

## Becca Stokes

---

**From:** Paul White <Paul@GenesisTP.co.uk>  
**Sent:** 06 October 2015 13:03  
**To:** Neighbourhood Planning  
**Subject:** St Wilfrid's Hospice Representations  
**Attachments:** BosNPform.pdf

Dear Mrs Dobson,  
Further to our recently submitted representations we attach the representation form which should have been sent to you originally. My apologies for this oversight,  
Kind regards

**Paul White BA (Hons) DipTP MRTPI**  
Director of Planning  
Paul@GenesisTP.co.uk

26 Chapel Street  
Chichester  
West Sussex  
PO19 1DL

Tel: 01243 534050  
Mob: 07833 597790  
Web: [www.genesisstownplanning.co.uk](http://www.genesisstownplanning.co.uk)



This message contains confidential information and is intended only for the {Message Recipients}. If you are not the {Message Recipients} you should not disseminate, distribute or copy this e-mail. Please notify {Display Name} immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. E-mail transmission cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. {Company} Ltd therefore does not accept liability for any errors or omissions in the contents of this message, which arise as a result of e-mail transmission. If verification is required please request a hard-copy version.

Genesis Town Planning Ltd, Amelia House, Crescent Road, Worthing, West Sussex BN11 1QR. Registered in England and Wales, Company Number 6849869

---

## LEGAL DISCLAIMER

Communications on or through Chichester District Councils computer systems may be monitored or recorded to secure effective system operation and for other lawful purposes.



## Representation Form

### Bosham Neighbourhood Plan

The Neighbourhood Planning (General) Regulations  
2012 - Regulation 16

Bosham 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 Bosham 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 9th October 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](mailto: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.

<b>PART A</b>	<b>Your Details</b>
<b>Full Name</b>	St Wilfrid's Hospice (South Coast) Projects Ltd
<b>Address</b>	C/o Genesis Town Planning 26 Chapel Street Chichester West Sussex
<b>Postcode</b>	PO19 1DL
<b>Telephone</b>	01243 534050
<b>Email</b>	paul@genesistp.co.uk
<b>Organisation (if applicable)</b>	Genesis Town Planning
<b>Position (if applicable)</b>	

Date	September 2015
------	----------------

## PART B

To which part of the document does your representation relate?

Paragraph Number		Policy Reference:	Policy 2A(iii); Policy 5 (C)

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:

We object to the allocation of land at Oakcroft Nursery in Policy 2A (iii) for 23 dwellings. We suggest the wording of Policy 5 C is amended. Overall we believe the Neighbourhood Plan as currently drafted fails to meet 2 of the basic conditions for Plan preparation namely it fails to contribute to the achievement of sustainable development and fails to be in conformity with the strategic policies of the development plan for the area.

Our comments are set out in full in the accompanying representations.

(Continue on separate sheet if necessary)

What improvements or modifications would you suggest?

Please refer to section 3 of the accompanying representations.

(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.

## Becca Stokes

---

**From:** David Seaman <david-seaman@the-seaman-partnership.co.uk>  
**Sent:** 18 September 2015 14:45  
**To:** Neighbourhood Planning  
**Cc:** Stephen Harris  
**Subject:** FW: TSP482 St Wilfrid's Hospice - Comments for Planning Application - 15/0150/FUL  
**Attachments:** Bosham NPlan reps.docx; New Hospice Planning Statement.pdf  
**Importance:** High

FAO Valerie Dobson.

Dear Valerie,

Please see attached Neighbourhood Plan representation for the Bosham Neighbourhood Plan, previously sent to Stephen Harris on 08/09/15, which he has advised we should forward on to you.

Grateful if you would confirm receipt.

Regards

David Seaman

The Seaman Partnership Ltd  
Unit 2 Martins Barn  
Birdham Road  
Chichester  
West Sussex, PO20 7BX  
Tel: 01243 514131 Fax: 01243 511488

This email and any files transmitted with it contains confidential information intended solely for the use of the individual or company to whom it is addressed. If you have received this email in error (ie you are not the named addressee) you should not disseminate, distribute or copy this e-mail. Please notify the sender. All reasonable precautions have been taken to ensure that this e-mail is free from any virus, however, the recipient should verify this to be the case. At TSP we appreciate all comments received from clients, take pride in providing an excellent service and place value on our ability to correct error. Should you wish to comment on any aspect of the service that I personally, or TSP as a whole, have given you please do so in confidence through my e-mail address.

---

**From:** David Seaman  
**Sent:** 08 September 2015 16:09  
**To:** Stephen Harris <Sharris@chichester.gov.uk>

**Subject:** FW: TSP482 St Wilfrid's Hospice - Comments for Planning Application - 15/0150/FUL  
**Importance:** High

Dear Mr Harris,

We have seen the policy comments from Mr Allgrove to the above application and would like to respond to them so you have the opportunity to refer to them in your planning committee report.

- The comments confirm that the site is greenfield not brownfield and is within the AONB beyond the settlement policy boundary in open countryside. You will appreciate however that the existing settlement boundary for Bosham comes from the old 1999 Local Plan which is 'time expired' as it was drawn to meet housing need up until 2006. The Plan has of course already been replaced by the new 2015 Key Policies Local Plan and policy 2 of this Plan specifically provides for at least 50 houses at Bosham. A new settlement boundary will be established when the Bosham N Plan is adopted but this is still only at Pre Submission stage meaning limited weight can be attached to it.
- The emerging Neighbourhood Plan makes provision for 23 houses on the site now proposed for the Hospice. The fact that the Parish deem the site suitable for 23 houses must imply it enjoys a sustainable location and is suitable for development in principle and won't harm the AONB. This view was supported by the CHCC which raised no objection to the proposal in the AONB.
- Mr Allgrove refers to the alternative site assessment carried out by the applicant when the application was submitted but comments there is no indication where these sites are located and why they are not suitable. In this regard, we can confirm that Henry Adams was instructed to carry out a site search and a list of the sites and the reasons why they were not considered acceptable is will be forwarded under separate e-mail.
- Mr Allgrove also says on page 3 of his comments that there is insufficient justification for the development to be within the AONB in line with bullet point 2 of paragraph 116 of the NPPF. However we dealt with this extensively in section 5 of the planning statement submitted with the application and a copy is attached with this email for information. The alternative site search indicates there was no scope for developing outside the AONB as sites were not practically or realistically available. The need could not be met in any other way e.g. by extending the existing facility at Stockbridge given the site size constraints. Paragraph 4.6 - 4.7 of the Planning Statement deals with this point more fully.
- Finally in his conclusions Mr Allgrove refers to the emerging Bosham Neighbourhood Plan and says the weight to be attached to it will increase at the point the submission consultation has been completed. This is factually incorrect as the weight also depends on whether there are any outstanding objections to policies of the Neighbourhood Plan. The extract from the on-line Planning Practice guidance below confirms this. In this regard we attach objections to the draft Plan as the allocation of Oakcroft Nursery for 23 houses in the Plan would plainly conflict with the planning application for the Hospice. We trust you will make reference to them when you prepare your planning committee report on the hospice application.

## **What weight can be attached to an emerging neighbourhood plan when determining planning applications?**

Planning applications are decided in accordance with the development plan, unless material considerations indicate otherwise. An emerging neighbourhood plan may be a material consideration. **Paragraph 216 of the National Planning Policy Framework** sets out the weight that may be given to relevant policies in emerging plans in decision taking. Factors to consider include the stage of preparation of the plan and the extent to which there are unresolved objections to relevant policies. Whilst a referendum ensures that the community has the final say on whether the neighbourhood plan comes into force, decision makers should respect evidence of local support prior to the referendum when seeking to apply weight to an emerging neighbourhood plan. The consultation statement submitted with the draft neighbourhood plan should reveal the quality and effectiveness of the consultation that has informed the plan proposals. And all representations on the proposals should have been submitted to the local planning authority by the close of the local planning authority's **publicity period**. It is for the decision maker in each case to determine what is a material consideration and what weight to give to it.

Kind regards

David Seaman

The Seaman Partnership Ltd  
Unit 2 Martins Barn  
Birdham Road  
Chichester  
West Sussex, PO20 7BX  
Tel: 01243 514131 Fax: 01243 511488

This email and any files transmitted with it contains confidential information intended solely for the use of the individual or company to whom it is addressed. If you have received this email in error (ie you are not the named addressee) you should not disseminate, distribute or copy this e-mail. Please notify the sender. All reasonable precautions have been taken to ensure that this e-mail is free from any virus, however, the recipient should verify this to be the case. At TSP we appreciate all comments received from clients, take pride in providing an excellent service and place value on our ability to correct error. Should you wish to comment on any aspect of the service that I personally, or TSP as a whole, have given you please do so in confidence through my e-mail address.

---

#### LEGAL DISCLAIMER

Communications on or through Chichester District Councils computer systems may be monitored or recorded to secure effective system operation and for other lawful purposes.

**NEIGHBOURHOOD PLAN  
REPRESENTATIONS**

---

**Bosham Parish Neighbourhood  
Development Plan Submission  
Document - Regulation 16  
Consultation**

**Representations submitted on behalf of:**

**St Wilfrid's Hospice (South Coast) Projects  
Ltd**

**September 2015**

**Ref 15060**

---





### 1.0 INTRODUCTION AND SCOPE OF REPRESENTATIONS

#### A Introduction

- 1.1 These representations on the Bosham Parish Submission Neighbourhood Plan have been prepared on behalf of St Wilfrid's Hospice (South Coast Projects) Ltd. The charitable company has a controlling interest in land at Oakcroft Nursery Walton Lane and has recently submitted a detailed planning application for a new Hospice and associated works on the site under **LA Ref 15/01507/FUL**.
- 1.2 The planning application is well advanced and has the support of many local residents and the Chichester Harbour Conservancy Council. There are no site specific or technical reasons in terms of infrastructure constraints that cannot be adequately mitigated to prevent the development coming forward. A pre application enquiry response from the District Council dated 15 January 2015 has also confirmed '**that the principle of developing the site as the new location for St Wilfrid's is likely to receive officer support**'.
- 1.3 Until the planning application has been determined, St Wilfrid's Hospice is obliged to object to the Submission Version Bosham Neighbourhood Plan because draft **Policy 2 A (iii)** has identified the Oakcroft Nursery Site as a residential allocation of at least 23 dwellings. An informative to the policy explains that the reason the site was retained as a housing allocation was due to the lengthy process of the Neighbourhood Plan consultations, which the Hospice proposal has not, and there was no good planning reason not to include the site as an allocation in **Policy 2**.

#### B Scope of Representations

- 1.4 St Wilfrid's therefore **objects** to the continued allocation of the Oakcroft Nursery Site for residential development in **Policy 2 (iii)** of the Submission Plan. St Wilfrid's notes that the Parish chose to object to the proposed Hospice when it was consulted on the planning application and fears that the Plan and the conflict it has introduced with emerging Policy 2 could unfairly prejudice its planning application as it remains undetermined at this time. In St Wilfrid's view this would be a perverse outcome of the Neighbourhood Plan process given the self-evident support the planning application has received from so many other local people in Bosham and no objections were raised by Chichester Harbour Conservancy Council as part of the planning application process.

- 1.5 From a Plan Making point of view, in failing to recognise the alternative Hospice proposal the Plan also runs the risk of being out of date before it has even reached Examination. A serious shortcoming is that if the Hospice application is approved and implemented the Plan will not be able to deliver the 23 residential dwellings proposed for the Oakcroft Nursery site. As a consequence without a substitute site or sites the Neighbourhood Plan will fail to meet the full Parish housing requirement of at least 50 dwellings allocated to Bosham by Policy 5 of the adopted Chichester District Local Plan (Key Policies) 2014-2029. As such it will therefore fail to meet one of the basic conditions of Neighbourhood plan preparation which is that it has to be in general conformity with the strategic policies contained in the Development Plan for the Area.
- 1.6 As a related point the Neighbourhood Plan as drafted does not provide sufficient flexibility to help meet the full objectively assessed needs for the housing market area in which it is situated. As noted in paragraph 14 of the National Planning Policy Framework (NPPF), for plan making the achievement of sustainable development means meeting the objectively assessed needs of an area with sufficient flexibility to adapt to rapid change. The Neighbourhood Plan must therefore build in more flexibility to meet future housing need, and to allow for an alternative non-residential use of the Oakcroft Nursery site Policy 2 should be amended to include another named housing site or sites to come forward as 'reserves' to make up the difference.
- 1.7 As a corollary to our comments on Policy 2, we also object to **Policy 5** which deals with Community Facilities.
- 1.8 **Part C of Policy 5** deals with new community facilities and it states '**Other proposals for new community facilities of an appropriate scale that comply with Policy 2 and all other BPNP policies will be supported**'. Since Policy 2 deals with proposed housing allocations unrelated to community facilities the reference to Policy 2 doesn't make sense and must be an error. To correct this we therefore suggest the following wording '**Other proposals for new community facilities of an appropriate scale that comply with other policies of the Plan will be supported**'.

2.0 POLICY CONSIDERATIONS FOR THE DRAFT NEIGHBOURHOOD PLAN

**A The Basic Conditions**

2.1 The Localism Act 2011 inserts provisions into the Town and Country Planning Act 1990 (“the Act”) in relation to neighbourhood development orders and into the Planning and Compulsory Purchase Act 2004 in relation to neighbourhood development plans. Paragraph 8(2) of Schedule 4B of the 1990 Act sets out the basic conditions a Neighbourhood Plan must meet and which an examiner must consider. To meet the basic conditions a Plan must:

- Have regards to national policies and advice contained in guidance issued by the Secretary of State
- Contribute to the achievement of sustainable development
- Be in general conformity with the strategic policies of the development plan for the area
- Be compatible with the European Union (EU) and European convention on human rights (ECHR) obligations

**i) National Policy and Contributing to Sustainable Development**

2.2 The National Planning Policy Framework (NPPF) (paragraph 14) defines sustainable development. For plan making it states that this means meeting the objectively assessed needs of an area with sufficient flexibility to adapt to rapid change unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

2.3 In our view therefore to meet the first 2 basic tests, policies of the Bosham Neighbourhood Plan must be flexible in terms of meeting objectively assessed housing need and the only way it can achieve this is to identify a sufficient number of sites to meet that need.

**ii) Conformity with the Development Plan**

2.4 Paragraph 184 of the NPPF restates the basic condition that a Neighbourhood Plan must be in general conformity with the strategic priorities of the Local Plan. Chichester District Council is responsible for the Development Plan for the area and the Chichester District Local Plan (Key Policies) 2014-2029 was adopted in July 2015. As indicated earlier in paragraph 1.5, Policy 5 of

the Plan provides for 50 dwellings as Parish housing sites at Bosham although this is an indicative target rather than an upper limit.

- 2.5 Paragraph 7.28 of the Local Plan states that developments of less than 6 dwellings will not count against the Parish numbers as they are already taken into consideration in the Small Sites Windfall Allowance. This is an important point for the Bosham Neighbourhood Plan which cannot therefore count any windfall sites from infill developments within the settlement policy boundary towards its 50 dwelling indicative housing target.
- 2.6 Another important consideration to bear in mind for the emerging Neighbourhood Plan is that even if it is able to meet the 50 dwellings minimum required by the Local Plan, this will not necessarily mean it will be in conformity in the longer term. This is because the Inspector who conducted the Local Plan Examination found that overall, the Plan was not able to meet the full, objectively assessed housing needs (OAN) of the area and only found it sound on the basis the Council reviews the Local Plan within five years to aim to ensure that OAN is met. In our view, this is another highly relevant reason why the Bosham Neighbourhood Plan should be prepared with as much in built flexibility as possible and for practical purposes it would make sense if significantly more than 50 dwellings were catered for in the Plan, otherwise it will require an immediate review.

3.0 BOSHAM NEIGHBOURHOOD PLAN POLICY COMMENTS

A Neighbourhood Plan Policies

i) Policy 2 – Housing Sites

3.1 In light of our comments in connection with the basic conditions for Neighbourhood Plans and the imperative to find significantly more than 50 dwellings for the Parish, it is concerning that paragraph 5.11.17 says that if all the housing sites allocated under **Policy 2 (A) (i)-(v)** were to be developed the resultant number of new dwellings would still be just 63. Schemes of 6 or fewer dwellings as windfall sites will not count towards the housing requirement so the loss of 23 dwellings at Oakcroft Nursery to the Hospice as **site (iii)** would reduce the number of dwellings provided in the Plan to only 40.

3.2 According to the on-line Planning Practice Guidance (Ref ID:41-007-20140306) some weight can be attached to emerging Neighbourhood Plan Policy in determining planning applications but this depends on the stage of preparation of the Plan and the extent to which there are unresolved objections to emerging policy. Self-evidently there are unresolved objections to the inclusion of the Oakcroft Nursery site as a housing site in Policy 2 and with less weight, it should not pre determine decisions on the alternative Hospice planning application.

3.3 Without Oakcroft Nursery, the emerging Bosham Neighbourhood Plan will not have allocated sufficient housing sites even to meet its present housing target let alone increased

housing provision required within the next 5 years. On any view therefore the Plan as drafted will not help Chichester District boost significantly the supply of housing as it is required to do so by paragraph 47 of the NPPF and without further changes to the Submission Plan we believe it will fail the basic conditions and not therefore be able to proceed to referendum.

**Comment**

3.4 We therefore invite the Parish to withdraw the current Submission Neighbourhood Plan and modify it with additional housing sites, even as reserve sites. The additional sites would provide a short term 'buffer' in the event the Oakcroft Nursery site is lost to the Hospice. In the longer term the additional sites would also ensure the Neighbourhood Plan is well placed to contribute towards increased housing provision in the next Local Plan Review required in the next 5 years. In the event the Plan proceeds without further changes we invite the Inspector to find against the Plan as it will fail to contribute to the achievement of sustainable development and not be in general conformity with the strategic policies of the development plan for the area.

**ii) Policy 5**

3.5 This policy which applies to Community Facilities requires amendment as its wording in our view, refers to Policy 2 in error.

**Comment**

3.6 Part C of Policy 5 deals with new community facilities and it states 'Other proposals for new community facilities of an appropriate scale that comply with Policy 2 and all other BPNP policies will be supported'. Since Policy 2 deals with proposed housing allocations unrelated to community facilities the reference to Policy 2 doesn't make sense and must be an error.

3.7 To correct this we therefore suggest the following wording '**Other proposals for new community facilities of an appropriate scale that comply with other policies of the Plan will be supported**'.

- 3.8 With this change there is no need to make explicit reference to the proposed Hospice at the Oakcroft Nursery site as it could come forward in compliance with Part C of Policy 5 with the new wording as proposed above.



Land at Oakcroft Nursery Bosham

# PLANNING AND DESIGN STATEMENT

---

Demolition of redundant glasshouses and associated buildings and construction of new Residential Hospice comprising an 18 bedroom inpatient unit and Day Hospice with associated external stores, café, shop and offices, car parking, access and landscaping.

On:

Land at Oakcroft Nursery Walton Lane  
Bosham PO18 8QB

On behalf of:

St Wilfrid's Hospice (South Coast) Projects Ltd

May 2015

Ref: 15060



## CONTENTS

1.0	INTRODUCTION	.....	1
	Supporting Information	.....	2
2.0	THE SITE AND SURROUNDINGS	.....	3
	The Site	.....	3
	The Surroundings	.....	3
3.0	RELEVANT HISTORY	.....	5
	The Existing Hospice at Donnington	.....	5
	The Proposed Hospice at Bosham	.....	5
	Planning History	.....	6
	Pre Application & Screening Opinion	.....	6
4.0	PLANNING POLICY CONSIDERATIONS	.....	8
	National Policy	.....	8
	Local Plan Policy	.....	10
5.0	JUSTIFICATION FOR THE APPLICATION PROPOSAL	.....	12
6.0	SUMMARY AND RECOMMENDATION	.....	14
	Summary	.....	14
	Recommendation	.....	15

---

### 1.0 INTRODUCTION

- 1.1 This Planning and Design Statement has been prepared on behalf of St Wilfrid's Hospice (South Coast) Projects Ltd. It accompanies a detailed planning application for the redevelopment of 1.11 ha (2.75 acres) of redundant nursery land including dilapidated glass houses and former boiler house building at Oakcroft Nursery Walton Lane Bosham with a new purpose built Residential Hospice and Day Hospice, associated external stores, café, shop and offices, car parking, access and landscaping.
- 1.2 The proposed facility will replace the present Hospice at Donnington near Chichester which has outgrown its existing site. The new facility will offer respite care in a larger building and allow for other updated patient and family facilities, so that Community Care, Palliative Day Services, Physiotherapy & Occupational Therapy and Bereavement services can better meet people's needs now, and in the future.
- 1.3 The new facility will be funded from the proceeds of the residential redevelopment of the existing site at Donnington as a form of 'enabling development'. This will be the subject of a separate planning application in due course.
- 1.4 The site of the new replacement Hospice facility at Bosham is located in an environmentally sensitive location within the Chichester Harbour Area of Outstanding Natural Beauty (AONB). Consequently a formal screening opinion for Environmental Assessment (EA) and a pre application enquiry have both been submitted to Chichester District Council.
- 1.5 In respect of the screening opinion, Chichester District Council concluded that whilst the proposal would have some impact on its surroundings, the effects would not be so significant to justify the submission of an Environmental Statement with any subsequent planning application.
- 1.6 The conclusion of the pre application enquiry was that the principle of developing the site as the new location for St Wilfred's Hospice was also likely to receive officer report although it recommended additional information would need to accompany the formal planning application submission.

### Supporting Information

- 1.7 The additional information has now been completed and the full supporting information set out in various consultant reports and plans comprises:
- Planning Statement: Genesis Town Planning
  - Design and Access Statement: The Seaman Partnership Ltd

- Transport Statement: RGP
- Stage 1 Road Safety Audit: RGP
- Travel Plan: RGP
- Parking Provision Statement: RGP
- Archaeological Survey: Development Archaeological Surveys Ltd
- Landscape and Visual Impact Assessment: Lizard Landscapes
- Arboricultural Impact Assessment and Mitigation Method Statement: lizard Landscapes
- Noise Assessment: Applied Acoustic Design
- Statement of Community Involvement: The Seaman Partnership Ltd
- Surface and Foul Water Drainage Strategy: Miller Rogers
- Flood Risk Assessment: Miller Rogers
- Phase 1 Walkover & Habitat Survey (and Reptile Survey): Lizard Landscapes
- Ground Appraisal Report: Geo Environmental
- Viability Assessment of continued Horticultural Use: Henry Adams
- BREEAM Assessment: Delta Green
- External Lighting Plot: Delta Green
- Drawing Issue Sheet of Application Plans: The Seaman Partnership Ltd.

---

## 2.0 THE SITE AND SURROUNDINGS

### The Site

- 2.1 The application site comprises 1.11 ha (2.75 acres) redundant nursery land presently occupied by dilapidated glass houses and a former boiler house building with a large industrial style chimney and store room. It enjoys direct access onto Walton Lane.
- 2.2 It is located on the edge of the Chichester Harbour Area of Outstanding Natural Beauty (AONB) the boundary of which runs along the main A259 road some 30m to the north. It is within close proximity to the Harbour Site of Special Scientific Interest (SSSI) Solent Maritime Special Area of Conservation (SAC), Chichester and Langstone Harbours Special Protection Area (SPA) and Ramsar site. It is also within defined open countryside in the adopted Chichester Local Plan. However it is not isolated from existing built development and immediately adjoins Walton House which has been converted to residential apartments. The existing settlement boundary of Broadbridge and residential development is on the north side of the A259 Road and there is further residential development south of the site along Walton Lane.
- 2.3 The site is well contained owing to existing substantial mature boundary vegetation on the west and northern boundaries but the industrial style chimney is visible above the tree line. Glimpsed views of the derelict glass houses are possible from the A259 travelling from the east.

### The Surroundings

- 2.4 The site is sustainable with good transport links along the A259 and a regular bus service between Chichester and Havant. Bosham rail station is nearby at Station Road. Importantly the site has also been allocated for housing development in the emerging Bosham Neighbourhood Plan indicating that it is considered suitable for redevelopment in principle.
- 2.5 With regards to technical matters the key points are:
- Flood Zones – No part of the site falls within a flood risk zone from river, sea or surface water flooding and is located entirely within Flood Zone 1 (lowest possible risk).
  - Waste Water – Foul water discharge will be pumped into the main foul water system.
  - A Sustainable Urban Drainage system (SUDS) and soakaways will deal with surface water from the development.

- Potential ecological impacts on protected habitat will be avoided and mitigated through sensitive development design and appropriate working practices in accordance with the submitted ecology report.
- Landscape/Visual Impact – Whilst the site is already well screened, the visual impact will be improved with the removal of the industrial chimney visible above the tree line. The Landscape and Visual Appraisal identifies further measures to mitigate potential impacts with the enhancement of existing vegetation and new landscape planting on the site boundaries.
- Access/ Traffic Impact – the site can provide a safe and acceptable means of access from Walton Lane with good visibility in both directions. A new pedestrian footpath link is provided from the A259 to the north east corner of the site. The highways information submitted in support of the application in the Transport Statement shows the proposal would cause no adverse traffic impact on the local highway network even in peak travelling periods.

## 3.0 RELEVANT HISTORY

### The Existing Hospice at Donnington

- 3.1 When St Wilfred's Hospice was first established in 1987 at Donnington, it had 9 inpatient beds. Since then, there have been significant developments on the 0.68ha (1.7 acre) site including the launch of Community services in 1990, an extension in 1999 to accommodate the Day Hospice services and the Education Centre, establishment of a multi-faith chapel in 2003, and a major refurbishment of the Inpatient Unit in 2008. All of these developments have allowed the Hospice teams to deliver high quality palliative and end of life care and support to patients both at the Hospice and in the community. However, the significant growth in services, numbers of patients supported, and numbers of staff and volunteers have also presented increasing concerns about space limitations on the existing site.
- 3.2 In short, the Board of Trustees consider the existing site and Hospice building to be too small and because of lack of space, further redevelopment and expansion is not an option for the long term. The Board has therefore been obliged to consider new site options in the Chichester area that are fit for purpose and affordable.
- 3.3 The availability of sites that meet all the requirements of a new Hospice building, including landscaped gardens and adequate parking, has been extremely limited. However the application site at Bosham was considered suitable to provide enough space to enable the Hospice team to achieve its purpose as demand for its services in the community grows.

### The Proposed Hospice at Bosham

- 3.4 The site of the proposed new Hospice is over 60% larger than the existing and comprises 1.11 ha (2.75 acres). With the additional space it proposes an increase in the number of patient rooms to 18. All rooms will be larger than those on the current site and offer full ensuite facilities for all patients.
- 3.5 In addition, the new site will allow for other updated patient and family facilities, so that Community Care, Palliative Day Services, Physiotherapy & Occupational Therapy and Bereavement services can best meet people's needs in the future.

## Planning History

- 3.6 Prior to the identification of the site for the proposed Hospice, Oakcroft Nursery was identified as a preferred housing site in the first draft October 2014 Bosham Neighbourhood Plan. The draft plan was produced by a Neighbourhood Plan Project team consisting of members of the Parish Council, the Bosham Association and community volunteers with advice and support from the Chichester District Council and the Chichester Harbour Conservancy Council.
- 3.7 Candidate housing sites for inclusion in the Bosham Neighbourhood Plan were first put forward for consideration by various landowners and developers at public exhibitions arranged by the Parish Council in 2014. In light of feedback received, Oakcroft Nursery was included as a housing site in Policy 1 of the Neighbourhood Plan for 23 dwellings.
- 3.8 Whilst the draft Plan has not yet reached an advanced stage of preparation, national policy in the on-line Planning Practice Guidance, states that some weight can still be attached to emerging Plans when determining planning applications. We deal with this policy more fully in section 4 of this Statement below.

## Pre Application Enquiry and Screening Opinion for EA

- 3.9 A Pre Application Enquiry for the proposed Hospice was submitted to Chichester District Council in November 2014 and a screening opinion for Environmental Assessment followed later in January 2015.
- 3.10 At the time the pre application enquiry was submitted in 2014, planning officers were advised that representatives of the Hospice had met with the parish council members to explain the proposal as it was different to the Neighbourhood Plan residential scheme. In the event the Parish raised no objections to the principle of the Hospice or the loss of the housing allocated to the site in the draft Neighbourhood plan but commented on the need to ensure adequate parking and pedestrian access were provided for in the scheme.
- 3.11 The advice of the planning officers in the pre application response was also supportive. Notwithstanding the location of the site in the Chichester Harbour AONB and the national policy directive to resist 'major' development in these location it was the officer's opinion that the principle of developing the site as the new location for St Wilfred's Hospice was likely to receive officer support. The general design approach was also considered to be appropriate and responsive to the character of the surrounding area. However they advised that further information was required in connection with access and traffic considerations, the drainage arrangements and a screening opinion for Environmental Assessment was recommended.



- 3.12 When this was submitted, Chichester District Council concluded that whilst the proposal would have some impact on its surroundings, the effects would not be so significant to justify the submission of an Environmental Statement with any subsequent planning application.

## 4.0 PLANNING POLICY CONSIDERATIONS

- 4.1 Relevant planning policy is set out in the adopted National Planning Policy Framework (March 2012), the on-line Planning Practice Guidance (March 2014), the adopted Chichester District Local Plan 1999 and the 2014 Local Plan Review. The Local Plan Review has been considered at Examination and the Inspectors Report on its 'soundness' is expected soon. Until the Plan has been found sound and adopted by the District Council, saved policies in the adopted Local Plan remain extant for the application.

### National Policy

#### The National Planning Policy Framework (NPPF)

- 4.2 The NPPF encourages the re use of previously developed land, defined as land which is or was occupied by a permanent structure. It specifically excludes agricultural or forestry buildings. In this regard the site is not previously developed.
- 4.3 Guidance on planning decisions in Areas of Outstanding Natural Beauty is highly relevant to the site given that it is located in the Chichester Harbour AONB. Paragraph 115 -116 states:

**'Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.'**

**Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of:**

- **the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;**
- **the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and**
- **any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated'.**

- 4.4 The NPPF does not define 'major development' but there are recent appeal cases which have determined that this will depend on its local context and whether it would be proportionate to the size of the area in which it is proposed. Our own view is that 1) given the limited 1.11ha site area, 2) the conclusions of the screening opinion that the Hospice would not have 'significant effects' on the environment and 3) the potential for a more comprehensive fall back use of the site for 23 dwellings, the proposed Hospice development should not fall within the definition of major development.
- 4.5 However even if the development is considered to be 'major', the above national policy tests are met in any event. The proposal is a worthy project benefiting the local community in providing respite care for people in need of care. In addition to the Hospice services the St Wilfred's charity operates a range of local retail outlets and provides considerable local employment for the local area and beyond. It is on any view, a charity that deserves support and the new replacement Hospice is in the public interest.
- 4.6 There is a pressing need for the new facility as the Charity has out grown its existing Hospice building at Donnington. There is insufficient space for any further redevelopment and expansion of the existing building and this is not an option for the long term. In contrast the new site at Bosham provides additional space to enable the Hospice team deliver its current services more effectively. Importantly, as already explained in section 3 the additional space will allow an increase the number of patient rooms which will all be larger than those on the current site and offer full ensuite facilities for all patients. The new site will also allow for other updated patient and family facilities, so that Community Care, Palliative Day Services, Physiotherapy & Occupational Therapy and Bereavement services can best meet people's needs in the future.
- 4.7 The Charity has carried out an extensive site search of alternative sites in the local area and the availability of sites that meet all the requirements of a new Hospice building, including landscaped gardens and adequate parking, has been extremely limited. Even with the fall back residential potential of the application site, all other site options either proved more costly, were too small or were simply unavailable to purchase.
- 4.8 The last test in the NPPF is that consideration has to be given to the extent that any detrimental effects of the development on the environment, the landscape and recreational opportunities, can be moderated. The proposal meets all these considerations as follows. Firstly, whilst the site is not previously developed it is still occupied by an industrial style boiler house with chimney and dilapidated glass houses which are visible (even in the summer) above the tree line and from the A259 travelling west. The new Hospice will replace the existing structures and chimney, bringing net benefits to the local environment and landscape of the AONB. The new building will be less intrusive and because of the existing landscaped screening along the A259 and the west and east boundaries it will be contained in views from the wider area. The site is within 30m of the main A259 road which will easily cater for the additional traffic from the development. Lastly the proposal will not lead to additional recreational impacts on the

Chichester Harbour SPA as the patients will already be resident locally. Dog walking and other similar recreational activities around the SPA usually associated with new residential development will not arise in the same way from the proposed Hospice.

### The On-Line Planning Practice Guidance

- 4.9 The On-line Planning Practice Guidance introduced in March 2014 provides advice on emerging Neighbourhood Plans. It is relevant given that the emerging draft Bosham Neighbourhood Plan allocates the site as a proposed housing allocation.
- 4.10 The guidance confirms at paragraph 006 that a neighbourhood plan attains the same legal status as the Local Plan once it has been agreed at a referendum and is made (brought into legal force) by the local planning authority. At this point it becomes part of the statutory development plan for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 4.11 Paragraph 007 states that an emerging neighbourhood plan may still be a material consideration. Whilst a referendum ensures that the community has the final say on whether the neighbourhood plan comes into force, it states that decision makers should respect evidence of local support prior to the referendum when seeking to apply weight to an emerging neighbourhood plan.
- 4.12 Whilst little weight can therefore be attached to the proposed housing allocation on the application site in the Bosham Neighbourhood Plan, the guidance indicates that some weight can still be attached to the local support given to the principle of the sites redevelopment. This support is evidenced in feedback from the public exhibition on the housing site options and from the Parish Council itself which raised no objection to the principle of the Hospice when it was first made aware of the proposal in 2014.

### The Adopted 1999 Chichester District Local Plan

- 4.13 Saved policies from the adopted Chichester Local Plan are still in force and relevant to the proposed Hospice application. The site is located within defined open countryside and the AONB but neither designation prevents the proposed hospice proposal in principle. This is clear from Policy RE17 which **permits the provision of new or extended community facilities including health care education and community facilities in the rural area** subject to 4 qualifying tests. The proposed Hospice meets all 4 qualifying tests as follows. First and second, as indicated in the introduction to the Design and Access Statement, no other alternative site within a settlement policy area was proven to be available or suitable and the need for the Hospice services could not be accommodated on the existing site which is already at maximum occupancy. The third policy test is that a site should adjoin a settlement policy boundary or be appropriately

located to a rural settlement. The Oakcroft nursery site is appropriately located between existing development and within 30m of the main A259 road. The settlement policy area of Broadbridge is aligned along the A259 so whilst the site is not physically attached, it is nevertheless in very close association to it. Fourth, the proposed hospice building is of a size form and appearance consistent with the character and environment of the site, its surroundings and the adjacent settlement.

- 4.14 For any development in the AONB, saved policy RE4 requires it to be in sympathy with the landscape and designed and sited so as to enhance visual quality and minimise noise disturbance and off-site traffic impacts. Policy RE7 resists development which adversely effects important ecological designations. All of these policy requirements are complied with as explained in the Landscape, Ecology, Noise and Transportation supporting statements
- 4.15 Built development policy BE11 resists development which detracts from its surroundings in terms of design, scale and use of materials, siting and layout. All policy considerations have been met and the planning officers have confirmed this in their pre application enquiry response in commenting that the general design approach is appropriate and responsive to the character of the surrounding area.
- 4.16 Policy BE14 requires appropriate landscaping and protection of wildlife all in accordance with RE4 and RE7. The additional policy advice to pay regard to trees and hedgerows has been addressed in the Arboricultural Impact Assessment and Mitigation Method Statement accompanying the application. Similarly the policy requirements in respect of highway safety in policy TR6 are set out in the Transport Statement.

### Emerging Local Plan 2014-2029

- 4.17 The emerging Plan has reached Submission Stage and an Examination has been held. We understand that the Inspectors report into its 'soundness' is expected shortly. At this stage therefore some weight can be attached to the emerging policies.
- 4.18 The new policies carry forward the broad principles of the saved policies of the adopted Local Plan and the council's pre application enquiry response refers to Policies 39, 40, 43, 45, 48, 50 and 54 as relevant. Policy 39 deals with transport accessibility and parking; policy 40 carbon reduction; policy 43 and 45 development in the AONB and countryside respectively and policy 48 is a related policy dealing with the natural environment. Policy 50 deals with impacts on the Chichester Harbour SPA arising from residential development and policy 54 applies to development involving a loss of open space, sport and recreation facilities. Neither is in our view, relevant to the Hospice proposal. However all the other policy considerations regarding landscape, ecology, transport and car parking, the natural environment and carbon reduction have been fully addressed in the other consultant reports listed in paragraph 1.7 of this statement above.

## 5.0 JUSTIFICATION FOR THE APPLICATION PROPOSAL

- 5.1 As already noted, the NPPF resists major development in AONB locations. Our own view is that the proposal is not major development because the site is only just over 1ha and the conclusions of the screening opinion were that the Hospice would not have 'significant effects' on the environment. We assume the Council shares our view because taking all matters into consideration, the response of the planning officers in the pre application enquiry was that the principle of developing the site as the new location for St Wilfred's Hospice was likely to receive to officer support.
- 5.2 However even if the development is considered to be 'major', the national policy tests for development in AONB locations set out at paragraph 116 of the NPPF are met in any event.

### Test 1 – Is it in the Public Interest?

- 5.3 The proposal is a worthy project benefiting the local community in providing respite care for people in need of care. In addition to the Hospice services the St Wilfred's charity operates a range of local retail outlets and provides considerable local employment for the local area and beyond. It is on any view, a charity that deserves support and the new replacement Hospice is in the public interest.

### Test 2 – The Need for the Development?

- 5.4 There is a pressing need for the new facility as the Charity has out grown its existing Hospice building at Donnington. There is insufficient space for any further redevelopment and expansion of the existing building and this is not an option for the long term. In contrast the new site at Bosham provides additional space to enable the Hospice team deliver its current services more effectively.

### Test 3 – Availability and costs of Developing Elsewhere?

- 5.5 The Charity has carried out an extensive site search of alternative sites in the local area and the availability of sites that meet all the requirements of a new Hospice building, including landscaped gardens and adequate parking, has been extremely limited. Even with the fall back residential potential of the application site, all other site options either proved more costly, were too small or were simply unavailable to purchase.

### Test 4 – Detrimental Impacts on the Environment?

- 5.6 The last test in the NPPF is that consideration has to be given to the extent that any detrimental effects of the development on the environment, the landscape and recreational opportunities, can be moderated. The proposal meets all these considerations because whilst the site is not previously developed it is still occupied by an industrial style boiler

house with chimney and dilapidated glass houses which are visible (even in the summer) above the tree line and from the A259 travelling west. The new Hospice will replace the existing structures and chimney, bringing net benefits to the local environment and landscape of the AONB. The new building will be less intrusive and because of the existing landscaped screening along the A259 and the west and east boundaries it will be contained in views from the wider area. The site is within 30m of the main A259 road which will easily cater for the additional traffic from the development. Lastly the proposal will not lead to additional recreational impacts on the Chichester Harbour SPA as the patients will already be resident locally. Dog walking and other similar recreational activities around the SPA usually associated with new residential development will not arise in the same way from the proposed Hospice.

### Local Plan Considerations

- 5.7 The proposed Hospice is a community health related proposal and whilst it is proposed in the defined rural area it is allowed by Policy RE17 of the adopted Chichester Local Plan. There are no other policy conflicts with either adopted or emerging Local Plan policy in respect of traffic, landscape, ecology, building sustainability or the natural environment to override this policy presumption in favour of the development.

### Access

- 5.8 The proposed access utilises an existing access from Walton Lane. The traffic impact from the proposal can be accommodated on the road network. Improvements to pedestrianised access are proposed with a new footpath link from the A259 to the north east corner of the site.

### Appearance

- 5.9 The proposed development in terms of scale, layout, appearance and use of materials is considered acceptable and in keeping with the area by the planning officers as explained in the pre application response. The detailed design considerations are set out more fully in the Design and Access Statement of the Seaman Partnership accompanying the application.

### Energy Efficiency

- 5.10 Emerging Local Plan Policy 40 is a Carbon Reduction Policy and requires consideration is given for all Commercial and industrial buildings to achieve a BREEAM Level 'very good' standard. As explained in the BREEAM Assessment of Delta Green the proposed building achieves a BREEAM 'very good' Pre Assessment Rating. The building will be naturally ventilated and the envelope very well insulated above building regulation requirements.

---

## 6.0 SUMMARY AND RECOMMENDATION

### Summary

- 6.1 Planning permission is sought for the redevelopment of 1.11 ha (2.75 acres) of redundant nursery land including dilapidated glass houses and former boiler house building at Oakcroft Nursery Walton Lane Bosham. The proposal is for a new purpose built Residential Hospice and Day Hospice, with associated external stores, café, shop and offices, car parking, access and landscaping.
- 6.2 The proposed facility will replace the present Hospice at Donnington near Chichester which has outgrown its existing site. The new facility will offer respite care in a larger building and allow for other updated patient and family facilities, so that Community Care, Palliative Day Services, Physiotherapy & Occupational Therapy and Bereavement services can better meet people's needs now, and in the future.
- 6.3 The site of the new replacement Hospice facility at Bosham is located in an environmentally sensitive location within the Chichester Harbour Area of Outstanding Natural Beauty (AONB). Consequently a formal screening opinion for Environmental Assessment (EA) and a pre application enquiry have both been submitted to Chichester District Council.
- 6.4 In respect of the screening opinion, Chichester District Council concluded that whilst the proposal would have some impact on its surroundings, the effects would not be so significant to justify the submission of an Environmental Statement with any subsequent planning application.
- 6.5 The conclusion of the pre application enquiry was that the principle of developing the site as the new location for St Wilfred's Hospice was also likely to receive officer report although it recommended additional information would need to accompany the formal planning application submission.
- 6.6 The site has been identified as a housing allocation for 23 houses in the draft Bosham Neighbourhood Plan. Whilst little weight can be attached to the housing allocation because the Plan is not well advanced, some weight can be attached to the local support given to the redevelopment potential of the site in principle. The Parish Council has been approached about the proposed Hospice and no objections have been made either to the community use in principle or the loss of the housing allocated to the site in the draft Neighbourhood plan.
- 6.7 The proposal does not conflict with adopted saved Local Plan or emerging Local Plan policy of Chichester District. It enjoys positive support from adopted Local Plan policy RE17.



- 6.8 Whilst national policy in the NPPF resists major development in AONB locations it is considered that the proposal does not constitute major development. However even if the development is considered to be 'major', the national policy tests in paragraph 116 of the NPPF which allows development in the AONB as exceptions are met in any event.

### Recommendation

- 6.9 For all of the above reasons and because no other adverse impacts have been identified which significantly and demonstrably outweigh the benefits of the application we request that it is granted planning permission at the earliest opportunity.