p>The table will be</p>

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							<p>dwelling to provide and then maintain functional on-site equipped play areas, given guidance on separation distances (20m?) between equipped play areas and living accommodation and a proposed provision rate of 0.15ha/1000 plus buffer etc areas?</p>	will be amended accordingly	amended to show an on-site provision of amenity open space for 10-49 dwellings, and equipped play space requirement to start at 50 -199 dwellings
SPD 29	Mr Simon Oakley	Para 4.54				✓	At end of first sentence add "...on-site." (see comment on para 4.47).	The wording is sufficiently clear at the start of the sentence.	No Change required to the SPD.
SPD 30	Mr Simon Oakley	Para 4.56				✓	<p>Need to add paved parking to specifics of the accompanying built facilities (note WSCC Parking Standards). Also need to clarify that land for built facilities/parking is in addition to open space standards in table (not clear in para 4.54).</p> <p>Need to clarify thresholds for built facilities accompanying Sports fields with more than one playing pitch (e.g. one set of changing rooms per adult size pitch or per adult/junior pitch?). Multi match provision necessary to ensure simultaneous use of same ground by differing age/gender teams.</p>	<p>Parking does not need to be paved.</p> <p>Agree - the SPD will be amended accordingly</p>	<p>Paragraph 4.53 penultimate sentence will be extended to read:  <u>"Any land required for parking, access or built facilities are in addition to the standards. Parking for built provision will be calculated based on West Sussex County Council Parking Standards and Transport Contributions Methodology Supplementary Planning Guidance."</u></p> <p>Paragraph 4.58 will be extended as follows:  "...changing rooms, and associated</p>



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									<u>parking and access commensurate with the scale of development proposed</u> ".
SPD 31	Mr Simon Oakley	Para 4.57					<p>Does reference to "on site" in the opening sentence of this para preclude potential off site provision via S106, e.g. by providing the community facility requirement as an extension to an existing hall (appears to contradict last sentence in Qty Standard description box)?</p> <p>The current SPG bases contributions on a scale of provision of one 400m<sup>2</sup> community facility per 480 dwellings (just over 1000 people based on the table in para 4.53). It appears that the proposed threshold of 2500 people would require a development of approx. 1200 dwellings to provide a smaller (300m<sup>2</sup>) facility. This is a considerable uplift in the compulsory threshold. The lack of specifics in how applications generating 500 – 2500 people would be assessed allows developers considerable scope to argue against having to provide facilities as no assessment criteria are provided (unlike changing rooms, subject to Sport England guidance). Suggest provide greater detail as to assessment criteria in order to provide a degree of certainty and clarify whether the 300m<sup>2</sup> minimum standard applies throughout (at</p>	<p>Agree - the SPD will be amended accordingly</p> <p>Agree - the SPD will be amended accordingly</p>	<p>Last sentence in the table in para 4.59 will be amended to read: Contributions arising from this standard may also be used towards the enlargement/improvement of existing venues <u>(whether on-site or nearby off-site)</u> where appropriate</p> <p>Paragraph 4.59. The text within the table second paragraph will be extended to read: "Overall a total net floorspace of 300sqm will be used as a minimum guide <u>for the building.</u>"</p> <p>The third paragraph will be amended to read: "Each new development generating 500 or</p>

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							<p>present it reads that 500 people could get the same provision as 5000 as a facility is described as a min 300m<sup>2</sup> and all developments &gt;2500 people are treated the same).</p> <p>Note also comments on paras 4.51 and 4.52 re population density which would also apply to this population based quantity standard.</p> <p>Suggest amend last bullet in list of facility requirements to read "Paved Car and Cycle Parking" – ensures appropriate surfacing of parking area and covers sustainable transport provision. Add new bullet "Waste and Recycling bin storage".</p>	<p>There is no evidence that similar sized developments in different parts of the plan area will have significantly different occupancy levels.</p> <p>The suggested amendment may not be appropriate in all cases, so no change is being proposed to the text. However, on a case by case basis appropriate amenities necessary for the viability of the building would be determined through the planning application.</p>	<p>more people will be assessed by the Council as to <del>whether a facility is</del> <u>what facilities are</u> required <u>proportionate to the scale of development.</u> However..."</p>
SPD 32	Mr Simon Oakley	Para 4.60				✓	<p>Local Plan Policies 50 and 51 (last para in each) note that sites outside of the zones of influence maybe subject to individual assessment which could lead to mitigation requirements. Is there a need to reference this possibility in this para? Note if the A27 Chichester by-pass is significantly upgraded, its ability to act as a</p>	<p>Agree - the SPD will be amended accordingly</p>	<p>Paragraph 4.64 will be amended as follows: after the words Pagham Harbour add: <u>or where required for residential schemes</u></p>

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							barrier to recreational activity from sites outside the zones would be considerably reduced.		<u>that fall outside the zones where mitigation is deemed necessary...</u>
SPD 33	Mr Simon Oakley	Para 4.62				✓	When was the £172 rate set and will the first indexation of the contribution rate be 1 Apr 2015? If this SPD is not adopted by then would the next update point would be 2016, which would appear to be an inappropriate length of time from the first setting of this rate?	The next indexation will be 1 April 2015, regardless of when this SPD is adopted.	No Change required to the SPD.
SPD 34	Environment Agency	Para 4.59		✓			<b>Suggested Modification:</b>  Through our representations to the Chichester Local Plan there are proposed modifications to policy 42 to include specific reference to the South East River Basin Management Plan and extend the title of the policy to read Flood Risk and Water Management. We would wish to see these amendments be reflected in this SPD. These would enable improvements to the water environment to also be secured through planning obligations, where necessary.	Agree - the SPD will be amended accordingly	Paragraph 4.63 amended to read: <u>All Where a development proposals is likely to have an impact on flood risk, such development must take account of the South East River Basin Management Plan, relevant .....</u>
SPD 35	English Heritage	Para 4.64				✓	Development-specific planning obligations may be used for funding improvements to and the mitigation of adverse impacts on the historic environment, such as archaeological investigations, access and interpretation, and the repair and reuse of buildings or other heritage assets.	It is appropriate to provide for protection of heritage assets through S106, particularly in relation to enabling development, protection of archaeology and to mitigate harmful impacts.	A new section will be added relating to the Site Specific Historic Environment at paragraphs 4.60 and 4.61 to read:  "The requirements <u>will depend on the nature of the development proposal. However, it may be relevant to any listed building,</u>

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									<p><u>development in a conservation area, or an area of known archaeological potential.</u></p> <p><u>Where appropriate the following may be included as S106 planning obligations in relation to heritage assets:</u></p> <ul style="list-style-type: none"> <li><u>. Repair, restoration or maintenance of heritage assets</u></li> <li><u>. Production and implementation of conservation management plans</u></li> <li><u>. Increased public access and public open days</u></li> <li><u>. Provision of signage, interpretation panels and accessible information</u></li> <li><u>. Dissemination of historic environment information</u></li> <li><u>. Recording of archaeological remains published appropriately and placed on the Historic Environment Record (HER).</u></li> </ul>

ID	Consultee	Consultation Point	Support	Support with mods	Object	Have Comments	Consultee Representations	Council's response	Proposed change to SPD
									<u>. Measures for the preservation in situ of archaeological assets, or in certain circumstances where it is deemed necessary to excavate.</u>
SPD 36	English Heritage	Para 5.1				✓	With regard to the viability of a scheme when considering the level of affordable housing or infrastructure contribution required, English Heritage trusts that the Council would be particularly willing to consider a reduction in either where viability was an issue and the scheme would deliver other public benefits in the form of the conservation or enhancement of heritage assets.	Robust evidence would need to be provided before the Council would consider a reduction in either affordable housing or infrastructure.  A new paragraph will be added to cover viability issues concerning heritage assets.	A new paragraph 3.8 will be added to the Viability section to read: <u>"Where viability is affected by large costs associated with bringing a heritage asset back into beneficial use, any enabling development and/or costs of the repairs will need to be supported with robust and costed specialist reports and technical data, sufficient to enable independent expert verification.</u>
SPD 37	Kirdford Parish Council	Para 2.3				✓	The Parish Council is concerned that as CIL contributions will not be negotiable and the plan policy requires a set district wide % of affordable housing, the value of S.106 contribution that can be applied to specific sites in the rural areas, villages or settlements will prove inadequate to provide a meaningful contribution to ensure delivery of the consequential infrastructure requirements occasioned by development. CIL appears to be subject to pooling on a district	The spending priorities will be dealt with through the governance arrangements which fully involve the Parish Councils on an area basis including a North of Plan area group.	No Change required to the SPD.

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							wide basis, for expenditure in partnership with others, to satisfy district wide need. This is to be prioritised on a district area basis of benefit for the greater number. That usually results in the rural areas being neglected therefore it is considered that the SPD needs to provide guidance that reflects the diversity of the plan area and how differing areas should be provided for.	This should help ensure that this area is not neglected.  In addition the Parish has an adopted Neighbourhood Plan, therefore it will receive 25% of the CIL collected from development in the parish to spend on projects of its choice.	
SPD 38	Kirdford Parish Council	Para 3.5				✓	By requiring the detail of the housing mix and GIFA M <sup>2</sup> to be confirmed at the Application Stage the policy does not provide for phased development of sites over the period of the Local Plan or Neighbourhood Plans such as the KPNDP. Clarification is required to identify how phased development over a plan period would be dealt with. Refer KPNDP Policy KSS1.	This is standard information required to inform the CIL. Any changes will result in a recalculation of CIL in due course.	No Change required to the SPD.
SPD 39	Kirdford Parish Council	Para 3.6				✓	Viability – there is no reference to the significant land value enhancement occasioned by development land allocations in the emerging Local Plan or Neighbourhood Plans. Given the most significant value enhancement in development is in the land value it would be reasonable to see some reference of how this would be accounted for. <i>For example - Land value should be determined as part of the overall project viability evaluation and not included as a given value. Land value should be seen as a variable value sum in the viability calculation to offset reasonable CIL/S.106</i>	The PBA Viability Report September 2014 explains the ways of estimating a threshold land value.  The viability that has informed the CIL charge has taken into account both Harman and RICS approaches.	No Change required to the SPD.

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							<i>contributions, given that the latter are essentially enabling funds/contributions for delivery of related infrastructure, to make the proposed development sustainable. ( See NPPF Plan-Making Paras 150-158)</i>	The CIL charge has also taken policy costs into account in its rate setting. It is not considered helpful to reiterate this within the SPD.	
SPD 40	Kirdford Parish Council	Para 4.7				✓	Housing mix – The CDC SHMA recommendations (primarily coastal areas) are based on district wide guidance and do not provide for or reflect the different profile of need and demand or costs in the North East of the district. The SPD should provide for greater flexibility across the large geographical area of the district and for the varying site locations e.g. rural, town or city.	Agree - now addressed in para. 4.7.	Extend paragraph 4.8 to read: <u>“Individual sites will be expected to reflect the needs of the Strategic Housing Market Assessment, subject to site specific circumstances and the character of the local area. Proposals will be required to demonstrate how schemes address local need and demand, and the extent to which development proposals will deliver mixed sustainable communities or a robust justification where such potential has not been optimised. It is recognised that certain sites, especially small or brownfield sites, may be highly</u>

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									<u>constrained whilst others may lend themselves to particular types of development. Again such factors will be taken into consideration as part of the appraisal process, although the primary tests of meeting local need and delivering mixed communities will remain in place.</u> Para 4.9 – delete “At the individual scheme level.”
SPD 41	Kirdford Parish Council	Para 4.6				✓	Affordable housing % - the proposed single district wide % to be applied does not reflect varying local need in rural, town and city areas. Further clarification is required to ensure that affordable housing is delivered in line with local need (over the time period of the plan period) and not just at a set quantity (% of all proposed development units) as and when new development comes forward. Quantitative need in a rural village is usually more progressive and very different from that of a city requiring the units to be delivered over a time period rather than in one event.	The approach in the plan area is set out in the Local Plan and SPD. Variations to deal with more local circumstances can be progressed in neighbourhood plans.	No Change required to the SPD.
SPD 42	Kirdford Parish Council	Para 4.31				✓	Single contribution rate – the proposed single district wide rate does not reflect the significant variance in housing costs between the coastal areas, city and North East of the District. Contribution rates should at least reflect the differing location costs of the three main	The Council considered this, but concluded that it preferred a flat affordable housing percentage, but	No Change required to the SPD.



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							geographical areas in the District.	that CIL would reflect viability differences across the district.	
SPD 43	Kirdford Parish Council	Para 4.47				✓	Education – The SPD does not provide any clear guidance on provision required that is consequential of multi-site development within defined geographical areas, such as school catchment areas . <i>For example - Given the Local Plan strategic allocation of 300 units in the NE of the district where there is a current shortfall of school places this is a significant omission.</i>	Agree - the SPD will be amended accordingly	A new sentence will be added to the start of paragraph 4.49 to read: <u>Education facilities are assessed by West Sussex County Council which provides the necessary information to the District Council as referenced in the Infrastructure Delivery Plan. Education facilities required in respect of the wider growth of the area may be funded in part or in whole through the CIL as specified in the CIL Regulation 123 list.</u>
SPD 44	Kirdford Parish Council	Para 4.58				✓	Site Specific Flood Risks –The SPD should address in more detail the need for and basis of calculating financial contributions for the maintenance of the ditch/rivers maintenance in the rural areas which is the requisite infrastructure to facilitate surface water runoff and prevent localised flooding. Both authorities responsible for managing such maintenance, WSCC and Environment Agency have stated	The use of S106 is to be restricted to what is necessary to make a development acceptable. Given the responsibilities of the statutory	Paragraph 4.63 will be amended to read: <u>All Where a development proposals is likely to have an impact on flood risk, such development must take account of the</u>

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							they do not have appropriate resources. Therefore unless development contributes to the same it cannot be deemed as sustainable and the Local Plan needs to provide for this accordingly.	agencies it would be difficult to justify this as a S106 requirement. The CIL Regulation 123 list includes flood management measures as matters that may be funded from the CIL, unless needed to meet site-specific requirements.	<u>South East River Basin Management Plan</u> , relevant .....
SPD 45	Anchor 2020	Para 4.26				✓	<p>The following comments relate to affordable housing financial contributions required for extra care apartments in the C2 use class.</p> <p><i>Clarity of Policy: Use Classes</i></p> <p>Our first point relates to the lack of clarity given to developers with regards to proposing extra care development in the C2 use class. The document states that the:</p> <p><i>"Council will require affordable housing to be provided on-site ... This applies to all sheltered, extra-care and assisted living schemes"</i> (para. 4.26)</p> <p>Although this appears self-explanatory the Plan Viability (Nov. 2013) prepared for the District Council states that extra-care housing is in the C3 use class (para 12.3). This creates some confusion for my client as the types of development they bring forward include C2 extra</p>	<p>Agree - the SPD will be amended accordingly</p> <p>This matter was addressed at a recent appeal <b>APP/L3815/A/13/2198103</b> and the council will be guided by this case</p>	<p>Para 4.27 amend to read: <u>"On all residential development sites where there is a net increase of 11 or more dwellings the .... on-site, this includes all sheltered, extra care and assisted living schemes which fall within use class C3."</u> <del>unless there are exceptional circumstances that mean...</del></p>

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							<p>care. The Viability report notes:</p> <p><i>“We are carefully distinguishing this type of provision from retirement flats and quasi-retirement accommodation sometimes known as assisted living apartments. The term assisted living or ‘extra care housing’ is used to describe developments that comprise self-contained homes with design features and support services available to enable self-care and independent living. These types of development are included in the C3 category and are chargeable under the standard residential rate.”</i></p> <p>However, this fails to understand the complexity of extra care, or assisted living schemes, which can be either C3 or C2 Use Class. The definition of each depends specifically on the function of individual proposed schemes, and, in part, the extent to which care and support is available. Defining all extra care and other such schemes as wholly C3 is not truly representative of the spectrum of schemes being developed nationwide. I would ask that the Council amend the above text, clearly illustrating the type of affordable housing contributions that will be expected on each form of development.</p> <p><i>Justification for Contribution</i></p> <p>I do not believe there is any justification in the evidence base for the affordable housing contributions proposed by the SPD. The Plan Viability (Nov. 2103) assessed only a single, standard care home against its ability to pay</p>	<p>in assessing whether a development falls within C2 or C3 Use Class.</p> <p>Chichester is a high value area and there have been no previous challenges on the basis of viability and any such challenges would be dealt with as set out in 3.6-3.11 of the draft SPD.</p>	

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							<p>CIL, with a conclusive outcome:</p> <p><i>"We suggest that a CIL charge for a care home is set at £0 sq m. This is because viability on this type of development is too low to confidently recommend that a CIL charge should be set."</i> (Para 12.10)</p> <p>Table 12.1 sets out the viability assessment of care homes; the overage is £101,643 per hectare, which translates into an available CIL charge of just £17 per sqm. The report states that <i>"viability on this type of development is too low to confidently recommend that a CIL charge should be set"</i>; this is why there is a recommended zero charge for care homes.</p> <p>Having studied the evidence submitted for the proposed rate, which is incorporated in the viability study at Appendix 1b, we are unable to conclude if an affordable housing element has been included as part of the development. As no mention of its inclusion is made in chapter 12 we therefore assume that it has not been considered as part of the development. As Table 12.1 demonstrates a care home development does not have the ability to pay any CIL contribution, it would therefore be a logical conclusion to draw that the implementation of an affordable housing contribution would also make such a scheme unviable.</p> <p>It should be remembered that many extra care schemes provide a very significant degree of care; indeed frequently to a level comparable with that offered in a traditional care home.</p>	<p>It is confirmed that no affordable housing quota has been included in the viability assessment for care homes.</p>	

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							<p>Unlike general market housing which benefits from being sold 'off plan', all of these forms of care and accommodation are funded entirely upfront and at risk by the provider, with sales only able to occur after completion. Moreover, by their very nature, schemes also require dedication of a significant element of their floorspace to care and communal facilities, thus the balance of gross saleable and un-saleable communal space is very much reduced from that of general market housing. C2 extra care schemes will contain all the communal areas and activity spaces that a standard residential care home will contain. The cost of providing these is significant. The only real difference between a classic care home and C2 extra care is that the care accommodation rooms are bigger in extra care, and residents can have a greater degree, in relative terms, of independence.</p> <p>The SPD states that "<i>viability and present day market conditions</i>" (para. 4.31) are taken into consideration, but this is misleading, as nowhere in the Viability report has any testing of the baseline viability of extra care, or other specialist accommodation for the elderly, been reported. We ask that the Council seek further testing of care schemes for viability for affordable housing contributions. Without this testing the SPD would fail the tests set down in the NPPF and PPG that such obligations be "<i>necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind</i>" (NPPF para. 204, PPG Para. 001 Reference ID: 23b-</p>	<p>Chichester is a high value area and any viability issues will be considered on the basis of individual schemes.</p>	

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							<p>001-20140306).</p> <p><i>Conclusions</i></p> <p>The proposed requirement for an affordable housing contribution from non-care home schemes fails to recognise the differences between C2 and C3 extra care schemes. We ask that the Council reconsider the wording of paragraph 4.26 of the SPD to reflect these changes, excluding C2 extra care schemes from the requirement for affordable housing contributions. It would also be beneficial if the Council sought additional testing of C2 and C3 care schemes in setting its planning obligations, to ensure the requirement on C3 care schemes is not unviable.</p>		
SPD 46	Blue Cedar Homes	Para. 4.25				✓	<p>These submissions are made on behalf of Blue Cedar Homes, a private retirement homes specialist operating in the South West of England.</p> <p>Housing for the elderly is being more positively recognised throughout the country, especially from Central Government. This issue is especially relevant in Authorities such as Chichester.</p> <p>I note that within the SPD, paras 4.3-4.25 relate to affordable housing and market housing mix. Viability testing in other Authorities in the South West demonstrates that sheltered retirement housing, which is classified as use class C3, is very challenging. It is my firm belief that applying a CIL rate on retirement developments will be to constrain the delivery of schemes. I therefore</p>	<p>Viability is assessed on a local basis and has been tested in the updated viability evidence which has recommended the charges. There is no affordable housing requirement or CIL charge for developments that fall in Use Class C2.</p> <p>Many of the issues raised relate to the</p>	No change to SPD required.

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							<p>hope that any adopted CIL schedule can be adapted in a way that does not constrain this much needed form of development.</p> <p>I strongly believe that specialist accommodation, such as retirement housing, should have its own separate development scenario and not be amalgamated into a general, residential levy rate. Moreover, specialist accommodation is not like conventional housing and a uniform CIL rate applied to all forms of residential development could potentially render all development of this type unviable in the Authority. <b>I suggest C3 sheltered/retirement housing is subject to an Authority wide nil rate of CIL.</b></p> <p>Factors such as higher build costs and a longer selling period for our properties make retirement housing less viable than new homes in general. Therefore, it is imperative that when determining CIL rates, the charging authority completes an accurate development scenario for specialist accommodation for the elderly to ascertain whether it can support the same level of CIL. The same should apply to affordable housing thresholds. As such, I consider that ' <b>C3 sheltered/retirement housing</b> ' should be explicitly exempt from these categories.</p> <p>I note that in the report on the Examination of the Draft Hertsmere Borough Council Community Infrastructure Levy Charging Schedule, December 2013 (PINS/N1920/429/12), developers of specialist retirement housing, McCarthy and Stone and Churchill Retirement Living, and Hertsmere</p>	<p>CIL and its examination rather than this SPD.</p>	

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							<p>Borough Council recognised the important difference between retirement housing and general needs housing in their charging schedule. The same approach should be considered and taken by Chichester District Council in its Standard Obligations and Charges. Currently, I believe there is no reasonable justification for a CIL and affordable charge on retirement housing at the same level as general needs housing.</p> <p>The recent Retirement Housing Study prepared by Knight Frank recognises the hurdle retirement housing faces in the planning system. I believe Chichester District Council should take heed of this Study. As a minimum, the Local Authority should look at the contributions a C2 use class (nursing/care homes) provides. The 'C2' classification means that developers do not have any obligations to provide affordable housing. CIL reliefs or waivers are also applicable to C2 uses. I believe that a housing scheme which provides a real need for specialist housing, such as retirement dwellings, should be exempt, similar to the C2 use class. It should also be recognised that by providing this type of housing for the elderly to downsize, larger family homes would become vacant.</p> <p>I trust the above comments can be considered in the Chichester District Council Draft Planning Obligations and Affordable Housing SPD. If you require any further information on the above, particularly relating to the retirement home operation, I would be more than happy to discuss this with you.</p>	<p>See responses to SPD 45 above.</p>	



ID	Consultee	Consultation Point	Support	Support with mods	Object	Have Comments	Consultee Representations	Council's response	Proposed change to SPD
SPD 47	RSPB	Para 4.63				✓	<p>The RSPB would like to register our concerns with the 'case by case' approach that it being taken to mitigating recreational disturbance to Pagham Harbour. Our preference would be to take a strategic approach, in the same way as is being put in place through the Solent Recreation Mitigation Partnership (SRMP).</p> <p>Therefore, the RSPB would like to work with the Council to put in place a strategic approach for Pagham Harbour. Our preference would be for the same approach to be taken for Pagham Harbour as for Chichester and Langstone Harbours, ie. where additional housing pays for additional wardening time.</p>	Agree - the SPD will be amended accordingly	<p>Para 4.67 will be amended as follows:</p> <p>"For Pagham Harbour SPA and Medmerry Compensatory Habitat, <u>work is underway towards a strategic approach to delivering avoidance measures with Arun District Council and other partners. In the meantime avoidance measures.....</u>"</p>
SPD 48	Linden Homes & Miller Strategic Ltd	Para 4.6			✓		<p>It seems odd to continue to seek 40% affordable housing on the basis of a Local Plan which was adopted in 1999 and is now considerably out of date, particularly when the new Local Plan, which is at a significantly advanced stage, is seeking 30%.</p>	<p>Para 4.6 makes it clear that the 40% affordable housing target will only apply until the new Local Plan or CIL is adopted at which time it will reduce to 30%. The need to provide 40% affordable housing is justified by evidence from the housing waiting list and SHMA, but once the CIL is introduced viability evidence indicates only 30% is deliverable.</p>	No Change required to the SPD.

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SPD 49	Linden Homes & Miller Strategic Ltd	Para 4.7				✓	We would urge the Council not to slavishly apply the Strategic Housing Market Assessment recommendations with regards to mix. There needs to be flexibility in its application; it is not clear from the document whether the Council accepts there may be circumstances where a flexible approach is required.	Agree - the SPD will be amended accordingly	Para 4.7 will be amended to remove the word 'policy' from the last sentence. Also extension to paragraph 4.8 (see SPD 18 above).
SPD 50	Linden Homes & Miller Strategic Ltd	Para 4.52				✓	We consider average occupancy rates for 4+ beds to be high at 2.7 given the Council's own analysis of the Census 2011 data shows that 1 in 3 households are single occupancy.	This information is factual and taken directly from the most up to date census.	No Change required to the SPD.
SPD 51	Linden Homes & Miller Strategic Ltd	Para 5.2			✓		<p>In relation to the West of Chichester SDL we do not consider it appropriate for the Council to seek a blanket approach to monitoring fees of 5%. This is likely to result in a significant sum which is totally disproportionate to the resources the Council will need to expend monitoring a Section 106 agreement. For example, a development which makes S106 contributions of £10,000,000 would be expected to make a monitoring contribution of £500,000 under this approach. It clearly would not cost the Council half a million pounds in order to perform their monitoring function.</p> <p>Furthermore, one role of the Council's Development Management function is to monitor developments in any event and therefore it is not reasonable to seek a separate contribution for a role which is already being performed by a dedicated Planning Obligations Monitoring and Implementation Officer. It is particularly objectionable to attempt to seek a contribution</p>	S106 agreements are subject to negotiation.	No Change required to the SPD.

ID	Consultee	Consultation Point	Support	Support with mods	Object	Have Comments	Consultee Representations	Council's response	Proposed change to SPD
							above the proposed standard charge for complex developments.		
SPD 52	Good wood Estate Company Ltd	Para 4.15				✓	<p>The Estate supports the need for affordable housing within the District, which suffers from a significant affordability gap as the draft SPD sets out in paragraph 4.15. We have also noted at the on going Examination into the Local Plan that delivering affordable housing is still difficult and is likely to continue to be an issue going forward.</p> <p>With that in mind, we welcome the proposals to maintain affordable housing levels to 40% for the time being. However we question whether it is appropriate to reduce levels to 30% once the Community Infrastructure Levy has been adopted. Given the acute shortage of affordable homes in the District we would suggest that a reduction in requirements sends out the wrong message to developers and if anything, affordable housing requirements on new developments should be increased in order to address some of the issues in the existing local housing market. Furthermore it may be necessary to vary the affordable housing figure between sites, especially where local need is more acute and would suggest that it may be more prudent for the consideration of affordable housing requirements on individual sites to be assessed on a case by case basis, in the context of viability considerations.</p>	The SPD reflects policy in the Local Plan and any objections to the affordable housing policy should have been made through the Local Plan process.	No Change required to the SPD.
SPD 53	Good wood Estate Company Ltd	Para 4.60				✓	The Goodwood Estate welcomes the protection that the document affords Europa 2000 sites, with a commuted sum to be paid towards mitigation where on-site mitigation is not possible. However the Estate is disappointed	It is not considered appropriate to collect S106 contributions towards the	A new section will be added relating to the Site Specific Historic Environment at paragraph 4.60 and

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							<p>with the lack of support for the other landscape and heritage assets within the District. While it is realised that these do not have European recognition, the importance of, for example, Chichester Cathedral and its setting to the district as a whole would surely merit some consideration. It is acknowledged that this should in part be addressed through CIL, which it is noted the Council intends to consult further on separately later this year. In addition, with respect to the impacts on important heritage assets associated with site specific proposals it is however suggested that some form of commuted sum should be required through the Planning Obligations and Affordable Housing SPD to contribute towards the maintenance of this nationally important historic building where a potential negative impact is identified as a result of a proposed development. This is just one example - there may also be other specific local heritage projects, the importance of which should be recognised through the CIL / this SPD.</p>	<p>maintenance of listed buildings unless the proposals directly affect these.</p>	<p>4.61 to read:</p> <p>“The requirements will depend on the nature of the development proposal. However, it may be relevant to any listed building, development in a conservation area, or an area of known archaeological potential.</p> <p>Where appropriate the following may be included as S106 planning obligations in relation to heritage assets:</p> <ul style="list-style-type: none"> <li>. Repair, restoration or maintenance of heritage assets</li> <li>. Production and implementation of conservation management plans</li> <li>. Increased public access and public open days</li> <li>. Provision of signage, interpretation panels and accessible information</li> <li>. Dissemination of</li> </ul>

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									<p>historic environment information</p> <ul style="list-style-type: none"> <li>. Recording of archaeological remains published appropriately and placed on the Historic Environment Record (HER).</li> <li>. Measures for the preservation in situ of archaeological assets, or in certain circumstances where it is deemed necessary to excavate."</li> </ul>
SPD 54	West Sussex County Council	Para 4.45	✓				<p>Please refer to the County Council as the 'Local Highway Authority'.</p> <p>The approach to site specific infrastructure is supported. However, it is suggested that further consideration is given to how car club contributions are reflected in this SPD.</p>	<p>The SPD will be amended accordingly</p> <p>Discussions have taken place with WSCC and it has been agreed to keep the wording as drafted.</p>	<p>Para 1.3 will be amended to refer to West Sussex County Council as the <u>Local Highway Authority</u>.</p> <p>Para 4.47 will be amended to read: West Sussex County Council is the <u>Local Highways Authority</u>...</p> <p>Last sentence of Paragraph 4.48 will be amended to read: As mentioned... West Sussex County Council as the <u>Local Highway Authority</u>...</p>

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									No Change required to the SPD.
SPD 55	West Sussex County Council	Para 4.47				✓	<p>Please specify that site specific education infrastructure (such as a new primary school) will be secured through S106 agreements.</p> <p>Please note that the costs of new primary schools in this document are based on 2013 costs and will be subject to site specific considerations.</p>	<p>Para 4.49 already states this.</p> <p>Paras 7.3 and 7.4 refer to index linking.</p>	<p>A new sentence will be added to the start of paragraph 4.49 to read:  <u>Education facilities are assessed by West Sussex County Council which provides the necessary information to the District Council as referenced in the Infrastructure Delivery Plan. Education facilities required in respect of the wider growth of the area may be funded in part or in whole through the CIL as specified in the CIL Regulation 123 list.</u></p> <p>The table will be referenced with:  <u>Source :WSSC 2013.</u></p>
SPD 56	West Sussex County Council	Para 4.64				✓	<p>It should be acknowledged that the County Council still intends to receive developer contributions towards fire &amp; rescue infrastructure in the future, and this should be stated in this section of the SPD. The approach to the provision of fire hydrants is supported.</p>	<p>Para 4.46 allows for this where provision is necessary to make the development acceptable in planning terms.</p>	<p>Para 1.11 will be amended to read:</p> <p>CIL will partially replace the existing s106 system. Unlike s106 Planning</p>

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							<p>There is no reference to library infrastructure provision in this SPD. It should be acknowledged that the County Council still intends to receive developer contributions towards this type of infrastructure in the future, and this should be stated in the SPD.</p>	<p>However, infrastructure in support of the wider plan area may be funded through CIL as described in the Reg 123 list.</p> <p>Libraries are included on the Reg 123 and may be funded through the CIL and will not be funded through planning obligations.</p>	<p>obligations, CIL ..... for infrastructure needed to support new development across Chichester's Local Plan area (as set out in the Council's CIL Regulation 123 list) during the plan period. Planning obligations may not be used to fund an item that is locally intended to be funded by CIL....</p>
SPD 57	Southern Water	Para 2.5	✓				<p>Southern Water seeks developer contributions towards local water supply and wastewater infrastructure required to service individual sites in order to recover new development and growth costs in line with regulatory expectations. The costs associated with this infrastructure depend on site-specific circumstances, and can vary significantly from site to site. We would not normally expect developer contributions via CIL or S106 Planning Obligations, but would enter into direct agreements with developers,</p>	Support welcomed	No Change required to the SPD.

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							<p>facilitated by planning policies and planning conditions.</p> <p>We therefore welcome and support recognition in the SPD of planning conditions as a mechanism to ensure that local infrastructure is in place to meet the requirements of the development, so that development is made acceptable when it would otherwise be unacceptable (paragraphs 2.2 and 2.5).</p>		
SPD 58	Martin Grant Homes	Para 4.6		✓			<p>Our client welcomes the Council's pro-active approach in preparing this SPD which clearly sets out the relationship between S106 obligations and the Council's CIL, when it is adopted.</p> <p>The draft SPD introduces a requirement with regard to tenure split (paragraph 4.6). However, the Council should not seek to establish such requirements as 'policy' which it appears to do. The commentary at paragraph 4.6 is clearly meant as guidance and, therefore, can vary according to site specific issues and/or with regard to economic viability matters.</p> <p><b>Suggested Modification:</b></p> <p>Delete the reference to 'policy' towards the end of paragraph 4.6.</p>	Agree - the SPD will be amended accordingly	Para 4.7 will be amended to remove the word 'policy' from the last sentence.
SPD 59	Martin Grant Homes	Para 4.25		✓			<p>Paragraph 4.25 suggests reviewing the mix of affordable units/tenures where grant funding is not available in order to achieve the delivery of the full affordable housing quota. Whilst this is supported, it should be acknowledged that this may have negative implications in terms of site layout which will need to be taken into</p>	The wording within the paragraph is sufficiently flexible to take account of this.	No Change required to the SPD.



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							<p>consideration.</p> <p><b>Suggested Modification:</b></p> <p>Add following sentence to end of paragraph 4.25 – Any change in mix that may have a negative impact on site layout will also be taken into consideration by the Council.</p>		
SPD 60	Martin Grant Homes	Para 4.26				✓	<p>Our client welcomes and supports the Council's decision, through draft Local Plan Policy 34, to reduce the level of affordable housing provision sought from 40% to 30%. Also welcomed is Paragraph 4.26 of the SPD which confirms that the Council will accept financial contributions towards affordable housing in 'exceptional circumstances'. It would be useful to provide an explanation as what might be considered an exceptional circumstance.</p>	Agree - the SPD will be amended accordingly	<p>Para 4.27 Insert at end of paragraph “<u>In determining whether affordable housing should be provided on a site the Council will consider the suitability of the site in terms of its proximity to services, facilities and public transport as well as, viability and any constraints which restrict the layout and ability to provide the full housing requirements on site.</u>”</p>
SPD 61	Martin Grant Homes	Para 4.62		✓			<p>The draft SPD provides no guidance on the criteria and possible scale of mitigation measures that may be sought with regard to the zone of influence on Chichester, Langstone and Pagham Harbours. Any off-site financial mitigation sought should acknowledge the potential impact on the economic viability of a scheme.</p> <p><b>Suggested Modification:</b></p>	<p>These measures are to protect European Sites.</p> <p>The Habitats Regulations 2010 and the NPPF at para 118 states that if significant harm cannot be avoided, mitigated, or compensated then</p>	<p>No Change required to the SPD.</p> <p>However para 4.67 will be amended as follows: “For Pagham Harbour SPA and Medmerry Compensatory Habitat, <u>work is underway towards a</u></p>

ID	Consultee	Consultation Point	Support	Support with mods	Object	Have Comments	Consultee Representations	Council's response	Proposed change to SPD
							Add following sentence to end of paragraph 4.62 – The Council acknowledges that any request for financial mitigation will need to be balanced against all other requested S106 obligations to ensure the economic viability and deliverability of a scheme is not jeopardised.	planning permission should be refused.	<u>strategic approach to delivering avoidance measures with Arun District Council and other partners. In the meantime avoidance measures.....”</u>
SPD 62	Martin Grant Homes	Para 2.3				✓	We note that the SPD establishes that planning obligations and contributions may be sought (in addition to that sought through CIL) with respect to a range of matters, such as transport, education, public open space and sport and recreational facilities etc.	Comment noted	No Change required to the SPD.
SPD 63	Commercial Estates group & DC Heaver & Eurequity Ltd	Para 4.52			✓		<p>We note that paragraph 4.52 and the table below it present average household sizes based on dwellings in the District from the 2011 Census.</p> <p>We consider that the table should be expanded to allow fair and reasonable apportionment of contributions for schemes which have not yet identified a specific housing mix (e.g. outline planning applications). In such circumstance it would be useful if the table also had reference to the average household size in the District which, the 2011 Census identifies as 2.2 people per dwelling (Census Table H01UK).</p> <p><b>Suggested Modification:</b></p> <p>Expand table to illustrate the average household size in the District overall (2.2 people per household).</p>	Where the mix is unknown (e.g outline applications) the calculation will be undertaken based on the housing mix recommended in the SHMA.	No Change required to the SPD.
SPD 64	Commercial Estates group & DC	Quantity and access			✓		Footnote no.3 of the table on 'Quantity and access standards for open space" on page 20 states that "Playing fields & pitches should be	Agree - the SPD will be amended accordingly.	Paragraph 4.58 will be extended as follows:

ID	Consultee	Consultation Point	Support	Support with mods	Object	Have Comments	Consultee Representations	Council's response	Proposed change to SPD
	Heaver & Eurequity Ltd	standards for open space					<p>accompanied by small built facilities to accommodate toilets, showers &amp; changing rooms."</p> <p>If such provision is sought then this must be fairly and reasonably apportioned according to the quantum of playing pitches proposed. This is in order to ensure compliance with the Community Infrastructure Levy Regulations (2010), Regulation 122 which seeks planning obligations to be fairly and reasonably related in scale and kind to the development.</p> <p>The table requires 0.15 ha of equipped play space to be provided per 1,000 population and the footnote explains that this excludes landscape buffers. Footnote 4 indicates that this area is not to include landscape buffers and informal play space. Based on the evidence in the Open Space Sport and Recreation Study it is understood that this standard relates to the combined requirement for children's play space and teenager play space (typically MUGAs).</p> <p>It is noted that the standard of 0.15 ha per 1,000 population (excluding landscaping or informal play areas) is based on a justification in Section 3.4.6 (Section 3) of the Open Space Sport and Recreation Study that: "a typical MUGA is between 0.08 and 0.12 ha in size, and a facility of this nature would be expected for a development resulting in 1000 people."</p> <p>A clearer distinction should therefore be made in</p>	<p>This is play provision for young and older children. It is expected that larger developments would provide play facilities for all age groups. Older children's play does not necessarily need to take the form of a MUGA. However, MUGAs can vary in size depending on the local need. New provision would be to cater for new population not existing demand.</p>	<p>"...changing rooms, <u>and associated parking and access commensurate with the scale of development proposed</u>".</p> <p>No Change required</p>

ID	Consultee	Consultation Point	Support	Support with mods	Object	Have Comments	Consultee Representations	Council's response	Proposed change to SPD
							<p>SPD that the proposed standard covers both locally equipped play space and MUGAs and hence, should be applied flexibly dependant on site specific circumstances. This is considered to be more in line with Play England's guidance which advocates site specific design rather than a one size fits all approach. Furthermore, if a site requires provision of locally equipped play space then an appropriate quantum of provision should be observed with reference to available evidence. For example, the Open Space study identifies that the existing average level of provision across the district of equipped play space is 0.04 ha/1000 people and, that nearly 70% of people felt there were enough facilities for children.</p> <p><b>Suggested Modification:</b></p> <p>Amend footnote 3 to read: "Playing fields &amp; pitches should usually be accompanied by small built facilities to accommodate toilets, showers &amp; changing rooms, which will be fairly and reasonably apportioned according to the quantum of playing pitches proposed."</p>		to the SPD.
SPD 65	Commercial Estates group & DC Heaver & Eurequity Ltd	Para 4.8		✓			<p>This paragraph explains that the exact tenure, type and size split of affordable homes on each site will be informed by the SHMA and information on local housing need, etc. This paragraph should also have regard to the fact that the CIL Charging Schedule which, is based on the provision of 30% affordable housing, will be consulted on following the close of the consultation on the Planning Obligations and Affordable Housing SPD. Hence, the reference in paragraph 4.8 to negotiation on affordable</p>	<p>The 30% affordable housing is within the new Local Plan, and therefore no further consultation is required.</p> <p>The CIL DCS was subject to consultation from 21 November 2014</p>	No Change required to the SPD.

ID	Consultee	Consultation Point	Support	Support with mods	Object	Have Comments	Consultee Representations	Council's response	Proposed change to SPD
							<p>housing provision including; exact tenure, type and size split, should be maintained and strengthened.</p> <p><b>Suggested Modification:</b></p> <p>Add additional sentence: "It should be noted that the CIL Charging Schedule which, is based on the provision of 30% affordable housing, will be consulted on following the close of the consultation on the Planning Obligations &amp; Affordable Housing SPD."</p>	to 5 January 2015.	
SPD 66	Commercial Estates group & DC Heaver & Eurequity Ltd	Para 4.2			✓		<p>This paragraph sets out the threshold and contribution requirements which, are considered when determining whether a proposed development should be subject to planning obligations.</p> <p>Whilst we support the principle of this approach we consider the guidance should provide sufficient flexibility to take into account site specific issues. For example, in the case of phased development associated with the Strategic Development Locations.</p> <p><b>Suggested Modification:</b></p> <p>We therefore propose the paragraph is expanded to indicate: "In some circumstances the threshold criteria will be applied taking into account the phasing requirements and constraints of large scale sites such as the Strategic Development Locations".</p>	This would be a matter for discussion at the planning application stage depending upon individual circumstances.	No Change required to the SPD.
SPD 67	Commercial Estates	Para 4.1	✓				We support the recognition in this paragraph that each development will be considered on a	Paragraph 4.1 relates to the whole	No Change required to the SPD.

ID	Consultee	Consultation Point	Support	Support with mods	Object	Have Comments	Consultee Representations	Council's response	Proposed change to SPD
	group & DC Heaver & Eurequity Ltd						site by site basis in line with relevant available evidence, guidance or policies. We consider this flexibility should be more clearly indicated through other sections of the SPD.	of section 4.	
SPD 68	Commercial Estates group & DC Heaver & Eurequity Ltd	Para 2.4			✓		<p>Paragraph 2.3 states that the SPD should be read in conjunction with the Community Infrastructure Levy (CIL) Charging Schedule. Furthermore, paragraph 2.4 that is to be read alongside the Regulation 123 list. The latter of which, however was only released toward the latter end of this public consultation in advance of release of the Cabinet Papers for the 4 November meeting.</p> <p>The SPD is written under the assumption that it will be in place alongside the CIL. However, in terms of the processes of binging both of these documents forward it is noted that there will be a period of time where the SPD is in place but the CIL Charging Schedule will not yet have been adopted.</p> <p>Thus, it is recommended that the SPD allows flexibility to appropriately take account of this interim period.</p> <p><b>Suggested Modification:</b></p> <p>Propose additional wording after paragraphs 2.3 and 2.4 to read: "It is recognised that this SPD may be adopted prior to the implementation of the Community Infrastructure Levy Charging Schedule and as such, in the intervening period the guidance of this SPD will be applied appropriately taking into account this fact."</p>	Agreed - the SPD will be amended accordingly	The SPD will now only be adopted once both the Local Plan and CIL are adopted.
SPD	Commercial	Para 2.3			✓		Paragraph 2.3 states that the SPD should be	The SPD will now	No Change required

ID	Consultee	Consultation Point	Support	Support with mods	Object	Have Comments	Consultee Representations	Council's response	Proposed change to SPD
69	Estates group & DC Heaver & Eurequity Ltd						<p>read in conjunction with the Community Infrastructure Levy (CIL) Charging Schedule. Furthermore, paragraph 2.4 that is to be read alongside the Regulation 123 list. The latter of which, however was only released toward the latter end of this public consultation in advance of release of the Cabinet Papers for the 4 November meeting.</p> <p>The SPD is written under the assumption that it will be in place alongside the CIL. However, in terms of the processes of binging both of these documents forward it is noted that there will be a period of time where the SPD is in place but the CIL Charging Schedule will not yet have been adopted.</p> <p>Thus, it is recommended that the SPD allows flexibility to appropriately take account of this interim period.</p> <p><b>Suggested Modification:</b></p> <p>Propose additional wording after paragraphs 2.3 and 2.4 to read: "It is recognised that this SPD may be adopted prior to the implementation of the Community Infrastructure Levy Charging Schedule and as such, in the intervening period the guidance of this SPD will be applied appropriately taking into account this fact."</p>	only be adopted once both the Local Plan and CIL are adopted	to the SPD..
SPD 70	Commercial Estates group & DC Heaver & Eurequity Ltd	Para 4.56			✓		<p>It is considered that the paragraph is too prescriptive and does not appropriately take into account the quantum of sports pitches/size of residential development required to support small built facilities (accommodating toilets, showers &amp; changing rooms). For example, it</p>	Agreed - the SPD will be amended accordingly	Paragraph 4.58 will be extended as follows: <u>"...changing rooms, and associated parking and access</u>

ID	Consultee	Consultation Point	Support	Support with mods	Object	Have Comments	Consultee Representations	Council's response	Proposed change to SPD
							<p>might not usually be considered necessary to deliver such a facility alongside provision of a single sports pitch.</p> <p><b>Suggested Modification:</b></p> <p>Amend to read: "Sports fields and pitches should be accompanied by the provision of small built facilities where appropriate, taking into account the quantum of pitches proposed, to accommodate toilets, showers and changing rooms."</p>		<u>commensurate with the scale of development proposed</u> ".
SPD 71	Commercial Estates group & DC Heaver & Eureka Ltd	Para 4.53			✓		<p>The table sets out a range of thresholds whereby, on-site provision of certain types of open space will be required based on the size of the site. Where open space is not provided on site it will be provided through the CIL.</p> <p>It is consider that these guidelines are too rigid for the purposes of an SPD and do not allow sufficient flexibility for site specific issues. It must be anticipated, for example, that provision of open space on the Strategic Development Locations (SDLs) will be delivered in a phased manner dependant on the particular physical and policy constraints of the site.</p> <p>It would therefore be more appropriate if the wording of the supporting paragraph indicated that in some circumstances this guidance must be applied flexibly.</p> <p><b>Suggested Modification:</b></p> <p>Add additional sentence at the end of the</p>	This would be a matter for discussion at the planning application stage depending upon individual circumstances.	No Change required to the SPD.



ID	Consultee	Consultation Point	Support	Support with mods	Object	Have Comments	Consultee Representations	Council's response	Proposed change to SPD
							paragraph to read: "In some circumstances the threshold criteria will be applied taking into account the phasing requirements and constraints of large scale sites such as the Strategic Development Locations".		
SPD 72	Sport England	Para 4.54	✓				Sport England is in support of the approach taken by Chichester Council, in particular the table which sets out the requirements for open space, sport and recreation facilities and whether it will be delivered through S.106 agreements or via CIL.	Support welcomed	No Change required to the SPD.