

Public Document Pack

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A meeting of **Planning Committee** will be held in Committee Rooms, East Pallant House on **Wednesday 16 August 2023 at 9.30 am**

MEMBERS: Mr S Johnson (Chairman), Mr J Cross (Vice-Chairman), Mr R Bates, Mr D Betts, Mr R Briscoe, Mr J Brookes-Harmer, Ms B Burkhart, Mrs H Burton, Mrs D Johnson, Mr H Potter, Ms S Quail, Mrs S Sharp and Mr C Todhunter

AGENDA

1 **Chairman's Announcements**

Any apologies for absence which have been received will be noted at this stage.

The Planning Committee will be informed at this point in the meeting of any planning applications which have been deferred or withdrawn and so will not be discussed and determined at this meeting.

2 **Approval of Minutes**

The minutes of the meeting held on 12 July 2023 will be circulated and brought to the next meeting on 6 September 2023 for approval.

3 **Urgent Items**

The Chairman will announce any urgent items that due to special circumstances will be dealt with under agenda item 14.

4 **Declarations of Interests (Pages 1 - 2)**

Details of members' personal interests arising from their membership of parish councils or West Sussex County Council or from their being Chichester District Council or West Sussex County Council appointees to outside organisations or members of outside bodies or from being employees of such organisations or bodies.

Such interests are hereby disclosed by each member in respect of agenda items in the schedule of planning applications where the Council or outside body concerned has been consulted in respect of that particular item or application.

Declarations of disclosable pecuniary interests, personal interests and prejudicial interests are to be made by members of the Planning Committee in respect of matters on the agenda or this meeting.

PLANNING APPLICATIONS - AGENDA ITEMS 5 TO 10 INCLUSIVE
Section 5 of the Notes at the end of the agenda front sheets has a table showing how planning applications are referenced.

- 5 **SDNP/22/02474/FUL - Jays Farm Bignor Down Bignor West Sussex RH20 1PQ** (Pages 3 - 20)
Conversion and alterations to an agricultural building to form a dwelling with associated landscaping.
- 6 **TG/20/02893/OUT - Land Adjacent To A27 Copse Farm, Tangmere Road, Tangmere, West Sussex** (Pages 21 - 185)
Outline planning application for a residential-led mixed use development comprising up to 1,300 dwellings (Use Class C3), an expanded village centre (comprising flexible units suited to Use Class E and pubs or drinking establishments and/or takeaways in Use Class Sui Generis), community uses, primary school, informal and formal open space, playing pitches, footpaths, cycleways, associated landscaping, utilities and drainage infrastructure, including on-site pumping station(s) with connection to the Strategic Foul network; associated infrastructure and groundworks; with all matters reserved except for the principal access junctions from the A27 grade-separated junction and Tangmere Road and the secondary access at Malcolm Road.
- 7 **SY/22/02481/FUL - 36 Beach Road Selsey West Sussex PO20 0LU** (Pages 187 - 199)
Erection of shed (retrospective) and change of use to gym for business, with associated access.
- 8 **BO/21/00620/FUL - Burnes Shipyard** (Pages 201 - 251)
Development comprising the demolition of existing B2 use shipyard buildings and structures and the erection of 3no. replacement C3 dwellings with access, parking, landscaping and associated works.
- 9 **CC/23/00895/ADV - 31-33 South Street, Chichester, West Sussex, PO19 1EL** (Pages 253 - 263)
1 no. illuminated fascia sign, 1 no. illuminated projecting sign and 1 no. non-illuminated wall mounted sign
- 10 **CC/23/00442/DOM - 56 York Road, Chichester, West Sussex, PO19 7TL** (Pages 265 - 277)
Replacement single storey flat roofed rear extension.
- 11 **Chichester District Council Schedule of Planning Appeals, Court and Policy Matters** (Pages 279 - 293)
The Planning Committee will consider the monthly schedule updating the position with regard to planning appeals, litigation and recent planning policy publications or pronouncements.
- 12 **South Downs National Park Authority Schedule of Planning Appeals, Court and Policy Matters** (Pages 295 - 299)
The Planning Committee will consider the monthly schedule updating the position with regard to planning appeals, litigation and recent planning policy publications or pronouncements.
- 13 **Schedule of Contraventions** (Pages 301 - 333)
The Planning Committee is asked to consider the quarterly schedule updating the position with regards to planning enforcement matters.
- 14 **Consideration of any late items as follows:**
The Planning Committee will consider any late items announced by the Chairman at the start of this meeting as follows:

- a) Items added to the agenda papers and made available for public inspection

- b) Items which the chairman has agreed should be taken as matters of urgency by reason of special circumstances to be reported at the meeting

15 Exclusion of the Press and Public

There are no restricted items for consideration.

NOTES

1. The press and public may be excluded from the meeting during any item of business whenever it is likely that there would be disclosure of exempt information as defined in section 100I of and Schedule 12A to the Local Government Act 1972
2. The press and public may view the agenda papers on Chichester District Council's website at [Chichester District Council - Minutes, agendas and reports](#) unless these are exempt items.
3. This meeting will be audio recorded and the recording will be retained in accordance with the council's information and data policies. If a member of the public makes a representation to the meeting they will be deemed to have consented to being audio recorded. By entering the committee room they are also consenting to being audio recorded. If members of the public have any queries regarding the audio recording of this meeting please liaise with the contact for this meeting detailed on the front of this agenda.
4. Subject to the provisions allowing the exclusion of the press and public, the photographing, filming or recording of this meeting from the public seating area is permitted. To assist with the management of the meeting, anyone wishing to do this is asked to inform the chairman of the meeting of his or her intentions before the meeting starts. The use of mobile devices for access to social media is permitted but these should be switched to silent for the duration of the meeting. Those undertaking such activities must do so discreetly and not disrupt the meeting, for example by oral commentary, excessive noise, distracting movement or flash photography. Filming of children, vulnerable adults or members of the audience who object should be avoided. [Standing Order 11.3 in the Constitution of Chichester District Council]
5. Subject to Covid-19 Risk Assessments members of the public are advised of the following;
 - a. Where public meetings are being held at East Pallant House in order to best manage the space available members of the public are in the first instance asked to listen to the meeting online via the council's committee pages
 - b. Where a member of the public has registered a question they will be invited to attend the meeting and allocated a seat in the public gallery
 - c. You are advised not to attend any face-to-face meeting if you have symptoms of Covid-19.
6. How applications are referenced:
 - a) First 2 Digits = Parish
 - b) Next 2 Digits = Year
 - c) Next 5 Digits = Application Number
 - d) Final Letters = Application Type

Application Type

ADV Advert Application
AGR Agricultural Application (following PNO)
CMA County Matter Application (eg Minerals)
CAC Conservation Area Consent

Committee report changes appear in bold text. Application Status

ALLOW Appeal Allowed
APP Appeal in Progress
APPRET Invalid Application Returned

COU Change of Use
CPO Consultation with County Planning (REG3)
DEM Demolition Application
DOM Domestic Application (Householder)
ELD Existing Lawful Development
FUL Full Application
GVT Government Department Application
HSC Hazardous Substance Consent
LBC Listed Building Consent
OHL Overhead Electricity Line
OUT Outline Application
PLD Proposed Lawful Development
PNO Prior Notification (Agr, Dem, Tel)
REG3 District Application – Reg 3
REG4 District Application – Reg 4
REM Approval of Reserved Matters
REN Renewal (of Temporary Permission)
TCA Tree in Conservation Area
TEL Telecommunication Application (After PNO)
TPA Works to tree subject of a TPO
CONACC Accesses
CONADV Adverts
CONAGR Agricultural
CONBC Breach of Conditions
CONCD Coastal
CONCMA County matters
CONCOM Commercial/Industrial/Business
CONDWE Unauthorised dwellings
CONENG Engineering operations
CONHDG Hedgerows
CONHH Householders
CONLB Listed Buildings
CONMHC Mobile homes / caravans
CONREC Recreation / sports
CONSH Stables / horses
CONT Trees
CONTEM Temporary uses – markets/shooting/motorbikes
CONTRV Travellers
CONWST Wasteland
APPWDN Appeal Withdrawn
BCO Building Work Complete
BST Building Work Started
CLOSED Case Closed
CRTACT Court Action Agreed
CRTDEC Hearing Decision Made
CSS Called in by Secretary of State
DEC Decided
DECDET Decline to determine
DEFCH Defer – Chairman
DISMIS Appeal Dismissed
HOLD Application Clock Stopped
INV Application Invalid on Receipt
LEG Defer – Legal Agreement
LIC Licence Issued
NFA No Further Action
NODEC No Decision
NONDET Never to be determined
NOOBJ No Objection
NOTICE Notice Issued
NOTPRO Not to Prepare a Tree Preservation Order
OBJ Objection
PCNENF PCN Served, Enforcement Pending
PCO Pending Consideration
PD Permitted Development
PDE Pending Decision
PER Application Permitted
PLNREC DC Application Submitted
PPNR Planning Permission Required S64
PPNREQ Planning Permission Not Required
REC Application Received
REF Application Refused
REVOKE Permission Revoked
S32 Section 32 Notice
SPLIT Split Decision
STPSRV Stop Notice Served
STPWTH Stop Notice Withdrawn
VAL Valid Application Received
WDN Application Withdrawn
YESTPO Prepare a Tree Preservation Order

Chichester District Council

Planning Committee

Wednesday 9 August 2023

Declarations of Interests

Details of members' personal interests arising from their membership of parish councils or West Sussex County Council or from their being Chichester District Council or West Sussex County Council appointees to outside organisations or members of outside bodies or from being employees of such organisations or bodies are set out in the attached agenda report.

The interests therein are disclosed by each member in respect of planning applications or other items in the agenda which require a decision where the council or outside body concerned has been consulted in respect of that particular planning application or item.

Declarations of disclosable pecuniary interests, personal interests, prejudicial interests or predetermination or bias are to be made by members of the Planning Committee or other members who are present in respect of matters on the agenda or this meeting.

Personal Interests - Membership of Parish Councils

The following members of the Planning Committee declare a personal interest by way of their membership of the parish councils stated below in respect of the items on the schedule of planning applications where their respective parish councils have been consulted:

- Mr R Bates – Fishbourne Parish Council
- Mr R Briscoe – Westbourne Parish Council
- Mrs B Burkhart – Lurgashall Parish Council
- Mrs H Burton – Stedham with Iping Parish Council
- Mr J Cross – Sutton Parish Council
- Mrs D Johnson – Selsey Town Council
- Mr S Johnson – Chidham & Hambrook Parish Council
- Mr H C Potter – Boxgrove Parish Council
- Mrs S Quail – Chichester City Council
- Mr C Todhunter – Loxwood Parish Council

Personal Interests - Membership of West Sussex County Council

The following members of the Planning Committee declare a personal interest by way of their membership of West Sussex County Council in respect of the items on the schedule of planning applications where that local authority has been consulted:

- Mrs D F Johnson – West Sussex County Council Member for the Selsey Division
- Mrs S M Sharp – West Sussex County Council Member for the Chichester South Division

Personal Interests - Chichester District Council Representatives on Outside Organisations and Membership of Public Bodies

The following members of the Planning Committee declare a personal interest as Chichester District Council appointees to the outside organisations or as members of the public bodies below in respect of those items on the schedule of planning applications where such organisations or bodies have been consulted:

- Mr R Bates – Chichester Harbour Conservancy (reserve); the Standing Conference on Problems Associated with the Coastline (SCOPAC) and the West Sussex Health and Adult Social Care Committee
- Mr R Briscoe – Portsmouth Water Forum and the Sussex Police & Crime Panel
- Mr J Brookes-Harmer – Goodwood Airfield Consultative Committee
- Mrs H Burton – Action in Rural Sussex and LGA Sparsity Partnership for Delivering Rural Services
- Mr J Cross – South Downs National Park Authority
- Mrs D Johnson – Manhood Peninsula Partnership and the Western Sussex Hospital NHS Trust Council of Governors
- Mr S Johnson – Chichester Harbour Conservancy
- Mr H Potter – Goodwood Motor Circuit Consultative Committee
- Mrs S Quail – Chichester Conservation Advisory Committee
- Mr C Todhunter – West Sussex Rural Partnership

Personal Interests – Chichester City Council Representatives on Outside Organisations and Membership of Public Bodies

The following member of the Planning Committee declares a personal interest as a Chichester City Council appointee to the outside organisations stated below in respect of those items on the schedule of planning applications where that organisation has been consulted:

NONE

Personal Interests – West Sussex County Council Representatives on Outside Organisations and Membership of Public Bodies

The following member of the Planning Committee declares a personal interest as a West Sussex County Council appointee to the outside organisation stated below in respect of those items on the schedule of planning applications where that organisation has been consulted:

- Mrs D Johnson – Chichester Harbour Conservancy

Personal Interests – Other Membership of Public Bodies

The following member of the Planning Committee declares a personal interest as a member of the outside organisation stated below in respect of those items on the schedule of planning applications where that organisation has been consulted:

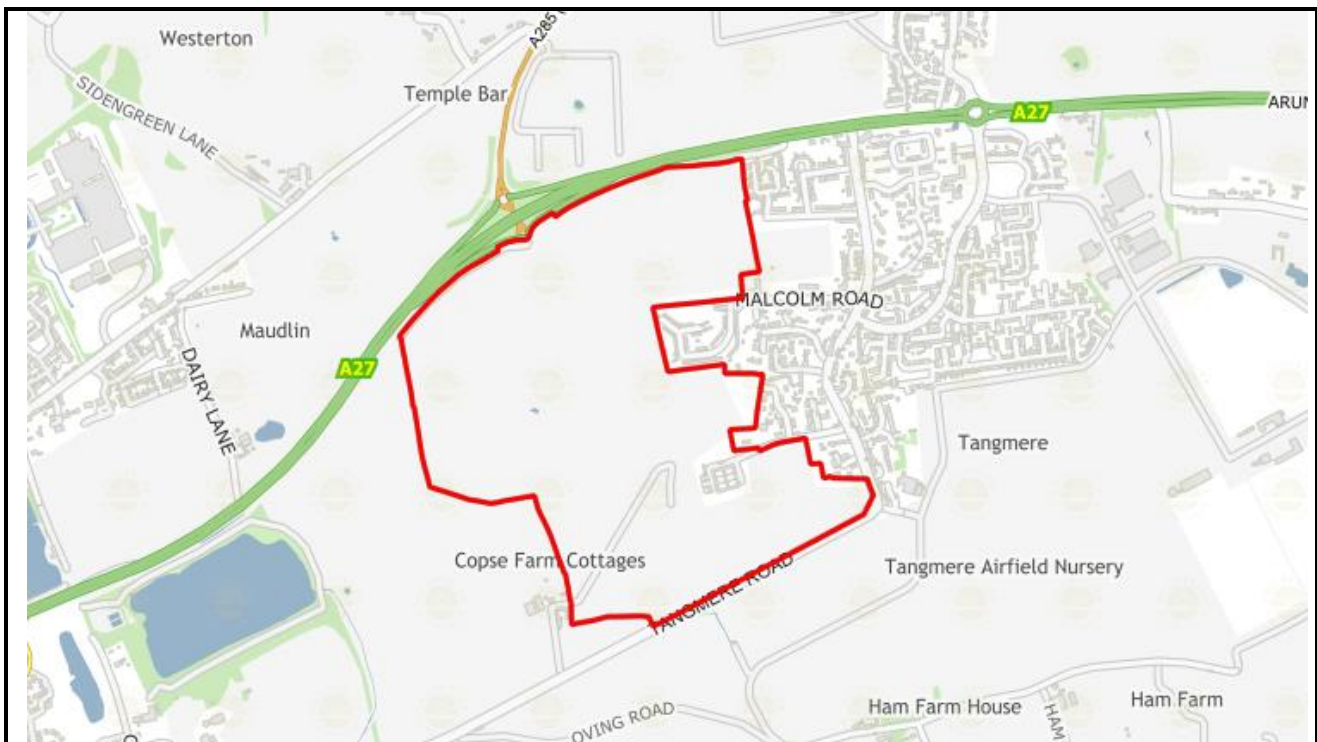
- Mr R Briscoe – Woodmancote Resident Association
- Mr S Johnson – Maybush Copse Friends
- Mrs S Quail – Westgate Residents Association

Parish: Tangmere	Ward: North Mundham And Tangmere
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TG/20/02893/OUT

Proposal	Outline planning application for a residential-led mixed use development comprising up to 1,300 dwellings (Use Class C3), an expanded village centre (comprising flexible units suited to Use Class E and pubs or drinking establishments and/or takeaways in Use Class Sui Generis), community uses, primary school, informal and formal open space, playing pitches, footpaths, cycleways, associated landscaping, utilities and drainage infrastructure, including on-site pumping station(s) with connection to the Strategic Foul network; associated infrastructure and groundworks; with all matters reserved except for the principal access junctions from the A27 grade-separated junction and Tangmere Road and the secondary access at Malcolm Road.		
Site	Land Adjacent To A27 Copse Farm Tangmere Road Tangmere West Sussex		
Map Ref	(E) 489314 (N) 106361		
Applicant	Countryside Properties (UK) Ltd	Agent	Donna Palmer

RECOMMENDATION TO DEFER FOR S106 THEN PERMIT



	<p>NOT TO SCALE</p>	<p>Note: Do not scale from map. For information only. Reproduced from the Ordnance Survey Mapping with the permission of the controller of Her Majesty's Stationery Office, Crown Copyright. License No. 100018803</p>
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1.0 Reason for Committee Referral

- 1.1 Discretion of Divisional Manager Development Management – The application received a resolution from the Planning Committee on 31 March 2021 to defer for S106 and then Permit, subject to Highways England withdrawing its holding objection following an agreed approach to the access proposals for the A27 Temple Bar junction. The site is subject to Compulsory Purchase Order (CPO) proceedings to ensure delivery of the strategic development. Since the Planning Committee agreed to permit the application subject to these proviso's the CPO process has progressed and the extent of the red line around the application site has been amended in two locations. Due to the nature of the amendments the revised proposals have been subject to public consultation and a new resolution is required.
- 1.2 Parish Council Objection.
- 1.3 This report details the nature of the amendments to the proposed development, the consultation responses received, changes to the planning policy context since the application was last considered and an assessment of the amendments. This report should be read in conjunction with the previous report which was presented to the Planning Committee on 31 March 2021, which can be found at Appendix 1.

2.0 The Proposal

- 2.1 This is an outline planning application for a residential led, mixed-use development comprising up to 1,300 dwellings, an expanded village centre, community uses, a primary school, informal and formal open spaces, playing fields, footpaths, cycleways, associated landscaping, utilities and drainage infrastructure. The proposal includes one (or possibly two) pumping stations, which would connect to the strategic foul drainage network. All matters are to be reserved, with the exception of the principal access from the A27, which will be from the existing grade separated Temple Bar junction, and two access points from Tangmere Road to the south, along with a secondary access at the western end of Malcolm Road.
- 2.2 The amendments to the previously accepted scheme include:
- a) A minor change to the position of the red line at the northern access into the site, and
 - b) The removal of 0.34ha of land at Saxon Meadows at the western side of the site from the application.

6.0 Representations and Consultations

6.1 Tangmere Parish Council

Tangmere Parish Council (TPC) raises a very strong **OBJECTION** to the amendments to this planning application.

To summarise the basis for this objection:

Point One: Tangmere Parish Council determines it has not been demonstrated in the amended layout shown in the plans supporting the planning application that appropriate

access could be achieved for watercourse maintenance. There is a requirement for a minimum of 3 metres from the top of a watercourse's bank for maintenance access.

Point Two: In the view of Tangmere Parish Council the proposed alternative provision for Community Orchard does not fulfil the stated Policy requirements for and function of a Community Orchard.

Point Three: In the absence of any legally binding provision to protect the field to the west of Saxon Meadow from future housing development, Tangmere Parish Council strongly objects to the removal of the western half of the field from the Tangmere Strategic Development Location (TSDL). Chichester District Council is urged to pursue mechanisms to provide legal protection from development for the entirety of the field West of Saxon Meadow.

SUPPORTING COMMENTS

As the starting point for Tangmere Parish Council's determination on this application, to amend the TSDL's red line boundary and to relocate the Community Orchard, TPC considered what was in the long-term interests of the whole of Tangmere's community and environment, not only at present but also in the future once the TSDL is built out.

The range of green infrastructure required under the Tangmere Neighbourhood Plan (TNP) and in CDC's Proposed Submission Local Plan (PSLP) for the TSDL includes a Community Orchard. It was always the desired intent and vision that this would be located in one designated area, to be used as a public amenity space, a gathering space where people and nature could work together. An area which is publicly accessible and where community events can be held.

The TNP, CDCs existing Local Plan and the PSLP all include the whole of the field W of Saxon Meadow. That inclusion was partly because of local planning policy which seeks to protect the setting of the Grade 1 listed church and the Conservation Area. That policy intent arose from the extensive public consultation associated with the TNP, CDC Local Plan and SDL Master Planning processes.

The mechanism to achieve both above aims was to designate the field W of Saxon Meadow as a Community Orchard, whose control would be past to a body (either TPC or a Community Land Trust) whose legal obligation would be to retain that land use in perpetuity and hence prevent it being built on. By locating the Community Orchard on the western half of Saxon Meadow it would also meet all the desired criteria with its location on the boundary of the existing and new development and immediately to the South of the planned cycleway and footpath running East to West. It would be easily accessible from both existing and new development. TPC strongly expressed the requirement for the Community Orchard to remain in its proposed location,

With regards the proposed alternative Community Orchard provision, the fragmenting of it into effectively three sections would result in not only a reduction in the area provided (given the need for boundary protection and watercourse maintenance access (note WSCC's LLFA consultation response), pose considerable maintenance challenges (multiple sites with longer boundaries), but more importantly reduce usable space for community activities. All of this would make the viability of this element of the TSDL's green infrastructure questionable. The narrow and fragmented form of the proposed alternative provision effectively changes it to a landscaping feature.

In the absence of the field W of Saxon Meadow being designated as a Local Green Space (which would give it the same status as Green Belt), and noting that less than 0.1ha would be required under LP Policies for open space provision for the amenity open space needs of Saxon Meadow properties, the proposed amendment to the TSDL would effectively enable the capability, in land ownership terms, for most of it to be built on. It was of serious concern that current verbal assertions of intent as to what is proposed for this field are not legally binding. Intentions can change overnight to make use of legal capabilities.

Saxon Meadow Tangmere Ltd (SMTL) and Saxon Meadow residents, in their submissions to CDC, have raised a number of other objections and issues to the wider application. If this planning application for an amendment is approved by CDC, then it must be a concern that further amendments will follow which will continue a process of unravelling what green, transport and community infrastructure has been sought and secured to date. In SMTL's letter to TPC of 24 July, the assertion that a foot and cycleway is only required to be 2m wide is repeated. It appears this is based on table 5.2 in LTN1/20 that covers widths of cycleways only, where 2m is stated in that table as an absolute minimum for a cycle lane at constraints. Table 6.3 of that document states that the minimum width of a shared foot and cycleway is 3m.

As stated in WSCC's LLFA response, a minimum of 3m from the top of a watercourse's bank is required for maintenance access. This issue is of particular relevance to the Northern element of the alternative Orchard provision, as it would considerably reduce the indicated orchard area. Complications arise if the maintenance access and the watercourse are in different ownerships.

Overall, the issues with regards this amended application are:

- Is the intent of the TNP and the Master planning process for the SDL, to protect the field W of Saxon Meadow from development, compromised by removing the remaining part of that field from the application area; and

In the absence of any legal agreement or land use designation, which prevents development of the field, then removal does compromise that policy intent. An avenue to explore is whether a suitable legal agreement could be achieved, e.g. via the CPO2 process, to prevent development of that field. In any event, a future review of the TNP would need to pursue designating this field as a Local Green Space.

- Does the proposed alternative community orchard provision meet the policy requirement?

The fragmented layout of the alternative Community Orchard provision degrades its size, functionality and viability (e.g. in maintenance terms). As such it does not present as an acceptable alternative. In the Report to CDC's Planning Cttee meeting of 31 March 2021, the area of Community Orchard provision was stated to be 0.46Ha (in a single rectangle). It is not clear as to what area the alternative provision covers, noting the issue of watercourse maintenance access below.

- It has also not been shown as to how appropriate maintenance access to watercourses will be achieved given the proposed alternative provision.

The practical effect, of the required 3m maintenance access buffer, on the form and function of the Community Orchard has not been shown or apparently considered.

As Chichester District Council is aware, through its communications with Officers and Councillors, TPC is disappointed and concerned to have been only advised about the planning consultation regarding the amendment to the red line in the SDL at the same time that all members of the general public became aware of the same. Residents would have been aware before and after acquisition of the land that there were plans for the western half of the field to be included within the TSDL and designated as a Community Orchard.

Tangmere Parish Council understands that this amendment to the TSDL red line is being considered strictly as a planning application at this stage and therefore comments need to be limited accordingly. The Parish Council however remains extremely concerned that neither CDC nor the developer made an approach sooner to inform and consult the Parish Council regarding an amendment to the overall planning application which suggests a key change to the TSDL and the provision of the Community Orchard, an essential element of the Green Infrastructure of the expanded village. It would seem that the amount of time, effort and collaborative work between TPC, CDC, the developers, appointed consultants and the high level of consultation with residents of Tangmere Parish themselves has been forgotten. The importance of the development and shaping of the policies within the TNP, to define the TSDL, the careful consideration of what are the key elements of infrastructure and where these would be best placed to serve the local community has been seemingly ignored. Tangmere Parish Council represents the whole Parish and would strongly suggest it hasn't been able to adequately consult due to being caught off guard itself.

6.5 Highways England

Comments following consultation in July 2023

No comments received

Comments following consultation in December 2022 (Received 17 February 2023, summarised)

No objection to the amendment of the red line boundary for this application in terms of planning. They reiterate comments in their previous response of 15 August 2021, that this development will require work to the public highway that can only be undertaken within the scope of a legal Agreement between the applicant and themselves as the Strategic Highway Authority. The applicant will not be permitted in any event to place obstructions onto the land that may impede future National Highways access to drainage/geotechnical assets or for maintenance of the strategic road network. National Highways note that other parts of the business are involved in discussions about land ownership in relation to this application and confirm this response is not indicative of those discussions.

6.6 Historic England

Historic England provided written advice to your Local Planning Authority on the initial masterplan application on 4th December 2019 (Planning ref. 19/02836) and then on the following outline application on 3rd February 2021. Following production of further documents, we provided another consultation response on 12th March 2021.

At that time, while we did not object to the principle of appropriate development on this allocated site, we raised concerns about the harm that the proposal would cause to the significance of St Andrew's Church through removal of its rural setting and alteration of its contextual position on the edge of Tangmere.

The current scheme does not propose substantial changes to the previous iteration. The amendments concern principally extension of the original planning application red line to address a material error in the adopted highway boundary between the A27 roundabout and the site boundary.

It is also proposed to remove from the site boundary an area of 0.34ha of land over the Saxon Meadow which was previously designed as an orchard. The area of orchard lost would be re-provided within the site boundary in two locations. One orchard would be positioned to the south and west of the Saxon Meadow estate to create a tree buffer to the existing residential buildings; and the other to the west of the sports and recreation area, wrapping around the children's play area. It is anticipated that the future reserved matters detailed design of the orchards will be able to retain view corridors to St. Andrew's Church.

As these amendments do not have any additional effects on the historical heritage on site than those caused by the original outline application, our previous position has not changed.

[See Appendix 1 for previous advice]

6.7 Natural England

Natural England has previously commented on this proposal and made comments to the authority in our response dated 26th March 2021, reference number 345664.

The advice provided in our previous response applies equally to this consultation. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Natural England notes that the Habitats Regulations Assessment (HRA) has not been produced by your authority, but by the applicant. As competent authority, it is your responsibility to produce the HRA and be accountable for its conclusions. Our advice has been provided on the assumption that your authority intends to adopt this HRA to fulfil your duty as competent authority.

Having considered the appropriate assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

6.8 Environment Agency

No further comments received

6.9 Southern Water

No discharge of foul sewerage from the site shall be discharged unto the public system until off site drainage works to provide sufficient capacity within the foul network to cope with additional sewerage flows are complete. Southern Water is currently in process of designing and planning delivery of offsite sewerage network reinforcements. As previously advised Southern Water seeks to limit the timescales to a maximum of 24 months from a firm commitment of the development.

All other comments in our response dated 23/12/2020 remain unchanged and valid.

6.10 Portsmouth Water (summarised)

Further comments received 21 July 2023

No objection, conditions recommended regarding;

- Surface water and foul drainage
- Piling and foundations
- Solution features
- Construction and environmental management plan
- Water efficiency

Comments received 17 July 2023

Additional information requested to understand if the development was included in the local plan allocation.

6.11 Sussex Police (summarised)

I refer the applicant to previous correspondence from this office pertaining to this site – Your Ref: TG/20/02893/OUT dated the 19th of November 2020 and Our Ref: LM/CHI/20/018A dated the 24th of November 2020 to which all comments remain extant.

I note the amended plans (including a change to the red line boundary) and addendums to the EIA and supporting documents relating to the removal an area of 0.34ha of land over the Saxon Meadow estate and have no further comments to make from a crime prevention perspective.

Details of secure by design guidance provided.

6.12 West Sussex County Council - Highway Comments

Following consultation in July 2023 (received 10 July 2023)

No objection. The proposed changes to the development 'red line' around Saxon Meadows is noted. It highway/transport terms, it's not considered that the amendment materially effects the scheme as previously presented and accepted b WSCC Highways.

Following consultation in December 2022 (received 14 December 2022)

No objection. The changes to the red line boundary and noted. The changes are not considered to materially affect the extensive views already offered by WSCC Highways. As such, the WSCC Highway recommendations remain as previously stated.

6.13 West Sussex County Council - Lead Local Flood Authority

Comments received 3 August 2023 (summarised)

Following a review of the submitted documents and the revised FRA the details are in accordance with NPPF and Local Planning Policies subject to the following Conditions:

Condition 1:

Prior to or in conjunction with the submission of each Reserved Matters application a detailed Site SuDS Phase plan which aligns with the site phasing plan shall be submitted to and approved in writing by the Local Planning Authority. This SuDS Phasing plan shall ensure that each phase does not exceed the agreed Qbar discharge rates for that phase and that source control measures are installed within each phase (to be maximised for each phase but no less than 12% of the phase area) to adequately address the phases own surface water runoff. The plan shall ensure that each SuDS component is adequately protected throughout the development of the scheme. The plan shall show all exceedance routes throughout the development of the scheme ensuring flood risk is not increased elsewhere or to the site itself and that the site remains safe for all exceedance event flow routes for the lifetime of the development during rainfall (i.e. greater than design events or during blockage) and how property on and off site will be protected.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF.

Condition 2:

Prior to or in conjunction with the submission of each Reserved Matters application for any phase for the development hereby permitted, details of a scheme for the disposing of surface water by a means of sustainable drainage system shall be submitted to and approved in writing by the Local Planning Authority in accordance with the approved drainage strategy and discharge rates to Qbar for each phase as contained within the approved Flood Risk Assessment/Drainage Strategy dated July 2023. The scheme shall be implemented in full in accordance with the approved details prior to first use of the development. The submitted details shall:

- Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharge from the site via a proposed Sustainable drainage system and the measures taken to prevent pollution of the receiving surface waters. This shall include the following information:
- Demonstrates that the proposed surface water drainage system does not surcharge in the 1 in 1 critical storm duration, flood in the 1 in 30 plus climate change critical storm duration or the 1 in 100 critical storm duration,

- Demonstrates that any flooding that occurs when taking into account climate change for the 1 in 100 critical storm event in accordance with NPPF does not leave the site uncontrolled via overland flow routes and remains safe.
- Detailed drawings and hydraulic calculations demonstrating the incorporation of above ground source control features that meet the four pillars of SuDS;
 - o The hydraulic calculations shall take into account the connectivity of the different surface water drainage features; and
 - o The detailed design shall include information on how surface water flows exceeding the design capacity of the surface water drainage features will be managed safely.
 Details shall include:
 - ♣ construction drawings of the surface water drainage network;
 - ♣ associated sustainable drainage components;
 - ♣ flow control mechanisms; and
 - ♣ construction method statement.
- The design of any attenuation basin will incorporate an emergency spillway and any drainage structures include appropriate freeboard allowances. Plans to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1% annual probability rainfall event.
- Finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all sources of flooding (including the ordinary watercourses, SuDS features and within any proposed drainage scheme) or 150mm above surrounding ground level, whichever is the more precautionary.
- Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge, prioritising the use of source control measure and maximising their use throughout each phase.
- Details of the proposed diversion, treatment and attenuation of surface water flows from the A27 drainage network through the site, ensuring that this divert does not adversely impact on the surface water drainage for the relevant phase and does not increase flood risk to the site or surrounding area.

The scheme shall then be constructed in accordance with the approved drawings, method statement and hydraulic modelling calculations prior to the first occupation of the development hereby approved. No alteration to the approved drainage scheme shall occur without prior written approval of the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason:

To prevent flooding in accordance with National Planning Policy Framework paragraph 163, 165 and 170 by ensuring the satisfactory management of local sources of flooding surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.

Condition 3:

Development shall not commence until details and a method statement for interim and temporary drainage measures during the demolition and construction phases have been submitted to and approved in writing by the Local Planning Authority. This information shall provide full details of who will be responsible for maintaining such temporary systems and demonstrate how the site will be drained to ensure there is no increase in the off-site flows, nor any pollution, debris and sediment to any receiving watercourse or

sewer system. The site works and construction phase shall thereafter be carried out in accordance with approved method statement, unless alternative measures have been subsequently approved by the Planning Authority

Reason: To prevent flooding and pollution offsite in accordance with the NPPF.

Condition 4:

Construction shall not begin until a detailed construction phase surface water management plan for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be carried out in accordance with the approved details.

Reason:

To ensure that the construction of the site does not result in any flooding both on and off site and that all Surface water Drainage features are adequately protected.

Condition 5:

The development hereby approved shall not be first occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:

- I. a timetable for its implementation,
- II. details of SuDS features and connecting drainage structures and maintenance requirement for each aspect,
- III. details of SuDS features and connecting drainage structures and maintenance requirement for each aspect,
- IV. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF

Condition 6:

Prior to first use of each phase of the development a detailed verification report, (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme), has been submitted to and approved (in writing) by the Local Planning Authority. The verification report shall include photographs of excavations and soil profiles/horizons, any installation of any surface water structure and Control mechanism.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF

Condition 7:

Prior to or in conjunction with any reserved matters submission, a detailed design shall be submitted to and approved in writing by the Local Planning Authority in conjunction with the Lead Local Flood Authority for any proposed watercourse alteration. This shall

demonstrates that there is no increase in flood risk to the site or surrounding area, flood storage areas are not reduced for the design flood and that an 8m buffer strip maintained from each bank. Details submitted for any proposed watercourse alteration must demonstrate there is adequate space for each watercourse to be naturalised and enhanced, that flood risk is suitably managed for all storms up to and include the 1 in 100 (1%) Annual Exceedance Probability plus climate change, that exceedance events of the channels do not impact the proposed development and that they are easily maintainable and accessible. The details shall include long sections and cross sections of the proposed watercourses including details of any proposed crossings (ensuring culverting of any watercourse is only for access where necessary and a construction management plan. The development shall be constructed in accordance with the approved plans. Prior to the first occupation of the development, a detailed maintenance and management plan for all watercourses on site shall be submitted to and approved in writing by the Local Planning Authority and adhered to for the lifetime of the development. Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF

Condition 8:

A clear 8m buffer strip shall be maintained at all times from each bank of any ordinary watercourse. A plan shall be submitted prior to construction that demonstrates how access to all watercourses for maintenance and inspection purposes shall be ensured for the lifetime of the development.

Reason

To prevent flooding in accordance with National Planning Policy Framework paragraph 167, 169 and 174.

Erection of flow control structures or any culverting of an ordinary watercourse requires consent from the appropriate authority, which in this instance is Chichester District Council on behalf of West Sussex County Council.

Comments received 10 July 2023 (summarised)

We object to this planning application in the absence of the an acceptable Flood Risk Assessment (FRA) & Drainage Strategy relating to:

- As stated in the Environmental Statement, climate change allowances have been updated. They have not been applied to the FRA, which means the volume of water that could affect the site is being underestimated, and flood risk could increase elsewhere.
- There is residential and a small area of educational development within surface water flow paths. Some of the basins are also located within flow paths. This must be reconsidered, to ensure users of the buildings are safe and the basins have capacity for consecutive storms.
- The application is not in accordance with NPPF paragraph 167 & 169, PPG Flood risk and coastal change or policies within the Chichester Local Plan.

6.14 West Sussex County Council - Minerals and Waste (MWPA)

No objection.

Following the pre-application advice provided by the Minerals and Waste Planning Authority (MWPA) in January, 2020, the applicant has submitted an outline application for the proposed development that includes a Mineral Resource Assessment (MRA) within this submission. The MWPA would offer the following comments:

West Sussex Joint Minerals Local Plan (July 2018)

As previously identified, the site is within areas identified as Sharp Sand and Gravel (SS&G). The applicant provided an MRA within the original pre-application advice request and has since updated the document with a more detailed assessment of the underlying geology of the site, including 10 boreholes within the site and 18 trial pits.

The MRA concludes that the quality and quantity of the resources identified vary around the site between a depth of 2.1 and 7.5m, and the calculated volume of material available after considering site constraints for extraction is estimated to be about 495.000m³. The report concludes that prior extraction of this resource should not be required prior to development owing to the relatively poor quality of the aggregate, a high percentage of overburden waste as a result of the extraction (2:1 ratio of Overburden to Mineral), the constraints on site (archaeological and groundwater at a depth of 3m) and a lack of market demand for Sharp Sand and Gravel within West Sussex.

While it is appreciated that some parts of the site may be unsuitable for mineral extraction (namely areas around existing utilities and within residential buffer zones) the Viability Resource Statement identifies the varying quality and quantity of the resource across the site and goes some way in addressing specific deposits. Ultimately, it is concluded that the site would not be suitable for prior extraction.

On the contrary, the varying quality and quantity of the resource may suggest that high quality pockets of the resource exist around the site and, given the location of the site in relation to the Strategic Lorry Route Network (A27) and the nearby operator of the resource at Kingsham, certain parts may be economically viable for prior extraction. It is also noted that the site contains areas of high archaeological significance. Without prejudice to the Archaeological Evaluation Report, the potential for strategic resource recovery in tandem with the excavation of archaeological remains (where deemed suitable) would seem logical and valuable to both the historic and economic landscape of the district and could also be considered. Therefore the MWPA is of the opinion that the opportunistic extraction of high quality and accessible minerals could potentially be investigated further.

Following this, the MRA does not provide evidence that discussions with the nearby operator of the application site (Kingsham, located some 4km to the south west of the site) have been made, as was suggested in the pre-app advice issue. Further, market demand for any particular mineral carries little weight in the consideration of prior extraction of a safeguarded resource given their finite nature.

Regardless, given the site is allocated for residential development (Chichester District Local Plan 2015-2029), it will be for the determining authority to decide whether the overriding need for the development outweighs the safeguarding of the mineral, and that

its has been demonstrated that prior extraction is not practicable or environmentally feasible.

Therefore, the MWPA would offer No Objection to the proposed works, however, if deemed necessary by the determining authority, the MWPA would be open to the discussion of a suitable condition to secure incidental/opportunistic extraction of parts of the resource if its extraction is deemed reasonably practicable and environmentally feasible.

It should be noted that the extent to which the proposed development would sterilise any mineral on adjoining land through development has not been considered, however it is expected that development may result in some areas close to the boundary being sterilised. Should an application come forward for extraction on adjacent land in future, the application would be considered on its own merits and suitable mitigative measures to ensure neighbouring amenity is preserved (such as buffer zones) would be employed.

6.15 West Sussex County Council - Infrastructure Provision

No further comments received.

6.16 South Downs National Park Authority (SDNPA)

No further comments received.

6.17 CDC Archaeology

No further comments received

6.18 CDC Environmental Protection

No further comments received.

6.19 CDC Coast Protection and Land Drainage

Many of my previous comments dated 6th January 2021 still apply.

It is now WSCC, as the Lead Local Flood Authority, who are leading on consultation responses in relation to major applications, regarding Flood Risk and Surface Water Drainage.

6.20 CDC Environmental Strategy Unit

No further comments received

6.21 CDC Housing Enabling Officer

No further comments received

6.22 CDC Conservation and Design Officer

No further comments received

6.23 Representations from members of the public and other organisations

Responses to consultation in July 2023

2 letters of objection have been received concerning the following matters;

- a) Lack of detail showing of 3 oaks and a willow tree that should be protected by an order
- b) Access to Saxon Meadow has not been secured

7 letters of support have been received concerning the following matters;

- a) Relocation of orchard
- b) Retention of meadow
- c) Access to Saxon Meadow
- d) Revision to boundary in keeping with conservation area

10 letters of comment have been received concerning the following matters:

- a) Concerns about drainage and flooding at Saxon Meadow
- b) Queries about the CPO process
- c) Construction traffic
- d) Concerns about cycle path provision
- e) Retention of trees and hedgerows

Responses to consultation in December 2022

SUSTRANS

The Chichester and District Cycle Forum and the local Sustrans volunteers objected to the revision on 11 December 2022 and this is fully set out and assessed below.

On behalf of the Chichester and District Cycle Forum and the local Sustrans volunteers I wish to lodge an objection to this revised application. When the application which was originally submitted went to the Planning Committee, I spoke to raise strong objection to the proposed condition/ Section 106 agreement which only required the cycling and walking infrastructure to be completed ten years after the granting of planning permission. This flies in the face of the Government's White Paper 'Gear Change' which requires new infrastructure to be implemented at the start of house construction rather than at the completion so that active travel opportunities are available as the new households move in. Why is it different for cyclists and pedestrians than motorists in this respect? If there is doubt on the importance of this timing of infrastructure. I would ask that Active Travel England are immediately consulted.

Since the original application was considered, some progress has been made in identifying cycling links to the immediate west of the site on the southern side of the A27 with work being undertaken by WSCC and National Highways on public land.

The detailed plans do not show adequate links to such off-site routes in the north-west corner of the site and therefore I would request that the plans are altered to account of this recent change

One third party letter of objection was received concerning the following matters;

- a) planning application does not appear to be consistent with the NPPF because it does not meet the criteria for sustainable development as there is a lack of consideration for transport.
- b) Application cannot proceed further until all submissions that have been made to the CDC local plan by residents of Saxon Meadow have been considered by the Planning Inspectorate.
- c) The use of CPO powers to cut off Saxon Meadow's right of way and deprive the residents of amenity land and benefits is unjust and does not meet relevant statutory requirements.
- d) CDC has not made sufficient efforts to issue notice to the residents of Saxon Meadows about this application.

6.24 Agents supporting information

In response to the comments received from Tangmere Parish Council the agent has submitted comments concerning the following:

- a) The orchard would be re-provided within the site and would provide connectivity and maintain view corridor to St Andrew's Church,
- b) The applicant has sought to work proactively and positively with stakeholders,
- c) Existing ditches will be maintained, as set out in the Environmental Statement and a 3m from ditches could be secured via a planning conditions,
- d) A detailed drainage strategy will be designed to inform the reserved matters,
- e) The District Council would have statutory decision making powers to determine whether development on Saxon Meadows would be appropriate.

7.0 Planning Policy

The Development Plan

- 7.1 It remains that the Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029, the CDC Site Allocation Development Plan Document and the made Tangmere Neighbourhood Plan. The West Sussex Waste Local Plan 2031 (adopted April 2014) and the West Sussex Joint Minerals Local Plan (adopted July 2018) also need to be considered. However, since the application was previously considered the emerging Chichester Local Plan has been progressed.

Chichester Local Plan 2021-2039: Proposed Submission (Regulation 19)

- 7.2 Work on the review of the adopted Local Plan to consider the development needs of the Chichester Plan Area through to 2039 is now well-advanced. Consultation on a Preferred Approach Local Plan has taken place. Following detailed consideration of all responses to the consultation, the Council has published a Submission Local Plan under Regulation 19, which was approved by Cabinet and Full Council for consultation in January 2023. A

period of consultation took place from 3rd February to 17th March 2023, and the Submission Local Plan is expected to be submitted to the Secretary of State for independent examination in Autumn 2023. In accordance with the Local Development Scheme, it is anticipated that the new Plan will be adopted by the Council in 2024. At this stage, the Local Plan Review is an important material consideration in the determination of planning applications, the weight that can be attached to the policies contained therein is dependent on the significance of unresolved objection attributed to any relevant policy, commensurate with government policy at paragraph 48 of the NPPF (2021).

The relevant policies are:

- S1: Spatial Development Strategy
- S2: Settlement Hierarchy
- NE2: Natural Landscape
- NE3: Landscape Gaps between settlements
- NE5: Biodiversity and Biodiversity Net Gain
- NE6: Chichester's Internationally and Nationally Designated Habitats
- NE7: Development and Disturbance of Birds in Chichester and Langstone Harbours, Pagham Harbour, Solent and Dorset Coast Special Protection Areas and Medmerry Compensatory Habitat
- NE8: Trees, Hedgerows and Woodlands
- NE15: Flood Risk and Water Management
- NE16: Water Management and Water Quality
- NE20: Pollution
- NE 21: Lighting
- H1: Meeting Housing Needs
- H2: Strategic Locations/ Allocations 2021 – 2039
- H3: Non-Strategic Parish Housing Requirements 2021-2039
- H4: Affordable Housing
- H5: Housing Mix
- H6: Custom and/or Self Build Homes
- H8: Specialist accommodation for older people and those with specialised needs
- H10: Accessible and Adaptable Homes
- P1: Design Principles
- P2: Local Character and Distinctiveness
- P3: Density
- P4: Layout and Access
- P5: Spaces and Landscaping
- P6: Amenity
- P8: Materials and Detailing
- P14: Green Infrastructure
- P15: Open Space, Sport and Recreation
- P16: Health and Well-being
- P17: New and Existing Local and Community Facilities including Local Shops
- T1: Transport Infrastructure
- T2: Transport and Development
- T3: Active Travel - Walking and Cycling Provision
- T4: Parking Provision
- I1: Infrastructure Provision
- A14: Land West of Tangmere

National Policy and Guidance

- 7.7 Government planning policy currently comprises the revised National Planning Policy Framework (NPPF 2021), which took effect in July 2021 and related policy guidance in the NPPG, after the application received the resolution from the Planning Committee.
- 7.9 The amendments to the NPPF have not changed the policy context for the consideration of this application. The following sections of the revised NPPF are relevant to this application: 2, 5, 8, 9, 11, 12, 14, 15, 16, 17 and Annex 1.

8.0 Planning Comments

- 8.1 This report provides an update to the report contained at Appendix 1 in respect of the following issues:
- i. The principle of development and the policy framework
 - ii. 5 year housing land supply
 - iii. The impacts of the amendment to the site boundary adjacent to the A27
 - iv. The impacts of the amendment to the site boundary adjacent to Saxon Meadows
 - v. Flood risk and surface water drainage
 - vi. Other matters

i. The principle of development and the policy framework

- 8.2 This is an outline planning application, which seeks to establish the principle of a residential led, mixed-use neighbourhood development on the site of 75.93 hectares. Prior to receipt of the amended plans the development benefited from a resolution of the Planning Committee to permit the application in accordance with the terms set out in paragraph 1.1 of this report.
- 8.3 The policy context is largely the same as it was when the application was considered previously. The starting point for consideration of this outline application remains the Chichester Local Plan and more specifically Policy 18, which confirms that the site is a strategic allocation for a mixed-use development. As set out in paragraph 7.2 of this report the emerging Chichester Local Plan has now been consulted upon and the 2021-2039 Chichester Local Plan: Proposed Submission (CLP:PS) is expected to be submitted in Autumn 2023. Policy A14 of the CLP:PS allocates the site for 1300 dwellings, community facilities and open space, although this policy carries limited weight at this time. The Tangmere Neighbourhood Plan remains an important material consideration as part of the Development Plan, and this has not been amended since the application was considered previously.

ii. Housing Land Supply

- 8.4 It remains the case that the Council is unable to demonstrate a 5 year housing land supply. The current supply is 4.72 years. This is the last of the District's currently allocated strategic development housing sites. The application proposes that up to 1,300 new dwellings be constructed on the site. This is a proposed development of significant size and is one which, if approved, would contribute to helping meet housing land supply

in the District, over the next 10 to 12 years and this is a significant benefit to be weighed in the planning balance.

iii. The impacts of the amendment to the site boundary adjacent to the A27

- 8.5 The minor red line amendment does not, in any way, alter the previously assessed access arrangement from the A27 Temple Bar grade-separated junction. Instead, it now incorporates works within the site boundary which had been previously assumed to be able to take place within what had been indicated to form adopted highways land. The six Parameters Plans have also been updated to reflect the revised planning application red line for consistency and because these will form approved documents, which will help ensure the compliance of any future Reserved Matters applications. The amendment is purely a technical 'red line' boundary change. It does not change in any material way whatsoever the scope of existing scheme, which has already been assessed and deemed to be acceptable by the Council.
- 8.6 In respect of the amendment to the red line adjacent to the A27 no objections were received from Tangmere Parish Council, National Highways or the Local Highways Authority at West Sussex County Council. An objection was however received from the Chichester and District Cycle Forum and Sustrans, however these comments are not considered to be material to the amended red line, rather, they repeat matters that have already been considered, and does not provide any grounds for the revised plans to be resisted.
- 8.7 In conclusion, neither Tangmere Parish Council, the highway authority, nor National Highways have raised any objection to the proposed revision on highway safety grounds. It is therefore considered that this amendment to the proposal is acceptable in this respect.

iv. The impacts of the amendments to the site boundary adjacent to Saxon Meadows

- 8.8 The amended plans also include the removal of an area that was previously shown on the illustrative masterplan as a community orchard. The area is approximately 0.34ha in size and is an area of land that lies adjacent to Saxon Meadows, an existing residential development on the western edge of Tangmere village. As shown on the illustrative masterplan previously, this area of land was proposed as a community orchard. The amended plan removes this area of land from the application site, and it relocates the community orchard within the site. There is a requirement to provide a Community Orchard/Garden/Allotment in a broad location on land to the East of Saxon Meadows within Policy 2 of the Tangmere Neighbourhood plan. It was not possible to accommodate the orchard alongside the allotments and gardens in this location and therefore when the application was submitted it included the orchard on land to the west of Saxon Meadows, and this was previously found to be acceptable. As now amended, the proposed community orchard would be located partly on land to the west of Saxon Meadows and partly in a more linear arrangement on land to the north west of Saxon Meadows.
- 8.9 Concerns have been raised about the movement of the orchard, and its division into separate parcels. However, Policy 2 of the Tangmere Neighbour Plan does not detail specific requirements for the orchard, and as now proposed it poses no greater conflict with the Tangmere Neighbourhood Plan than the previously accepted location. This

application is an outline application, with all matters except access reserved and therefore it is important to consider that the plans and details provided to date are illustrative. Whilst full details would be secured by future applications for reserved matters, there is a condition requiring the development to broadly accord with the submitted information. The concerns about fragmentation of the community orchard are understood, however there is a benefit to the provision of a linear orchard area which will connect it to other part of open space both for users of the open space and for wildlife.

- 8.10 As amended the community orchard would provide a community benefit and it would provide linkages with existing planting on the site whilst retaining important views from the north west toward the Grade I listed St Andrews Church, which is an important consideration. Concerns have been raised about the impact of the amendment upon Tangmere Conservation Area and the listed church. Historic England have been consulted and no specific concerns regarding the movement of the red line or the community orchard have been raised. It remains the case that the new development would change the setting of the nearby heritage assets, and this would result in a degree of harm that has been considered in the planning balance. The level of harm to the heritage assets from the development, which is considered to be less than substantial, would not be affected by the proposed change to the red line. It remains the case that Historic England have not objected to the proposal, whilst recognising there is a degree of harm, and it is considered that the benefits of the proposal would outweigh the degree of harm identified.

v. Flood risk and surface water drainage

- 8.11 The application site lies in Flood Zone 1, where the risk of flooding is lowest. During the consultation process West Sussex County Council, as Lead Local Flood Authority (LLFA), raised some concerns that the updated Flood Risk Assessment was not sufficient to demonstrate that the site would be adequately drained. Following discussions with the LLFA, the applicant has provided additional information to address the concerns raised. The LLFA has considered the additional information provided and has confirmed that the proposal would be acceptable subject to a range of conditions to control the detailed design of the surface water drainage scheme, including interim drainage measures (including management) during construction phases, ongoing management of the drainage scheme, and the submission of verification reports for the scheme. The Parish Council has raised concerns about lack of space to provide a 3m buffer to watercourses for management. This is the subject of a planning condition, and it is important to however this is an outline application with all matters except access reserved and therefore this detailed
- 8.12 No objections have been received from the LLFA regarding the proposed measures to manage surface water on the site, and no further comments have been received from the Environment Agency. It is therefore considered that it remains the case that the proposal would be acceptable in respect of surface water drainage and flood risk

vi. Other matters

- 8.13 During the course of the consultation period a number of concerns have been raised regarding the removal of land at Saxon Meadows from the application site. Concerns have been raised about the potential for development on the site in the future, however the

consideration of the Planning Committee relates to the development as submitted only and this is not a material consideration. Notwithstanding this, the planning system provides a range of controls over new development and the merits of any proposal would be considered if an application for planning permission is required and submitted.

- 8.14 Concerns have been raised by the Parish Council regarding lack of collaborating working between the Council, the developer and the Parish Council in respect of the latest amendments to the plans. This concern is appreciated, the amended plans were submitted due to matters arising related to the Compulsory Purchase Order (CPO) process and therefore they were not expected. However, the Parish Council has received the opportunity to review and comment on the proposals, and lack of prior discussion is not a material consideration relevant to the assessment of the application.
- 8.15 Representations have been received regarding the CPO process, however this is a separate process concerning land ownership and is not a material consideration. In addition, concerns have been raised about potential impact upon trees close to the church. Trees that lie within the Tangmere Conservation Area, including those around the church, are already protected by legislation. In addition, the application site is the subject of a provisional Tree Preservation Order (TPO), and this is current under consideration and should the TPO be confirmed. This is under consideration and is the correct separate process to deal tree preservation matters.

Section 106 Agreement - Heads of Terms

- 8.16 If planning permission is granted, it will be subject to the completion of an Agreement under Section 106 of the relevant legislation as set out within the report at Appendix 1. The proposed amendments have not altered these requirements.

Significant Conditions

- 8.17 In addition to the Section 106 Agreement provisions set out above, the recommendation to approve this application is subject to a number of planning conditions. Where it is considered necessary in light of consultation responses, or amendments to policies or guidance, the previously agreed conditions have been amended or replaced. The amended conditions and informatives are provided in full below.

Conclusion

- 8.18 Having balanced all of the relevant planning considerations it is considered that the proposed amendments to the scheme do not materially alter the acceptability of the proposal. Whilst it is recognised that the proposal would result in a change to the landscape and less than substantial harm to the heritage assets close to the site, this harm would be outweighed by the public benefits. Importantly, the proposed amendments would not materially change the impacts of the proposed development. It remains that this development is the last of the current major Strategic Development housing locations allocated in the approved Local Plan to come forward. It is a large and important site that has the ability to satisfactorily accommodate up to 1,300 dwellings and it has the potential to make a significant contribution to helping meet housing needs in the District and to help reduce pressure for housing elsewhere.

- 8.19 As amended, the proposal would continue to provide a new access from the A27 and a range of community facilities including a substantial amount of open space, new play facilities and additional sport facilities, a new sports pavilion, extensive new cycle routes and paths and improved cycle links to Chichester or a contribution towards any new cycle route into Chichester. There will also be enhanced public transport, a new village school, enhanced community facilities, new library provision, a large new area of allotments and the community orchard.
- 8.20 Subject, therefore, to the prior completion of a Section 106 Agreement and the conditions set out in this report below it is recommended that, outline planning permission should be granted.

Human Rights

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

RECOMMENDATION

SUBJECT TO HIGHWAYS ENGLAND WITHDRAWING ITS HOLDING OBJECTION FOLLOWING AN AGREED APPROACH TO THE ACCESS PROPOSALS FOR THE A27 TEMPLE BAR JUNCTION, DEFER FOR SECTION 106, BASED ON THE GENERAL HEADS OF TERMS SET OUT IN SECTION 8 OF THIS REPORT, THEN PERMIT subject to the following conditions:-

1) The development to which this permission relates shall be commenced not later than the expiration of three years from the approval of the first reserved matters and the remainder of the development shall be begun not later than:

- i. The expiration of ten years beginning with the date of this permission; or
- ii. Within two years of the approval of the reserved matters for any phase, parcel or area of infrastructure, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

2) The reserved matters required to be submitted by the conditions of this outline planning permission shall not depart from the terms and details of the Framework Masterplan and the approved Parameter Plans considered and approved as part of this outline planning permission. The development hereby permitted shall be carried out fully in accordance with the following approved plans, subject to the deviations shown on the approved Parameter Plans.

- o Location Plan -180620_TOR_001_C
- o Framework Masterplan - 180620_TOR_002_I

- o Land Use Parameter Plan -TOR-PP-001 Rev M
- o Access and Movement Parameter Plan - 180620_TOR-PP-04_M
- o Building Density Parameter Plan - 180620_TOR-PP-03_I
- o Building Height Parameter Plan - 180620_TOR-PP-02_L
- o Open Space and Landscape Parameter Plan - 180620_TOR-PP-05_Q
- o Access Junctions for Tangmere Road - JNY9716 - SK020
- o A27/A285 Access with Pedestrian Crossings - JNY9716 - SK028
- o Access Junction for Malcolm Road - JNY9716 - SK055
- o Outline Ecological Strategy Plan - 5545/ESP1 Revision A (March 2021)

Thereafter, the development shall not be built other than in full accordance with all the above terms and details.

Reason: To ensure the development as eventually implemented generally accords with the submitted and approved plans.

3) No more than 1,300 dwellings shall be provided on the site as a whole.

Reason: To ensure the delivery of an attractive and high-quality development.

4) Each application for Reserved Matters for any phase or parcel that includes buildings shall include a schedule of the number of dwellings and/or buildings proposed and their respective building heights, and shall confirm the proportion of 2, 2.5 and 3 storey dwellings and/or buildings proposed in that phase or parcel, with reference to the relevant character area as set out within the Design Code. No dwelling or other buildings shall exceed the maximum heights for the relevant zone indicated on the approved Building Heights Parameter Plan.

Reason - In the interests of visual amenity and to protect the visual impacts of the proposed development.

5) Each application for Reserved Matters for any phase, parcel or area of infrastructure shall include details of suitable arrangements for the future access for maintenance of any watercourse or culvert (piped watercourse) crossing or abutting that phase, parcel or area of infrastructure. No construction is permitted which will restrict current and future landowners from undertaking their riparian maintenance responsibilities of any watercourse on or adjacent to the site.

Reason - To ensure that drainage arrangements for the site can be properly maintained.

6) Each application for Reserved Matters containing for any phase or parcel of development shall include the provision of a Sustainability Strategy for that phase or parcel, outlining details of the sustainable design and construction that are proposed for all new buildings within that phase or parcel, including, but not limited to,

renewable energy, water use, sustainable building techniques and technology, energy consumption, maximising renewable resources, climate change adaptation and electric vehicle charging.

The Reserved Matters required to be submitted by the terms of this permission shall include details, specifications, proposals and any necessary evidence to demonstrate how the proposals comply with the relevant Sustainability Strategy. Following approval, development shall be carried out fully in accordance with the details as may be agreed and there shall be no departure from the approved details which shall be fully implemented as part of the development, unless any variation is agreed in writing by the Local Planning Authority.

Reason: To minimise the impact of the development upon climate change.

7) The development hereby permitted shall make full provision of all of the open space, amenity land, play areas, allotments and orchard as indicated on the approved Open Space and Landscape Parameter Plan (TOR-PP-005 REV Q). Once provided, these areas shall be retained and only be used for the purpose they were provided for, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the appropriate provision of open space, amenity land and play areas in order to secure the required standard of development.

8) No more than 300 dwellings shall be occupied within the southern half of the site which are served only by the two proposed access points from Tangmere Road. No more than 651 dwellings shall be occupied within the site unless and until the link road has been fully completed and is open to through traffic between Tangmere Road and the A27 Temple Bar Grade Separated Junction.

Reason: In the interests of highway safety.

9) No more than 300 dwellings shall be occupied in the southern part of the site with access via Tangmere Road until the link road is complete and open to through traffic from Tangmere Road to the A27 Temple Bar Grade Separated Junction.

Reason: In the interests of highway safety.

10) The development hereby permitted shall be connected, on a phased basis, to all relevant utilities and service infrastructure networks (including fresh water, electricity, power supplies, telecommunications and broadband), in accordance with details to be submitted to and agreed in writing by the Local Planning Authority, for each phase or parcel of development. All existing infrastructure on site shall be subject to protection measures, the details of which shall be submitted to and agreed in writing by the Local Planning Authority on a phased basis, during all construction phases.

Reason: To ensure that the development benefits from appropriate infrastructure.

11) The existing hedge along the southern boundary of the site shall be retained, with the exception of those parts that are required to be removed for the provision of agreed accesses to the site, in accordance with the approved Tree Protection Plan. Any parts of the hedge which are removed without consent or dies or becomes

severely damaged or diseased during a period of five years from the date of the completion of the development shall be replaced in the next planting season with a hedge of a similar size and species, unless otherwise agreed by the Local Planning Authority.

Reason: In the interests of preserving the visual amenities and character of the area.

12) The general strategy for the mitigation of the effects of the development of this site on the below-ground archaeological interest it contains, and is likely to contain, should be fully in accordance with the Archaeology Mitigation Plan (figure 12.7 Environmental Statement updated December 2022). Within a development parcel, phase or area of infrastructure, no works on site involving any ground disturbance shall commence until the developer has first carried out a programme of archaeological work in accordance with a Written Scheme of Investigation for that particular development parcel, phase or area of infrastructure which first shall have been submitted to and approved by the Local Planning Authority.

The Written Scheme of Investigation shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording
- b. The programme for post investigation assessment
- c. Provision to be made for engagement with the local community during the site investigations, as appropriate
- d. Provision to be made for analysis of the site investigations and recording
- e. Provision to be made for publication and dissemination of the analysis and records of the site investigation
- f. Provision to be made for archive deposition of the analysis and records of the site investigation
- g. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- h. Details for the provision of on-site public information

Reason: To enable any remains of archaeological significance to be investigated and recorded prior to development commencing.

13) Any works to the trees or vegetation clearance on the site shall only be undertaken outside of the bird breeding season (which takes place between 1st March and 1st October, each year). If works are required within this time an ecologist must check the site before any works take place (within 24 hours of any proposed work).

Reason: In the interest of ecology.

13) A 15-metre buffer shall be maintained from the boundary of the on-site pumping station(s) and no residential development should be provided within this 15-metre buffer zone.

Reason - To protect residential amenity.

14) No imported waste materials whatsoever shall be imported, deposited or used on the site.

Reason - In the interests of amenity.

15) Notwithstanding the Parameter Plans, there shall be no building or planting within 3 metres of the top of the bank of any existing or proposed surface water drainage infrastructure watercourse, unless otherwise agreed in writing by the Local Planning Authority.

To ensure that all open watercourses can be satisfactorily managed and maintained.

16) All planting, seeding and turfing required by the approved details of landscaping shall be carried out in the first planting and seeding season following either the occupation of the buildings in the phase or parcel to which they relate, or the completion of the phase, parcel or area of infrastructure in which they are located, whichever is the sooner. Any trees or plants which, within a period of 5 years from being planted die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and of the environment of the development.

17) The development shall be carried out only in full accordance with the submitted Flood Risk Assessment, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To mitigate flood risk.

18) The surface water from the development hereby permitted shall be disposed of using a Sustainable Urban Drainage System (where technically feasible and consistent with EA groundwater quality standards). The System shall be designed to ensure that the pre-existing rate of run-off from the site is not increased.

Reason: To accord with the Council's Interim Statement on Climate Change.

19) No storm water run-off that may arise due to the development hereby permitted will be accepted into the highway or highway drainage systems, and there shall be no connections into those highways drainage systems from the development and its drainage systems.

Reason: To ensure that the A27 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980, to satisfy the reasonable requirements of road safety and to prevent environmental damage.

20) A clear 8m buffer strip shall be maintained at all times from each bank of any ordinary watercourse. A plan shall be submitted prior to construction that demonstrates how access to all watercourses for maintenance and inspection purposes shall be ensured for the lifetime of the development.

To prevent flooding in accordance with National Planning Policy Framework paragraph 167, 169 and 174.

21) No part of the development site shall be accessed (either temporarily or permanently) to or from the A27 in any other locations than agreed unless agreed in writing by the local planning authority (who shall consult with National Highways).

Reason: To ensure the A27 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

22) No development shall commence within any phase, parcel or area of infrastructure until full details of the layout, scale, appearance and landscaping (hereinafter referred to as "reserved matters") have been submitted to and approved in writing by the Local Planning Authority.

Application for approval of the first reserved matters shall be made to the Local Planning Authority no later than three years from the date of this permission. The remaining reserved matters shall be made not later than ten years beginning with the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

23) An overall Design Code for the development of the site as a whole, including details of the different character areas, the proposed palette of materials and the proposed architectural approach, shall be submitted to the Local Planning Authority for approval, before or with the first application for reserved matters on any phase or parcel which includes any buildings. This shall include, but not be exclusively limited to, the following matters: -

- Proposed materials for the external walls, windows, door surrounds and roofs.
- Verge details for all roofs, garages and pitched roof porches.
- Scale, general appearance and layout.
- Details of screen walls and/or fences that are proposed.
- Solar PV panels on dwellings, (which shall be installed so that they are flush fitting with the plane of all roofs).

- How an appropriate variation in roofscape and building height will be achieved in different character areas on the site.
- The general approach to be followed to ensure that proposed building heights within each parcel or phase conform to the approved Building Heights Parameter Plan and relevant planning conditions.
- Details of the provision of car and cycle parking and storage.

Once approved, all subsequent applications for reserved matters shall demonstrate how the details are in accordance with the approved Design Code, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure consideration is given to the development as a whole in the interests of amenity and to ensure a development of visual quality.

24) No development shall commence until a Phasing Plan, covering the entire site relating to the delivery of all of the residential parcels and the strategic infrastructure, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall proceed in phases and each reserved matters application shall refer to a phase, phases, or part thereof, as identified in the Phasing Plan, as may be approved. Any subsequent changes to the approved Phasing Plan must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure consideration is given to the development as a whole and that it can proceed in phases in the interests of ensuring the delivery of an appropriate mix of housing, community facilities, other uses and open space during the construction of the development.

25) The development hereby permitted shall not commence unless and until a construction access and haul road from the A27 Temple Bar junction has been constructed, surfaced and drained in accordance with details to be submitted to and approved by the Local Planning Authority. This access shall be the only means of access to and from the site for all construction traffic at all times throughout construction of the development hereby permitted.

Reason: To secure satisfactory standards of access for the proposed development and to protect the amenity of nearby residents.

26) No part of the vehicular accesses shown on drawing titled 'Indicative Access Junctions Roundabout and Simple Priority T-Junction (40mph) with visibility splays' and numbered JNY9716-SK020 shall be commenced until a Traffic Regulation Order for a 40mph speed limit on Tangmere Road, which is required to enable the indicatively shown accesses to be implemented, has been submitted to and approved by West Sussex County Council and written confirmation of this approval has been made available to the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority in consultation with West Sussex County Council. No dwelling or any other use permitted that is served only by an access point from

Tangmere Road shall thereafter be first occupied until the vehicular accesses indicatively shown on the drawing numbered JNY9716-SK020 have been constructed in accordance with drawings to be submitted to and agreed in writing by the Local Planning Authority.

Reason - In the interests of road safety.

27) No development within any phase or parcel of the development shall commence unless and until a Landscape and Ecological Management Plan (LEMP) for that phase or parcel of the development, proposing measures to ensure the delivery and long-term management of open spaces (including areas of ecological value), has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall be prepared in accordance with the approved Outline Ecological Strategy Plan, unless an alternative is agreed in writing, by the Local Planning Authority. The LEMP shall include, but not be limited to, the following measures:-

- The management of the green corridors' areas, which shall include a mitigation and enhancement management strategy for the site.
- Proposals for wildlife management, including the use of native species friendly planting, lighting for bats, pond enhancement, the ancient yew off-site, bat trees, a badger survey, water voles, nesting birds, reptiles, greater crested newts and hedgehogs.
- Details on how the proposed green corridor areas will be protected during the construction process.
- How hedgerows and trees on site are used by many protected species for commuting and foraging and will need to be retained and enhanced for bats.
- Wildflower meadow planting
- Filling any gaps in tree lines or hedgerows with native species.

- The provision of bat brick/boxes to be installed into the dwellings and further bat-boxes (numbers to be specified and agreed) to be installed within the retained trees on site.

- The provision of bird boxes/bricks installed into the dwellings and further bird-boxes (numbers to be specified and agreed) to be installed within the retained trees on site.

- The provision of barn owl boxes to be installed on site together with a management programme for maintenance and monitoring.

- The provision of log piles (as detailed within the submitted reptile mitigation).

- Details of gaps to be provided at the bottom of the fences to allow movement of small mammals across the site.

- The provision of a Soil Resources Management Plan.

Thereafter, the LEMP shall be implemented fully in accordance with the approved details, with measures required within any parcel or phase of the development to be installed on the site prior to the first occupation of any dwelling or building within that phase or parcel, in accordance with the approved details.

Reason - To ensure that the ecology of the site appropriately managed.

28) No development shall commence within any phase of the development, including any works of demolition, unless and until a Construction and Environmental Management Plan (CEMP) comprising a schedule of works and accompanying plans for that phase of development has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved CEMP shall be implemented and adhered to throughout the entire construction period, unless any alternative is agreed in writing by the Local Planning Authority. The CEMP shall provide details of the following, in relation to the relevant phase of the development :-

(a) the phased programme of construction works;

(b) the anticipated number, frequency and types of vehicles to be used during construction, the location and specification for vehicular access the turning on site of vehicles during construction and the method of access and routing of vehicles during construction and the provision to be made for the parking of vehicles by contractors, site operatives and visitors to the construction site.

(c) the loading and unloading of plant, materials and waste and the storage of plant and materials used in construction of the development,

(d) the erection and maintenance of security hoarding and the location of any site huts/cabins/offices,

(e) the provision of road sweepers, on and off-site wheel washing facilities and the type, details of operation and location of other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),

(f) details of proposed public engagement, both prior to and throughout construction works, including a named person to be appointed by the applicant to deal with complaints who shall be available on site and contact details made known to all relevant parties,

(g) measures to control the emission of dust and dirt during construction, to include where relevant sheeting of loads, covering and dampening down stockpiles and restriction of vehicle speeds on haul roads. A dust management plan should form part of the CEMP which includes routine dust monitoring at the site boundary with actions to be taken when conducting dust generating activities if weather conditions are adverse,

(h) other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),

(i) measures to control the emission of noise during construction,

(j) details of all proposed external lighting to be used during construction and measures used to limit the disturbance of any lighting required. Such lighting shall be limited only to that required for security and safety,

(k) appropriate storage of fuel and chemicals, in bunded tanks or suitably paved areas, measures to reduce air pollution during construction including turning off vehicle engines when not in use and plant servicing and waste management including prohibiting burning and the disposal of litter,

(l) the provision of temporary domestic waste and recycling bin collection point(s) during construction.

(m) the hours of construction, which once agreed shall be fully complied with throughout all construction.

(n) Silty water disposed of to foul sewer or suitable alternative (tanker off site)

(o) Water washing of vehicles carried out away from water courses.

(p) Refuelling away from water courses.

(q) Measures for dealing with any evidence of unexploded ordnance (UXO) that is found on the site.

(r) Details, which shall include a 32Metre protection zone, to protect the Ancient Yew tree (within St. Andrews Churchyard) so to ensure there is no disturbance within this area, where relevant.

(s) An assessment of the potential impacts of the development on National Highway's assets, where relevant.

(t) The replacement of any previously provided ecological mitigation measures that are required to be relocated by the proposed development and the protection of those remaining.

Reason: To ensure safe and neighbourly construction and in the interests of environmental protection.

28) Prior to or in conjunction with the submission of each Reserved Matters application a detailed Site SuDS Phase plan which aligns with the site phasing plan shall be submitted to and approved in writing by the Local Planning Authority. This SuDS Phasing plan shall ensure that each phase does not exceed the agreed Qbar discharge rates for that phase and that source control measures are installed within each phase (to be maximised for each phase but no less than 12% of the phase area) to adequately address the phases own surface water runoff. The plan shall ensure that each SuDS component is adequately protected throughout the development of the scheme. The plan shall show all exceedance routes throughout the development of the scheme ensuring flood risk is not increased elsewhere or to the site itself and that the site remains safe for all exceedance event flow routes for the lifetime of the development during rainfall (i.e. greater than design events or during blockage) and how property on and off site will be protected.

Reason: To ensure that the development achieves a high standard of sustainability

and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF.

29) Prior to or in conjunction with the submission of each Reserved Matters application for any phase for the development hereby permitted, details of a scheme for the disposing of surface water by a means of sustainable drainage system shall be submitted to and approved in writing by the Local Planning Authority in accordance with the approved drainage strategy and discharge rates to Qbar for each phase as contained within the approved Flood Risk Assessment/Drainage Strategy dated July 2023. The scheme shall be implemented in full in accordance with the approved details prior to first use of the development. The submitted details shall:

- Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharge from the site via a proposed Sustainable drainage system and the measures taken to prevent pollution of the receiving surface waters. This shall include the following information:
 - Demonstrates that the proposed surface water drainage system does not surcharge in the 1 in 1 critical storm duration, flood in the 1 in 30 plus climate change critical storm duration or the 1 in 100 critical storm duration,
 - Demonstrates that any flooding that occurs when taking into account climate change for the 1 in 100 critical storm event in accordance with NPPF does not leave the site uncontrolled via overland flow routes and remains safe.
 - Detailed drawings and hydraulic calculations demonstrating the incorporation of above ground source control features that meet the four pillars of SuDS;
 - o The hydraulic calculations shall take into account the connectivity of the different surface water drainage features; and
 - o The detailed design shall include information on how surface water flows exceeding the design capacity of the surface water drainage features will be managed safely.
- Details shall include:
 - ♣ construction drawings of the surface water drainage network;
 - ♣ associated sustainable drainage components;
 - ♣ flow control mechanisms; and
 - ♣ construction method statement.
- The design of any attenuation basin will incorporate an emergency spillway and any drainage structures include appropriate freeboard allowances. Plans to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1% annual probability rainfall event.
- Finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all sources of flooding (including the ordinary watercourses, SuDS features and within any proposed drainage scheme) or 150mm above surrounding ground level, whichever is the more precautionary.
- Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge, prioritising the use of source control measure and maximising their use throughout each phase.
- Details of the proposed diversion, treatment and attenuation of surface water flows from the A27 drainage network through the site, ensuring that this divert does not adversely impact on the surface water drainage for the relevant phase and does not increase flood risk to the site or surrounding area.

The scheme shall then be constructed in accordance with the approved drawings, method statement and hydraulic modelling calculations prior to the first occupation of the development hereby approved. No alteration to the approved drainage scheme shall occur without prior written approval of the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: To prevent flooding in accordance with National Planning Policy Framework paragraph 163, 165 and 170 by ensuring the satisfactory management of local sources of flooding surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.

30) Development shall not commence until details and a method statement for interim and temporary drainage measures during the demolition and construction phases have been submitted to and approved in writing by the Local Planning Authority. This information shall provide full details of who will be responsible for maintaining such temporary systems and demonstrate how the site will be drained to ensure there is no increase in the off-site flows, nor any pollution, debris and sediment to any receiving watercourse or sewer system. The site works and construction phase shall thereafter be carried out in accordance with approved method statement, unless alternative measures have been subsequently approved by the Planning Authority

Reason: To prevent flooding and pollution offsite in accordance with the NPPF.

31) Construction shall not begin until a detailed construction phase surface water management plan for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be carried out in accordance with the approved details.

Reason: To ensure that the construction of the site does not result in any flooding both on and off site and that all Surface water Drainage features are adequately protected.

32) Prior to or in conjunction with any reserved matters submission, a detailed design shall be submitted to and approved in writing by the Local Planning Authority in conjunction with the Lead Local Flood Authority for any proposed watercourse alteration. This shall demonstrate that there is no increase in flood risk to the site or surrounding area, flood storage areas are not reduced for the design flood and that an 8m buffer strip maintained from each bank. Details submitted for any proposed watercourse alteration must demonstrate there is adequate space for each watercourse to be naturalised and enhanced, that flood risk is suitably managed for all storms up to and include the 1 in 100 (1%) Annual Exceedance Probability plus climate change, that exceedance events of the channels do not impact the proposed development and that they are easily maintainable and accessible. The details shall include long sections and cross sections of the proposed watercourses including details of any proposed crossings (ensuring culverting of any watercourse is only for access where necessary and a construction management plan. The development

shall be constructed in accordance with the approved plans. Prior to the first occupation of the development, a detailed maintenance and management plan for all watercourses on site shall be submitted to and approved in writing by the Local Planning Authority and adhered to for the lifetime of the development.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF

33) No development shall commence until details of a strategic system of foul drainage for the site have been submitted to, and approved in writing by the Local Planning Authority, in consultation with the Lead Local Flood Authority (WSCC). Any variance in the approved details must be agreed in writing with the Local Planning Authority prior to the commencement of any development in relation to the foul drainage of the site. Thereafter, all development shall be undertaken in accordance with the approved details. The foul drainage system shall be retained as approved thereafter.

No works shall commence on site for each phase or parcel unless and until the agreed details of the proposed foul drainage and means of disposal for that phase have been submitted to and approved by the Local Planning Authority. Within each phase or parcel of development, no dwelling or other building shall be occupied until all foul water drainage works have been fully carried out in accordance with such details.

Reason: To ensure that the proposed development is satisfactorily drained.

34) No development, including site works of any description, shall take place on any phase, parcel or area of infrastructure and no equipment, machinery or materials shall be brought onto the site, unless and until all existing trees or hedges to be retained within or adjoining that phase, parcel or area of infrastructure have been protected in accordance with the approved Tree Protection Plan (19044-5), unless an alternative is approved in writing by the Local Planning Authority. Thereafter, this protection shall be maintained until all equipment, machinery, surplus materials and soil have been removed from the site. Within the areas so fenced off, the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon without the prior written approval of the Local Planning Authority. If any trenches for services are required in the fenced off areas, they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25 mm or more shall be left unsevered. All work shall be undertaken in accordance with BS 5837:2012 and the approved Tree Protection Plan 19044-5.

Reason: To ensure the retention and maintenance of trees and vegetation, which is an important feature of the area.

35) If a Phase 2 report submitted identifies that site remediation is required within any phase or parcel of development, then no development shall commence within that phase or parcel unless and until a Remediation Scheme has been submitted to and approved in writing by the Local Planning Authority. This should detail how the

remediation will be undertaken, what methods will be used and what is to be achieved. Proposals for any ongoing monitoring shall also be specified. A competent person shall be nominated by the developer to oversee the implementation of the Remediation Scheme for that phase. The report shall be undertaken in accordance with national guidance as set out in DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination CLR11. Thereafter the approved remediation scheme shall be fully implemented in accordance with the approved details.

Reason: In the interests of amenity and to protect the health of future occupiers of the site from any possible effects of land contamination in accordance with local and national planning policy.

36) If any piling is proposed in any phase or parcel, before development commences in that phase or parcel, the agreement of the Local Planning Authority, in consultation with Portsmouth Water, shall be obtained to confirm whether it has the potential to penetrate the full depth of the Lambeth Group (i.e. into the Chalk), a piling risk assessment and method statement shall be undertaken (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, vibration and the programme for the works) for the relevant phase or parcel. This shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Portsmouth Water, prior to the commencement of development within that phase or parcel. Once approved, any piling shall be carried out and fully completed in accordance with the approved details.

Reason: To mitigate against any risk to potable supplies from turbidity, mobilisation of historical contaminants, drilling through different aquifers and creation of preferential pathways.

37) No development shall commence within any phase or parcel of the development hereby permitted, unless and until details showing the specification, locations and maintenance details for the proposed fire hydrants (in accordance with West Sussex Fire and Rescue Guidance Notes) within that phase or parcel, have been submitted to and approved in writing by the Local Planning Authority, in consultation with West Sussex County Council's Fire and Rescue Services, unless it is otherwise agreed by the Local Planning Authority (in consultation with the Fire and Rescue Service), that they are not required for that particular parcel or phase.

Once agreed and prior to the first occupation of any dwelling within each phase or parcel of development, all fire hydrants shall be provided in accordance with the details as may be agreed. The fire hydrants shall thereafter be maintained fully in accordance with the approved details.

Reason: In the interests of public safety and to accord with the provisions of the F&RS Act 2004.

38) Prior to the commencement of each phase or parcel of the development hereby approved, full details of the access visibility splays within that parcel or phase shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the Local Highway Authority). Prior to the first occupation of each residential phase or parcel or other land use, the access and visibility splays shall be constructed in accordance with the approved details and the land and vegetation within the visibility splays shall not be obstructed by any object, structure, planting or other material.

Reason: In the interests of road safety.

39) No development shall commence within any phase or parcel of the development until plans or sections through the relevant part of the site, showing details of the existing and proposed ground levels, have been submitted to, and approved in writing by, the Local Planning Authority. The details shall clearly identify the relationship of the proposed ground levels and proposed completed height, with any adjacent existing or proposed buildings. The development of that phase or parcel thereafter shall be carried out in full accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that a satisfactory relationship results between the new development and adjacent buildings and public areas.

40) No development shall commence within any phase or parcel of development, which includes any dwelling facing directly towards the roads on the northern and southern extremes of the site, unless and until an Acoustic Design Statement (ADS), accounting for transportation noise, has been submitted to and approved in writing by the Local Planning Authority. The ADS shall detail all mitigation measures to be implemented in order to provide an appropriate level of amenity for future occupants.

Furthermore, prior to the occupation of any dwelling facing directly towards the roads on the northern and southern extremes of the site, a Noise Impact Assessment shall be undertaken by a competent person. The results of this assessment shall then be implemented within the layout and design of all relevant dwellings, so as to ensure that all habitable rooms achieve, as a minimum, the following criteria:

- o Living Room, 35dB LAeq,16hours (07:00-23:00);
- o Dining Room, 40dB LAeq, 16 hours (07:00-23:00);
- o Bedroom, 35dB LAeq,16hours (07:00-23:00);
- o Bedroom, 30dB LAeq,8hours (23:00-07:00)
- o and a level of 45dB LA[F]max shall not be exceeded on a regular basis (10 times) during night-time (23:00-07:00)
- o Private Garden Areas, 55dB LAeq,16hours (07:00-23:00).

All mitigation measures shall be maintained for the duration of the development order to ensure that appropriate amenity levels have been achieved.

Reason - In order to protect residential amenity.

41) No development shall commence within any phase or parcel of development unless and until an over-heating assessment for all proposed dwellings and buildings has been submitted to and approved by the Local Planning Authority. The over-heating assessment shall detail all mitigation measures to be implemented in order to provide an appropriate level of amenity for future occupants. All mitigation measures shall be maintained for the duration of the development.

Reason - In the interested of sustainability.

42) No development shall commence within any phase or parcel, until details of any external lighting for that phase or parcel have been submitted to and approved in writing by the Local Planning Authority. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles, luminaire profiles, the timings of any lighting and the mechanism for turning on/off any external lighting). The lighting scheme shall set out how the design of the lighting shall not exceed thresholds from the Institution of Lighting Professional's for Environmental Zone E3 (suburban), 'Guidance Notes for the Reduction of Obtrusive Light (Guidance Note 1 2021). It shall also minimise potential impacts for any bats using the trees, hedgerows and buildings, by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. The lighting shall, thereafter, be installed, maintained and operated in accordance with the approved details, unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the appearance of the area and the South Downs National Park, the environment and foraging bats and local residents from light pollution.

43) Notwithstanding the submitted details, no development within each phase or parcel in respect of the shared surface areas hereby permitted shall commence, unless and until, technical details of the final wearing course of the internal roads and shared surface areas within that phase or parcel of the development hereby permitted details have been submitted to and approved in writing by the Local Planning Authority. The proposed surfacing materials shall be suitably strong enough to take the weight of a 26-tonne waste freighter vehicle and should demonstrate that they will be constructed so as to withstand the manoeuvring of waste collection freighters. The final wearing course of the internal roads shall thereafter be constructed in the approved surfacing materials and all shared surface areas shall be constructed in accordance with the approved details and thereafter maintained in a condition that is fit for purpose.

Reason: To ensure that the internal roads are designed and constructed to withstand the weight of the heaviest vehicles using them.

44) Before each phase or parcel of the development hereby permitted commences, detailed plans and proposals shall be submitted to the Local Planning Authority setting out proposals for refuse and recycling bin storage for that phase or parcel, which shall be sufficient for 2 x 240 litre wheeled bins. Once approved, provision shall be made and maintained within each phase of development, unless otherwise agreed by the Local Planning Authority.

Reason: To ensure the appropriate provision for recycling and refuse disposal.

45) No works or development shall commence on the site hereby permitted (including site clearance or preparation) until the details of the hard and soft landscaping on the A27 facing side of the site have been submitted to and approved in writing by the local planning authority (who shall consult with National Highways). Thereafter the construction and occupation of the development shall be in strict accordance with the approved scheme unless otherwise agreed in writing by the local planning authority (who shall consult National Highways).

Reason: To ensure that the A27 Trunk Road continue to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

46) No works shall commence on the site hereby permitted (including site clearance or preparation) until the details of a scheme to safeguard and maintain the geotechnical stability of the A27 during construction and occupation of the site have been submitted to and approved in writing by the local planning authority (who shall consult with National Highways). Thereafter the construction and occupation of the development shall be in strict accordance with the approved scheme unless otherwise agreed in writing by the local planning authority (who shall consult National Highways).

Reason: To ensure that the A27 Trunk Road continue to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

Informative: The scheme shall include such assessment, drawings and mitigation as is necessary to comply with the requirements and standards set out in the Design Manual for Roads and Bridges.

47) No works shall commence on the site hereby permitted (including site clearance or preparation) until the details of the acoustic fence and other structures (temporary during construction and/or or permanent) on the A27 facing side of the site have been submitted to and approved in writing by the local planning authority (who shall consult with National Highways). Thereafter the construction and occupation of the development shall be in strict accordance with the approved scheme unless otherwise agreed in writing by the local planning authority (who shall consult National Highways).

Reason: To ensure that the A27 Trunk Road continue to be an effective part of the national system of routes for through traffic in accordance with section 10 of the

Highways Act 1980 and to satisfy the reasonable requirements of road safety. Informative: The scheme shall include such assessment (including the RRRAP [Road Restraint Risk Assessment Process]), drawings and mitigation as is necessary to comply with the requirements and standards set out in the Design Manual for Roads and Bridges. National Highways Planning Response (HEPR 16-01) January 2016.

48) No part of the development hereby permitted (including site preparation or clearance) shall commence until a Construction Management Plan has been submitted to and approved in writing by the local planning authority (who shall consult National Highways).

Reason: To ensure that the A27 continues to an effective part of the national system of routes for through traffic in accordance with Section 10 of the Highways Act 1980.

49) The development shall make provision for a footpath and cycle link from the proposed principal recreational cycleway to Church Lane, to the east. No foot or cycle access connection shall be made to Church Lane unless and until a scheme of footway improvements has been completed along Church Lane and uncontrolled crossing points across Tangmere Road in accordance with the details as indicatively shown on drawing JNY9716-SK058 Revision A. The scheme of footway improvements and the uncontrolled crossing to Church Lane shall be provided either in advance of the proposed allotments being brought into use or the provision of the proposed recreational route link from the west, whichever comes first.

Reason – In the interests of highway safety.

50) Prior to the use of the school or any use within the mixed-use village centre first commencing, access from Malcolm Road shall be provided in accordance with the details shown on drawing titled Malcolm Road Proposed Access and numbered JNY9716-SK055 Revision A.

Reason: In the interests of pedestrian and cyclist safety.

51) Prior to the use of the school or any use within the mixed-use village centre first commencing, a scheme of footway widening shall be undertaken to the footway on the northern side of the Meadow Way footway between Churchwood Drive and Tangmere Road, in accordance with plans and details submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing with the Local Planning Authority.

52) Prior to the use of the school or any use within the mixed-use village centre first commencing, a scheme of public realm and pedestrian footway improvements shall be implemented on Malcolm Road from its junction with Tangmere Road through to the proposed development in accordance with plans and details and a Stage One Road Safety Audit submitted to and agreed in writing with the Local Planning Authority.

Reason: In the interests of pedestrian and cyclist safety.

53) Prior to the use of the school or any use within the mixed-use village centre first commencing, a controlled pedestrian crossing shall be implemented in the vicinity of the Tangmere Road and Malcolm Road junction in accordance with plans and details and a Stage One Road Safety Audit, that shall be submitted to and agreed in writing with the Local Planning Authority.

Reason: In the interests of pedestrian and cyclist safety.

54) The proposed allotments shall not be brought into use unless and until the access from Church Lane to the proposed car park to serve them and the car park itself have been fully provided in accordance with details to be submitted to and agreed in writing the Local Planning Authority.

Reason - In the interests of highway safety.

55) The north-south Spine Road proposed between the A27 Temple Bar junction and Tangmere Road to the south (which will be required before occupation of the 651st dwelling) shall not be completed or be fully open to traffic in both directions, unless and until a Temple Bar Slip Road Monitoring Strategy and measures for the proposed monitoring and queue detection arrangements proposed on the A27 westbound off-slip road have been:-

- i) Submitted to and agreed in writing by the Local Planning Authority, in consultation with National Highways and West Sussex County Council and
- ii) Fully implemented and are fully operational, in accordance with such details as may be agreed. Once implemented, the agreed monitoring arrangements shall be fully retained and shall remain fully operational until the development hereby permitted has been fully completed.

Reason: To ensure that the A27 Trunk Road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

56) Prior to the occupation of 300 dwellings on the development hereby permitted, the scheme of the highway improvement works, as shown on the RPS Consultants drawing number JNY9716 - SK027 'Indicative A27/A285 Access with Pedestrian Crossings and Eyelet on the North Roundabout' (or such other scheme of works substantially to the same effect), shall be submitted to and approved in writing by the local planning authority (who shall consult with National Highways) and be fully implemented and opened to all traffic.

Reason: To ensure that the A27 Trunk Road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety. National Highways Planning Response (HEPR 16-01) January 2016.

Informative: The modifications have been proposed to provide safe and efficient none-motorised user access to the development from the A27 Trunk Road.

57) Prior to the occupation of any dwelling on the site (or within relevant parcels as may be agreed in the Phasing Plan), the proposed earth bund and acoustic fence to the north of the site shall be constructed in accordance with details to be submitted to and agreed by the Local Planning Authority and then provided fully in accordance with the approved details.

Reason - To ensure that road and traffic noise from the A27 is appropriately mitigated against.

58) No building within any relevant development parcel, phase or area of infrastructure shall be occupied until the site investigation and post investigation assessment for that parcel, phase or has been completed, submitted to and approved by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 12 and it has been demonstrated that provision has been made for analysis of results, archive deposition and the publication of a final report for the entire site and for the provision for on-site public information.

Reason: to enable any remains of archaeological significance to be investigated and recorded.

59) No more than 150 dwellings shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under condition 42 and provision made for analysis of results, archive deposition and the publication of a final report for the entire site.

Reason: to enable any remains of archaeological significance to be investigated and recorded.

60) Prior to the occupation of any commercial unit in the Village Centre, a Noise Impact Assessment and, where required, a scheme for the extraction of fumes and odours generated from hot food preparation, for mechanical plant and commercial operations, shall be submitted to and approved in writing by the Local Planning Authority. This shall demonstrate that appropriate standards are met for the approved uses and details of noise mitigation measures shall be presented, as required. Any approved noise and odour control measures shall be implemented prior to occupation and retained fully operational thereafter.

Reason - In order to protect residential amenity.

61) Prior to the first occupation of any dwelling within each phase or parcel of development, all fire hydrants shall be provided in accordance with the details as may

be agreed. The fire hydrants shall thereafter be maintained fully in accordance with the approved details.

Reason: In the interests of public safety and to accord with the provisions of the F&RS Act 2004.

62) No dwelling shall be occupied on any phase or parcel until a verification report for any Remediation Scheme for that phase or parcel has been submitted to and agreed in writing by the Local Planning Authority. The report should be undertaken in accordance with national guidance as set out in DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination CLR11.

Reason: In the interests of amenity and to protect the health of future occupiers of the site from any possible effects of contaminated land in accordance with local and national planning policy.

63) Prior to the first occupation of any dwelling or building on the site, a Framework Travel Plan shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority. The Framework Travel Plan shall be completed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority, in consultation with the Highway Authority, and shall follow and be based upon the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority. It should also include the provision of a resident's Travel Information Pack which shall be provided to the first occupants of each dwelling. Thereafter, no dwelling or any other building within any phase of development shall be occupied until individual travel plans for each land use category (residential, non-residential and education), based upon the agreed Framework Travel Plan, have been submitted to and agreed in writing by the Local Planning Authority, in consultation with the Highway Authority. Once agreed, the individual travel plans shall thereafter be implemented in accordance with the agreed document. The Framework Travel Plan shall include, but shall not be limited only to, the following measures:

- o Welcome Packs to be provided to each occupier on arrival containing information on sustainable travel modes; and

- o Community Travel Noticeboards containing information on sustainable travel modes.

Reason: To encourage and promote sustainable transport.

64) No dwelling shall be occupied until an uncontrolled crossing point for both pedestrians and cyclists with associated new footways and cycleways onto Tangmere Road in the vicinity of the Gamecock Terrace junction and minor footway improvements along Tangmere Road between Gamecock Terrace and Meadow Way have been provided in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of pedestrian and cyclist safety and enhancing pedestrian access.

65) The development hereby approved shall not be first occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:

- I. a timetable for its implementation,
- II. details of SuDS features and connecting drainage structures and maintenance requirement for each aspect,
- III. details of SuDS features and connecting drainage structures and maintenance requirement for each aspect,
a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or
- IV. any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF.

66) No building or dwelling within the relevant development parcel, phase or area of infrastructure shall be occupied until the archaeological site investigation and post investigation assessment has been completed, submitted to and approved by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 12 and it has been demonstrated that provision has been made for analysis of results, archive deposition and the publication of a final report for the entire site and for the provision for on-site public information.

Reason: to enable any remains of archaeological significance to be investigated and recorded.

Informatives:

In relation to the land to the west of Mannock Road.

In order to allow for the possible future provision of footways or cycle paths within the land on the east side of the existing watercourse and to the west of Mannock Road and Campbell Road, the applicant shall exercise sufficient flexibility to allow any development that is subsequently proposed to have the ability for such facilities to be provided as part of any future reserved matters application for this area,

Financial Contribution to the A27 Approved Highway Improvements

The applicant will be required to make a relevant contribution to the A27 Local Plan mitigations in line with Chichester District Council's SPD "Approach for securing development contributions to mitigate additional traffic impacts on the A27 Chichester Bypass". This document identifies a contribution of £5,914 for the Tangmere Strategic Development. As such, a contribution of £7,688,200 (1,300 dwellings x £5,914/dwelling) will be required. The above would be achieved by the applicant entering into a s278 agreement with National Highways preferably prior to the first occupation on the development hereby permitted. National Highways would be agreeable to staged payments in the normal way.

Works affecting the Public Highway.

Section 175(b) of the Highways Act 1980 (as inserted via The Infrastructure Act 2015) requires those proposing works affecting the public highway to enter into an agreement with the Strategic Highway Authority (National Highways). This development involves work to the public highway that can only be undertaken within the scope of a legal Agreement between the applicant and National Highways. Planning permission in itself does not permit these works. It is the applicant's responsibility to ensure that before commencement of any works to the public highway, any necessary Agreements under the Highways Act 1980 are also obtained. Advice on this matter can be obtained from the Spatial Planning Team, National Highways, Bridge House, 1 Walnut Tree Close Guildford, Surrey GU1 4LZ. National Highways switchboard Tel 0300 470 1370 or by email at planningse@highwaysengalnd.co.uk

For further information on this application please contact Fjola Stevens on 01243 534734.

To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QJZZT4ERUA00>

Public Document Pack

JOHN WARD

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A meeting of **Planning Committee** will be held in Committee Rooms, East Pallant House on **Wednesday 16 August 2023 at 9.30 am**

MEMBERS: Mr S Johnson (Chairman), Mr J Cross (Vice-Chairman), Mr R Bates, Mr D Betts, Mr R Briscoe, Mr J Brookes-Harmer, Ms B Burkhart, Mrs H Burton, Mrs D Johnson, Mr H Potter, Ms S Quail, Mrs S Sharp and Mr C Todhunter

SUPPLEMENT TO AGENDA

16 **Agenda Update Sheet - 16.08.23** (Pages 1 - 5)

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Agenda Update Sheet

Planning Committee
Wednesday 16 August 2023

ITEM: 5

APPLICATION NO: SDNP/22/02474/FUL

COMMENT:

Following the required publicity 20 third party representations supporting the application were received, of which 3 were new representations.

Three representations have been circulated to members of the committee. Their statements have been summarised below;

- a local vet who strongly supports the application on the grounds of agricultural need.
- essential for the sustainable growth of the business and to allow the Tupper family to continue farming this land
- conversion will allow much needed help to be on site which is essential for animal welfare, particularly during the lambing season.
- Buildings away from the farm could also lead to a road safety risk
- The National Farmers' Union (NFU) support this application on the basis that there is a clear need for a permanent dwelling,
- proposed location of the dwelling meets the operational needs of the farm, and the development is in line with The National Planning Policy Framework.
- The proposed building conversion will allow the business to continue to operate into the future. In response to the challenges of the Ukraine war and severe input cost inflation, which is disproportionately impacting agriculture, farmers must consider the resources available to them and look at ways of developing their businesses in order to remain viable. This often includes the need to provide living accommodation to enable both the succession of the farm to the next generation and to enable family that is working on the farm to live on site.
- This application is in line with The National Planning Policy Framework (84) and is consistent with the South Downs Local Plan, both of which seek to support agricultural businesses.

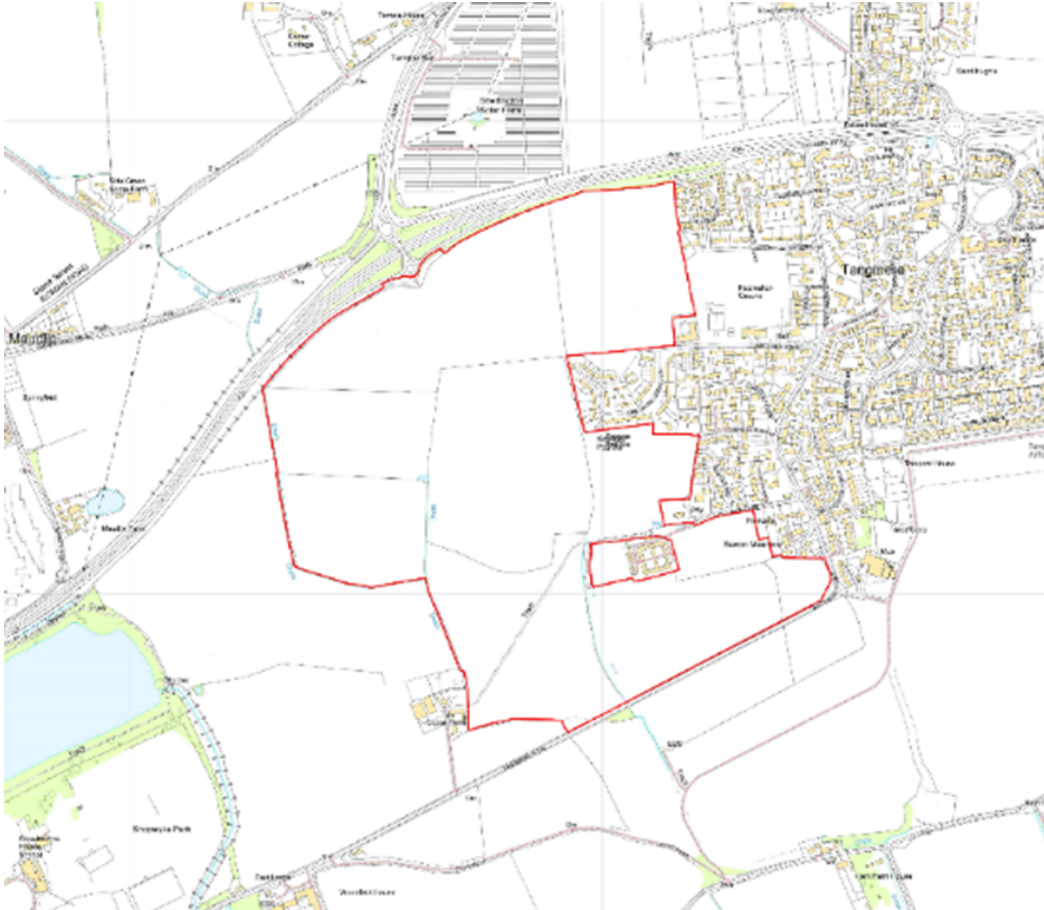
ITEM: 6

APPLICATION NO: TG/20/02893/OUT

COMMENT:

Addendums to report

The plan shown on page 21 does not show the area of Saxon Meadows removed from the application site. The application site is shown in the plan provided below:



The recommendation on page 41 should read 'Defer for S106 then permit subject to the following conditions:-...'

Consultations and representations

South Downs National Park Authority

Thank you for consulting the SDNPA on revised details. We maintain comments set out in response of 15th January 2021 and have nothing further to add at this stage.

Third party objection

One comment has been received concerning the following:

- Active travel must be first agreed aspect for new developments, with everything designed around this basic need
- Please condition a new train station and upgrade to bus service

Third party comments

One comment has been received concerning the following:

- SMT Ltd does not intend to seek to build houses on the meadow, they have the intention of exploring underground sustainable energy generation and enhancing biodiversity
- The Tangmere Neighbourhood Plan does not have a requirement for the community orchard to be sited on Saxon Meadow's land
- the land in question is part of the conservation area and should be retained in its entirety as a matter of maintain the original boundary of the conservation area
- Re-siting of the orchard was request of the developers/planners who do not need this plot to deliver a community orchard
- the cycleway could be 2m
- the ditch could be adequately accessed

Applicant/agent's supporting information

Further information has been provided regarding the surface water drainage scheme;

- The 3m buffer will be incorporated into the detailed design at reserved matters stage
- The detailed drainage scheme will be secured by planning condition and will deliver connection with the existing surface water drainage in Church Lane and Bayley Road, and the outfall under the A27
- discharge flows into any ordinary watercourse as set out in the FRA are restricted to QBar rate
- the FRA has run the 45% climate change allowance

Amendments to conditions

Condition 17 is deleted from the recommendation.

Addition to condition 27

u) Management of overland runoff, storage of hazardous materials, chemical and hydrocarbons on site and temporary drainage infrastructure to ensure that water resources are not put at risk from leaks of spillages.

Addendum to condition 20 to read:

A clear **3m** buffer strip shall be maintained at all times from each bank of any ordinarily watercourse. A plan shall be submitted prior to construction that demonstrates how access to all watercourses for maintenance and inspection purposes shall be ensured for the lifetime of the development.

Additional condition:

In the event that solution features are identified during construction no building or structure, including drainage infrastructure and utility trenches shall be located within a 10m stand-off zone surrounding any soluble feature, unless appropriate mitigation measures are undertaken and approved in writing by the local planning authority in consultation with Portsmouth Water.

Reason: To ensure that the site is suitable for its new use taking account of ground conditions and land instability.

ITEM: 7

APPLICATION NO: 22/02481/FUL

COMMENT:

No additional comments were received during the publicity period which expired on the 10 August 2023.

The plan has been amended to reflect the red line change to the application, this is not reflected on page 187. The application site is shown in the plan provided below:



ITEM: 8

APPLICATION NO: 21/00620/FUL

COMMENT:

Additional Supporting Document

The applicants have provided an addendum to the original viability report prepared by Vail Williams. The addendum has been summarised below:

- Burnes remains unviable for a marine related industrial or boatyard development with construction and site preparation/finance costs exceeding the maximum possible value of the completed premises.
- The redevelopment costs have increased because of the current economic climate.
- There is no evidence of pent-up demand leading to significant increases in rental or capital values for specialist boatyards in the local area.
- Premises at Northshore Shipyard at Itchenor still remain vacant, some two and a half years on from the provision of the original viability report.
- There have been no significant changes to the local market or characteristics of supply and demand for boatyard and marine industrial premises within Chichester Harbour, which would lead Vali Williams to re-evaluate their earlier conclusions.
- An alternative boat storage use would generate modest income but still entail substantial costs of site acquisition, demolition, site surfacing and repair/upgrades to the slipway such that the limited income potential would not justify the significant investment.
- The same general conclusions on viability were reached by the Planning Inspector during the September 2014 Appeal decision.

One additional third-part letter of objection concerning:

- The sequential test has been incorrectly performed
- The exception test has been incorrectly performed
- There is no tilted balance for this application
- Undue weight has been given to the community improvements of redeveloping the site
- There are other ways to clean up the site
- The contribution towards the housing supply would be derisory
- The number of local objections
- The Flood Risk Assessment is out of date
- The preponderance of occupiers of this value of property will be elderly, who will cut off during tidal flooding.
- The volume of vehicle movements and resultant CO2 emissions
- The bunds will require regular maintenance
- Concern over the longevity of the bunds
- There is no sea wall in front of the boatyard

One addition third-party letter of support concerning:

- The Bosham Association, with some 450 parish members support this application
- Regard has been had to the emerging Bosham Neighbourhood Plan, the Bosham Village Design Statement, the Bosham Conservation Area Character Appraisal, and the Chichester Harbour Conservancy Design Guidelines
- The eyesore of the old shipyard has rumbled on without satisfactory resolution
- The scheme has adequately addressed and resolved a number of issues with the site
- The site has been subject to further intensive incursions.
- It is time the district resolved this matter for themselves and our Parish.

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