

Liz Pulley

From: Juggins, Phoebe @ London HH <Phoebe.Juggins@cbre.com>
Sent: 11 February 2015 13:34
To: Neighbourhood Planning
Cc: Stoddart, Jonathan @ London HH; Novelle, Mark @ London HH
Subject: Premier Marinas - Birdham Neighbourhood Plan Reg 16 Consultation Representations
Attachments: Birdham_response_form reg 16 consultation CBRE.pdf; CBRE for Premier Marinas Birdham Neighbourhood Plan Reps150211.pdf

Dear Sir/Madam,

On behalf of Premier Marinas, I submit representations to the Birdham Neighbourhood Plan.

Please do not hesitate to contact us should you wish further discussion on any of the matters raised in our letter.

Many thanks,
Phoebe

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Representation Form

Birdham Neighbourhood Plan

The Neighbourhood Planning (General) Regulations
2012 - Regulation 16

Birdham Parish Council has prepared a Neighbourhood Plan. The plan sets out a vision for the future of the parish and planning policies which will be used to determine planning applications locally.

Copies of the Birdham Neighbourhood Plan and supporting documents are available to view on the District Council's website: <http://www.chichester.gov.uk/neighbourhoodplan>.

All comments must be received by 5:00pm on Thursday 12 February 2015.

There are a number of ways to make your comments:

- Complete this form on your computer and email it to: neighbourhoodplanning@chichester.gov.uk
- Print this form and post it to us at: **Neighbourhood Planning, East Pallant House, 1 East Pallant, Chichester PO19 1TY**

All comments will be publicly available, and identifiable by name and organisation (where applicable). Please note that any other personal information provided will be processed by Chichester District Council in line with the Data Protection Act 1998.

How to use this form

Please complete Part A in full, in order for your representation to be taken into account at the Neighbourhood Plan examination.

Please complete Part B overleaf, identifying which paragraph your comment relates to by completing the appropriate box.

PART A	Your Details
Full Name	Jonathan Stoddart
Address	CBRE, Henrietta House, Henrietta Place, London
Postcode	W1G 0NB
Telephone	
Email	Jonathan.stoddart@cbre.com
Organisation (if applicable)	CBRE Limited
Position (if applicable)	Director – Planning
Date	12 th February 2015

PART B

To which part of the document does your representation relate?

Paragraph Number	Various	Policy Reference:	Various
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Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support/opposition, or make other comments here:

Full response included within letter of representation.

(Continue on separate sheet if necessary)

What improvements or modifications would you suggest?

Full response included within letter of representation.

(Continue on separate sheet if necessary)

If you have additional representations feel free to include additional pages. Please make sure any additional pages are clearly labelled/ addressed or attached.



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Neighbourhood Planning
East Pallant House
1 East Pallant
Chichester
PO19 1TY

11th February 2015

Dear Sir/Madam,

BIRDHAM PARISH COUNCIL NEIGHBOURHOOD PLAN – REGULATION 16 SUBMISSION CONSULTATION

Introduction

We are instructed by our client Premier Marinas to provide comments in response to the public consultation of the Birdham Parish Neighbourhood Development Plan Regulation 16 Consultation. Premier Marinas Ltd. is owner and operator of Chichester Marina, located off Birdham Road, approximately 500m north of the northern-most extent of the settlement of Birdham.

Chichester Marina lies at the northern extent of the Birdham Parish Council administrative boundary, with the Parish boundary dissecting the water body of the marina at its mid-point from west to east. The access, parking, leisure and boatyard facilities of the marina lie within the Parish boundary in their entirety. There is also a thriving community living at the marina.

Premier Marinas is a major marina operator in the UK, and a major employer and economic investor in Chichester and other locations on the south coast of the UK. Premier Marinas makes significant investments in its marina locations to enhance the vitality and viability of the marinas and ensure it provides modern, high quality services and facilities to users and visitors. This is evident from the recent redevelopment of the marina facilities at Chichester Marina to provide a modern cafe, marine retail and brokerage, office space, new boatshed and ablutions to enhance the service offering at the marina.

Premier Marinas welcomes the opportunity to be involved in the Neighbourhood Plan preparation process as a key stakeholder, having been involved in previous stages of consultation, and the following comments build upon these where necessary, and are provided below in advance of the consultation deadline of 12th February 2015.

General Comment

Premier Marinas is a major investor in the area, having recently developed a new marina boatyard with local facilities and employment space, providing jobs and services for local people, as well as enhancing the environment and amenity value of the marina itself.



The vision statement is supported by Premier Marinas, balancing growth and economy against the environmental quality of Birdham.

As such, there is broad support for the plan and its policies seeking to protect and enhance the area, in terms of heritage, archaeology, ecology, landscape, community and amenity. Premier Marinas wishes to support the continued enhancement of Birdham, with regard to economic, social and environmental aspects.

Although Premier Marinas is supportive of the Plan's objectives and vision statement, there are concerns over the restrictions in some of the policies, which are not considered to accord with the National Planning Policy Framework's (NPPF) sustainable development agenda, specifically the notion that *"development that is sustainable should go ahead, without delay"*, within the presumption for sustainable development. Furthermore, Neighbourhood Plans should set out a 'positive vision', as per paragraph 17 of the NPPF. Whilst Neighbourhood Plans should ensure that the right type of development is promoted within their communities, they should not promote less development than set out in the Local Plan.

Premier Marinas' specific comments are set out below under the relevant policy headings.

Policy 15: Rural Area Policy

Previously, it was considered that the policy was too restrictive, and we note that Chichester District Council also put forward this view. Premier Marinas now welcomes the inclusion of a reference to NPPF paragraph 55, however, we refer to bullet 3 of this paragraph, with regard to 'special circumstances' for permitting homes in the countryside. One such special circumstance listed states that *"where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting"*. Premier Marinas considers that reference in policy 15 to *"agricultural/ horticultural/business purposes or to provide dwellings for agricultural workers"* does not reflect this and is confusing when read in conjunction with paragraph 55 of the NPPF. Furthermore, paragraph 55 of the NPPF does not restrict development in this manner and therefore such a reference should be removed. In scenarios of housing shortfall and sustained under-delivery, managing development within areas outside of the Settlement Boundary Area (SBA) could be crucial to delivering housing.

Policy 15 with reference to NPPF paragraph 55, should provide the baseline for further policies in the Neighbourhood Plan, with regard to areas outside of the SBA.

Policy 12: Housing Development

Policy 12 of the Draft Neighbourhood Plan recognises the identified housing target of 50 additional dwellings over the plan period from the emerging Local Plan for Chichester. The Draft Neighbourhood Plan identifies recent consents for 79 new dwellings and states that there is no requirement for additional housing development in the Neighbourhood Plan area, having already exceeded the target of 50 dwellings.

This represents a misapplication of the principles of the Local Plan. The emerging Chichester Local Plan (Main Modifications) has an updated housing delivery target of 7,388 additional dwellings over the plan period, but acknowledges that this does not meet the current Objectively Assessed Housing Needs (OAN). Paragraph 47 of the NPPF seeks to *"boost significantly the supply of housing"*, and paragraph 48 states that *"housing applications should be considered in the context of the presumption in favour of sustainable development"*, namely, that, as above, *"development that is sustainable should go ahead, without delay"*. As such, policies should not be used to restrict the development of housing, by virtue of existing targets being met. Instead, the principles of sustainable development – economic, social and environmental, should be applied and development to meet changing needs should be encouraged. The Neighbourhood Plan should recognise the need to provide more than enough, not just enough housing supply and should be flexible to allow for additional supply to come forward to meet need.

It is accepted that there is not a requirement to allocate sites at this point in the plan period, however, given that Chichester District has an identified housing delivery shortfall, there should be a robust methodology in place to consider allocating further sites or identifying reserve sites. Given that the Council cannot demonstrate a five-year housing land supply in the district, such restrictive policies should be applied with caution, and it is sensible to include a mechanism for additional housing sites coming forward within the policy wording.

The Neighbourhood Plan Steering Group response states that policy 12 is considered 'adequate' as it stands, however, goes on to state that *"the plan can be reviewed in future if required"*. Clearly, there should be a robust assertion as to the circumstances under which a review would be required, to allow flexible response to current conditions (in line with NPPF paragraph 21). Furthermore, given that Chichester District Council may be required to undertake a Local Plan Review within the plan period, the mechanism should be in place for the Neighbourhood Plan to respond to this.

Premier Marinas also notes that a response provided to representations made, seeking a 'small sites policy', states that *"the plan reflects views of residents who wanted a settlement boundary maintained"*. This does not appear to be a robust judgement based on the evidence of the emerging District wide-plan. The Neighbourhood Plan should be written with the needs of the area across the whole plan period in mind, and should have proper justification for any of its policies which is not based solely on views of residents but to take a more rounded approach to future development.

Policy 13: Settlement Boundary

Premier Marinas supports this policy cross referencing policy 15 and therefore the requirements of the NPPF (paragraph 55). However, as above, it is proposed that a trigger point be inserted for when a boundary review may be required. Premier Marinas suggests that this is clarified, and additionally, a mechanism put in place to review the Plan, should the Chichester Local Plan be reviewed.

Policy 14: Windfall Sites

The emerging Chichester Local Plan recognises that the district has significant constraints on its capacity for future growth and development, including strategic housing development. Windfall housing sites can therefore make a valuable contribution to housing delivery, and it is recognised within the Chichester Five Year Housing Land Supply that a significant proportion of housing development has historically come forward on windfall sites. As such, it should be recognised that this may occur at suitable locations outside of the SBA, where development can be facilitated sustainably, recognising local services beyond the village itself and subject to compliance with other policies in the plan.

Policy 16: Housing Density and Design

Premier Marinas considers that the requirement of draft Policy 16 for off street parking for at least 2 cars per unit is too onerous and not realistic for smaller units. Premier Marinas agrees with the points made by Chichester Harbour Conservancy in relation to dwelling sizes and car parking spaces, seeking flexibility of provision in relation to unit size. The policy does not promote the use of sustainable modes of transport and greater flexibility should be incorporated to allow for appropriate consideration on a case by case basis.

Furthermore, it is not considered that the evidence base is robust to justify the approach of the policy. If 63% of Birdham residents have 2 or more cars, this does not directly infer that this should be the standard across the plan area. The aims of sustainable development seek to reduce car travel and increase the use of sustainable transport, and a policy requiring the provision of 2 car parking spaces per unit is contrary to these objectives.

Policy 22: Development for Business Use

Premier Marinas considers that this policy should recognise employment sites and businesses which are located outside of the SBA. Chichester Marina is a key local employer and economic driver and as such, to ensure continued economic performance, should not be restricted from future growth to remain competitive. Given the scale of the marina, with over 1,100 berths, it should be recognised that further development may be required in the future to ensure the continued economic sustainability of the marina. Indeed, 'excellent boating & marine facilities' is listed as a 'Strength' on page 14 of the plan. This change would reflect the requirement of NPPF paragraph 21, bullet 1, which seeks a clear economic vision and strategy, which positively and proactively encourages sustainable economic growth.

Policy 23: Retention of Businesses

Further to the above, draft policy 23 seeks to retain businesses, which should allow a degree of flexibility so that local economies can adapt and grow successfully, supporting Birdham economically. Support is expressed only for business related to tourism, marine, horticulture and agriculture. It should be recognised that, whilst the existing local economy has certain characteristics, business needs change and adapt, and as such, the policy should contain a level of flexibility to reflect this. Such an alteration would bring the policy wording in line with Paragraph 21, bullet 3 of the NPPF, which states that *"policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances."*

Whilst it is recognised that marine-related businesses are important to the function of waterside development and often have a waterside locational need, marina activities and uses can also attract other non-marine related industries and businesses. Similarly, not all marine-related businesses require a waterside location for their operations, which reduces the demand on such locations. The policy should therefore include appropriate flexibility to allow for alternative businesses to make efficient use of land and buildings rather than be too prescriptive and potentially limit the economic prosperity and growth of locations such as Chichester Marina.

Policy 5: Light Pollution

This policy seeks to limit the impact of light pollution from artificial light. Premier Marinas appreciates the sensitivity of the surrounding environment to light pollution, however, seeks an acceptance within the policy, that signage relating to economic development (including businesses and services) should be considered essential to promote local businesses and sustain the economic vitality of the locality.

The policy as worded is more restrictive than the NPPF paragraph 125. 'Limiting the impact' of light pollution is not that same as resisting all lighting proposals, as currently proposed by the draft policy. Further flexibility should be added to this policy, seeking to give consideration to the merits of individual cases, where lighting may be appropriate.

Minor Amendments and Clarifications

Premier Marinas suggests that the furthering of marine businesses and Chichester Marina as a key local employer should be included in the 'Opportunities' section on page 14, in line with the business policies proposed.

Summary and Conclusions

Premier Marinas, as a major investor and provider of jobs and services in the area, welcomes the opportunity to submit representations to the Draft Birdham Neighbourhood Plan. The vision of the Plan is supported by Premier Marinas, as a stakeholder for both the local economy and environment. Whilst there is broad support

for the overarching objectives of the Plan, there are concerns regarding specific policies with regard to compliance with the NPPF and planning positively for future needs, in line with sustainable development.

Specifically, Premier Marinas is concerned about the restrictions placed on development in the Plan area, and the lack of conformity with the pro-growth and sustainability agenda of the NPPF. Policies 12, 13, 14, 15 and 22 seek to restrict growth of both economic and residential development, by virtue of the current planning consents and current economy. There should be recognition that circumstances may change over the Plan period and as such, the policies should contain added flexibility to future-proof the economic and social vitality of Birdham.

Please do not hesitate to contact me or my colleague Phoebe Juggins (phoebe.juggins@cbre.com / 020 7182 2132) if you have any queries or further comments. We look forward to hearing from you regarding further consultations and engagement.

Yours faithfully

A black rectangular redaction box covering the signature of Jonathan Stoddart.

JONATHAN STODDART
DIRECTOR – CBRE PLANNING

