

THE TOWN AND COUNTRY PLANNING ACT 1990  
AND  
THE ACQUISITION OF LAND ACT 1981

CHICHESTER DISTRICT COUNCIL (TANGMERE) (NO  
2) COMPULSORY PURCHASE ORDER 2023

**STATEMENT OF EVIDENCE**

**OF**

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Principal Planning Policy Officer

21 November 2023

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## 1. INTRODUCTION

- 1.1 My name is Hannah Chivers and I am currently employed as a Principal Planning Policy Officer at Chichester District Council ('the Council'). I have a First Class Honours Bachelor of Science Degree in Geography and Planning from Cardiff University and a Master's degree in Urban Planning: Developing & Transitional Regions from Oxford Brookes University. I am a Licentiate member of the Royal Town Planning Institute.
- 1.2 I have worked as a local government planning officer for over eight years. I have spent the last six years working as a planning policy officer for the Council, and prior to that I worked in planning policy at Test Valley Borough Council and Fareham Borough Council. Over the last eight years I have worked variously on the preparation, submission and examination of development plan documents, including the Council's Site Allocations DPD, neighbourhood plans, the emerging Local Plan Review and the technical evidence base studies supporting the Local Plan Review.
- 1.3 I have been involved in the Tangmere Strategic Development Location Scheme ('the Scheme') since April 2019, working on progressing the Scheme in conjunction with the Council's development partner, Countryside.
- 1.4 This statement of evidence is concerned with the Chichester District Council (Tangmere) (No. 2) Compulsory Purchase Order 2023 ('the Order'), by which the Council seeks to acquire the relevant land interests ('the Order Land') necessary to deliver the Scheme. My evidence will address:
- (a) The background to the Order and the Order Land;
  - (b) The planning policy context & compliance of the Scheme;
  - (c) The need for comprehensive development at the TSDL;
  - (d) Planning permission for the Scheme;
  - (e) Conclusions
- 1.5 I also gave evidence at the inquiry for the Chichester District Council (Tangmere) Compulsory Purchase Order 2020 ('CPO 1') and my evidence was unchallenged by the objectors, and accepted by the Inspector in that case.
- 1.6 References in my statement to documents beginning with 'CD' are references to documents in the Core Document list, and references to capitalised defined terms refer to those terms as defined in the Council's Statement of Case.

## 2. BACKGROUND TO THE ORDER & ORDER LAND

### General Planning Context to the Order

- 2.1 The need for the Order Land arises from the Council's strategic objectives and planning policies that seek the comprehensive development of the Tangmere Strategic Development Location ('TSDL') to provide essential new housing and community infrastructure.
- 2.2 The TSDL is a critical element of the Council's vision and policy for the area. The TSDL is allocated in the adopted Local Plan 2014-2029, and proposed for allocation in the emerging Local Plan 2021-2039. In the adopted plan the allocation is for 1,000 dwellings (and in the emerging plan for 1,300 dwellings), plus community facilities, open space and green infrastructure. The TSDL is the only housing allocation at Tangmere in both the adopted and emerging local plans.
- 2.3 As set out in section 6 of the Council's Statement of Case (**CD15**), the Council's intention in

promoting the Order is the comprehensive delivery of the Scheme, which will secure sustainable development of the Order land and contribute to the development of Tangmere village as a Settlement Hub, in compliance with adopted and emerging planning policy objectives. The term Settlement Hub refers to a classification of settlements in the Council's adopted settlement hierarchy which informs the distribution of development outlined in the adopted Local Plan. The Settlement Hubs are one classification below Chichester city as a Sub-Regional Centre, and are secondary service centres which provide a reasonable range of employment, retail, social and community facilities serving the settlement and local catchment areas and are therefore considered to be sustainable locations for growth.

- 2.4 The justification for the Order is discussed in the statement of Andrew Frost, however I draw attention to the fact that development of the TSDL is critical to the delivery of the Council's housing target as set out in Policy 4 (Housing Provision) of the Local Plan. The housing target identified in the Local Plan falls short of the Council's objectively assessed need as identified in the 'Review of Objectively Assessed Housing Need in light of 2012-based Sub-national Population Projections' (August 2014).
- 2.5 Consequently, it is essential that the Council at least meets the housing target identified in the Local Plan, and it is, therefore, critical that housing development comes forward in each of the Strategic Development Locations, including the TSDL. In this context I note that development has commenced on all of the other SDLs allocated in the Local Plan, except the TSDL. The importance of the Scheme is reinforced through the proposal in the emerging Local Plan 2021-2039 to increase the number of dwellings on the TSDL to 1,300, and by the resolution of the Council to grant outline planning permission for up to 1,300 dwellings on the site.
- 2.6 The Local Plan envisages comprehensive development of the TSDL to be coordinated and coherent. In my view the policy objectives of the Scheme may well not be delivered, and its potential benefits may not be maximised, in the event that the TSDL was to be brought forward in 'part' or 'piecemeal' fashion. Compulsory purchase powers are therefore required in order to ensure that the Council's policy objectives are realised. This is discussed further in section 4 of my statement below.
- 2.7 The Council's purpose in pursuing the Order is to facilitate the comprehensive development of the TSDL in conjunction with the Council's approved development partner, Countryside. This is discussed further in the statement of Andrew Frost, however the Council has considered the use of compulsory purchase powers to bring forward development of the TSDL since 2013.
- 2.8 The comprehensive delivery of the TSDL Scheme on the Order Land is clearly articulated in Countryside's outline planning application dated 18 November 2020 (reference 20/02893/OUT). On 31 March 2021, the Council's Planning Committee resolved (**CD18**) to grant outline planning permission subject to completion of a planning obligation pursuant to Section 106 TCPA 1990, based on the general Heads of Terms set out in section 8 of the Planning Committee report and the update sheet circulated to Members on the day of committee (**CD17**).
- 2.9 On 26 June 2023, Countryside submitted an amendment to the planning application to relocate the community orchard in response to an objection raised by Saxon Meadow Tangmere Limited (see Section 7 of the statement of Andrew Frost). This amended planning application was heard at Planning Committee on 16 August 2023 and is subject to a resolution to grant (**CD19** and **CD20**).

### **Description of the Order Land**

- 2.10 The Order Land comprises approximately 77 hectares of predominantly open and flat agricultural fields, located to the west of the village of Tangmere, West Sussex, south of the A27. The land is shown coloured pink on the Order Map (**CD2**).
- 2.11 The Order Land does not include any areas designated for nature conservation, Sites of Special Scientific Interest, Special Areas of Conservation or Special Protection Areas.
- 2.12 No part of the Order Land comprises an Area of Outstanding Natural Beauty or Local Landscape Area, and the land does not include any World Heritage Site, Registered Battlefield, Listed Buildings or Registered Parks or Gardens.
- 2.13 The Order Land is entirely within the administrative area of the Council.
- 2.14 The statement of Andrew Frost describes the character of the Order Land in greater detail.

## **3. PLANNING POLICY FRAMEWORK**

### **National Planning Policy**

- 3.1 The strategic objectives of the National Planning Policy Framework (NPPF) are to support economic growth, achieve a wide choice of high quality homes, widen opportunities for home ownership and create sustainable inclusive and mixed communities. The NPPF also supports the highest standards of architectural and urban design. The development of the TSDL complies with the objectives of the NPPF and represents sustainable development in accordance with the prevailing national policy.
- 3.2 Paragraph 73 of the NPPF (July 2021) recognises that housing supply can sometimes be best achieved through planning for larger scale development, such as significant extensions to existing villages. The delivery of the TSDL will make a significant contribution to the housing supply for the Local Plan area, as well as satisfying the NPPF's requirement for plans to deliver a sufficient supply of homes.
- 3.3 Residential development at the TSDL also has an important role to play in contributing to the development and vitality of Tangmere village, in accordance with paragraph 86 of the NPPF (July 2021). The policy objectives of comprehensive development of the TSDL, including securing the necessary infrastructure, community facilities, services, and open space provision accord with the NPPF's principle of promoting healthy and safe communities and underpin the content of the Masterplan Document (**CD16**), which has been carried forward into the outline planning application.

### **Local Planning Policy**

- 3.4 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029, the Site Allocations Development Plan Document 2014-2029, the made Tangmere Neighbourhood Plan, and the West Sussex Joint Minerals Local Plan.

#### *Chichester Local Plan: Key Policies 2014-2029*

- 3.5 The Local Plan formally allocates the TSDL for residential development. The site was first identified for residential development in 2010 within the Council's "Focus on Strategic

Growth Options” consultation document. This document considered potential options for significant growth within the Local Plan area (the part of Chichester District outside of the South Downs National Park), and formed part of the early stages of the preparation of the Local Plan. The Local Plan was adopted in July 2015.

3.6 Specific policy considerations relevant to the TSDL can be summarised as follows:

- Policy 2 (Development Strategy and Settlement Hierarchy) of the Local Plan identifies Tangmere as being capable of accommodating further sustainable growth to enhance and develop its role as a settlement hub.
- Policy 4 (Housing Provision) states that strategic development locations are allocated in the Local Plan to accommodate 3,250 homes over the Local Plan period.
- Policy 7 (Masterplanning Strategic Development) confirms that development of the strategic locations identified in the Local Plan (including the TSDL) will be planned through a comprehensive masterplanning process, which will involve the active participation and input of all relevant stakeholders.
- Policy 18 (Tangmere Strategic Development Location) allocates the TSDL for 1,000 dwellings and associated infrastructure, including a school, open space and community facilities.

#### *Tangmere Neighbourhood Plan*

3.7 The Tangmere Neighbourhood Plan was ‘made’ on 19 July 2016 and forms part of the development plan. The Neighbourhood Plan includes a concept statement for the development and has informed the masterplanning process and outline planning application.

3.8 The vision of the Neighbourhood Plan is a "one village" concept to unite and integrate the new development with the existing village. Policy 2 (Strategic Housing Development) of the Neighbourhood Plan identifies the land as a Strategic Development Location and sets out the requirement for the provision of 1,000 new homes, new community facilities, a main village street, new open space and green infrastructure. Policy 7 (Land to the West of Malcom Road) expects that this land is also considered as part of the TSDL masterplan, albeit it is located outside of the boundary of the TSDL, and thus the Scheme itself. Policy 4 (Tangmere Academy) envisages that the existing Academy relocates to and combines with the new primary school on the TSDL.

#### *Emerging Planning Policy – Chichester Local Plan 2021-2039*

3.9 The Council is currently preparing a new Local Plan. The Council consulted on the Regulation 19 Chichester Local Plan 2021-2039: Proposed Submission (the ‘Proposed Submission Plan’) between February and March 2023. This followed on from the consultation on the Regulation 18 Chichester Local Plan Review 2016–2035 Preferred Approach plan between December 2018 and February 2019.

3.10 The Council’s Local Development Scheme 2023-2026 (LDS) sets out the timetable for the preparation and adoption of development plan documents. The LDS anticipates that submission of the Local Plan 2021-2039 to the Secretary of State will take place in summer 2023. It is now anticipated that submission will take place during quarter 4 of 2023/2024. It is expected that, following examination, the new Local Plan will be adopted by the Council in Summer/Autumn 2024.

- 3.11 The Proposed Submission Plan contains proposals for at least 10,350 dwellings to be delivered in the period 2021-2039, equivalent to circa 575 dwellings per annum (“dpa”) (535dpa in the south of the plan area and 40dpa in the north of the plan area). This overall housing target is lower than the proposed 12,350 dwellings which the Preferred Approach contained proposals for and is due to infrastructure constraints, particularly surrounding the A27 trunk road.
- 3.12 The East-West corridor remains the focus for strategic growth in the Proposed Submission Plan, where at least 8,700 dwellings are proposed to come forward. The Proposed Submission Plan makes provision for large scale strategic allocations to meet the housing requirement, and 7,000 dwellings are proposed to come forward from strategic allocations, including 1,300 dwellings on the TSDL.
- 3.13 The Proposed Submission Plan includes draft policies which are relevant to the TSDL. Draft Policy S1 (Spatial Development Strategy) identifies a Strategic Development Location at Tangmere to help achieve sustainable growth, with draft Policy H2 (Strategic Locations/ Housing Allocations 2021-2039) identifying that the TSDL has been carried forward from the adopted Local Plan, albeit with a higher housing figure of 1,300 dwellings. Draft Policy A14 (Land West of Tangmere) proposes to allocate land to the west of Tangmere for comprehensive residential-led development of 1,300 dwellings, community facilities and open space. In all other respects, however, the more detailed provisions of this policy as currently drafted are similar to those of Policy 18 of the adopted Local Plan.
- 3.14 The TSDL already benefits from an endorsed Masterplan that complies with the relevant policies of the development plan. The Masterplan Document (**CD16**) was considered and endorsed by the Council’s Planning Committee in January 2020.
- 3.15 Furthermore, the outline planning application for the Scheme benefits from two resolutions to grant outline permission (**CD18 and CD20**) subject to completion of the Section 106 Agreement. The Masterplan and outline planning application are discussed in more detail in section 5.

#### *Local Housing Requirements*

- 3.16 Planning Practice Guidance<sup>1</sup> (PPG) makes clear that where local plans have been adopted more than five years ago, the housing target against which the housing supply and delivery will be assessed should be derived from the Government’s standard methodology for assessing housing need. As of 15 July 2020 (five years from the date of adoption of the Local Plan), the Council’s housing supply and delivery has consequently been assessed against a calculation of Local Housing Need, as set out in national policy and guidance, rather than the previously adopted housing target of 435 dwellings per annum.
- 3.17 As of 31 March 2022, the local housing need for the Chichester Plan Area is 638dpa, giving a cumulative requirement of 3,190 net dwellings over the five year period 2022-2027. The housing requirement 2022-2027 has been adjusted to take account of a 5% buffer added to this total, as required by the NPPF. The extent of the buffer was informed by the Housing Delivery Test which demonstrates that the Council has successfully been delivering housing for the period 2018-2021 when measured against the housing requirement for that period. This adjustment has the effect of increasing the five year housing requirement to 3,350 net dwellings, equivalent to 670dpa.
- 3.18 The most recent calculation of Five Year Housing Land Supply as at 1 April 2022 identifies

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<sup>1</sup> Paragraph: 005 Reference ID: 68-005-20190722

that the Council is able to demonstrate a 4.74 year supply of housing land<sup>2</sup>. Delivery on allocated sites, including the TSDL, remains critical to help ensure that the Council will meet its housing need.

- 3.19 As the Council is not currently able to demonstrate a five year supply of housing, an Interim Position Statement for Housing (November 2020) (IPS) has been prepared to help guide development in the Local Plan area during the interim period until the emerging Local Plan is adopted. The IPS does not apply to existing allocations within the Local Plan area, such as the TSDL, however the number of houses to be provided on the TSDL (up to 1,300) will make a significant contribution to meeting housing needs in the Local Plan area.

#### **4. NEED FOR COMPREHENSIVE DEVELOPMENT**

##### **Policy basis for comprehensive development**

- 4.1 Policy 7 (Masterplanning Strategic Development) in the Local Plan sets out the requirement for the strategic development locations to come forward through a comprehensive masterplanning process, prior to the submission of a planning application. This policy requirement is replicated in Policy 18 (Tangmere Strategic Development Location) which confirms that the development will be masterplanned in accordance with Policy 7. These policy aspirations have been carried forward into proposed policy A14 (Land West of Tangmere) of the emerging Local Plan, and also form part of the aspirations within Policy 2 of the Tangmere Neighbourhood Plan.

##### *Infrastructure requirements*

- 4.2 The adopted Local Plan and Tangmere Neighbourhood Plan, and indeed the emerging Local Plan, all identify various key infrastructure requirements (both on- and off-site) that the development of the TSDL is expected to deliver. These are summarised in paragraph 6.22 of the Statement of Case (**CD15**), and include on-site primary school provision; new or expanded community facilities providing local convenience shopping; small-scale business uses; provision for improved more direct and frequent bus services; and primary road access from the A27/A285 Temple Bar junction linking to Tangmere Road.

##### **Need for comprehensive development**

- 4.3 It is imperative that development comes forward comprehensively, in order to provide certainty over delivery of the infrastructure requirements for the planned residential development, and to guarantee that such infrastructure will be delivered in a cohesive and coordinated manner. Comprehensive development is also necessary if best and most efficient use is to be made of the TSDL, and delivery of residential development maximised.
- 4.4 Piecemeal development would be prejudicial to the proper future development of the TSDL, would be less likely to deliver key supporting infrastructure, and would not accord with the policies in the adopted Local Plan or emerging Local Plan. Concerns in this regard include the following:

##### *Highways, Access and Movement*

- 4.5 There is a need to ensure a coordinated and connected approach to help ensure the

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<sup>2</sup> Calculated using need of 670 dwellings per annum.



delivery of the North-South Link Road, which will connect the A27 Temple Bar junction with Tangmere Road to the south. This will need to traverse land controlled by all three current principal landowners (being the Heaver Interests Land, Pitts Land and CC Projects Land). Piecemeal development may result in the delivery of sections of road in different manners, or not see it fully provided at all, thereby failing to meet the requirements of the Neighbourhood Plan and those of the emerging Local Plan. A coordinated approach is fundamental to the delivery of the Scheme given the lack of potential vehicular connection points into the existing village and the constrained nature of Malcolm Road, and the desire to connect the Scheme with the existing village of Tangmere and the proposed development for pedestrians and cyclists without creating a potential 'rat run' for vehicular traffic.

- 4.6 The phasing of development will be controlled by planning condition. This will be a pre-commencement condition that will need to be discharged early in the development process, and which will be a crucial element of delivering the scheme in its entirety, and to achieving a fully comprehensive scheme. It is unlikely that such a condition could be applied to a piecemeal development approach. It is currently envisaged that the initial stages of the development will start in the south of the site following the provision of two new accesses from Tangmere Road and the early delivery of the main haul or spine road for construction access purposes from the A27 Temple Bar junction. This is essential in order to ensure that construction traffic does not need to use existing roads within the village, in order to protect the amenity of existing residents of Tangmere, and will be controlled via planning condition. Access for HGVs through Tangmere village itself is also not possible due to an existing weight restriction Traffic Regulation Order (TRO).
- 4.7 A comprehensive approach to development is also required to enable the proper integration of public transport opportunities into the TSDL, in particular enabling any enhancement of the existing bus services between Tangmere and Chichester in a practical and commercial manner through the consolidation of significant new housing development in a location that can take advantage of improvements to public transport. The timing of the provision of the north-south spine road in full may well be critical to the extension of the existing bus services.

#### *Infrastructure and Services*

- 4.8 Capacity of incoming services to serve the wider Scheme and not just individual developed parcels is required. This would benefit from a coordinated approach to delivery, and may be at risk were there delivery on a piecemeal basis by different developers.
- 4.9 Surface water drainage in the locality is challenging due to high groundwater levels and geology that is not particularly conducive to on-site infiltration. The area is therefore served by a network of watercourses/ditches; by comprehensively developing the site as a whole a holistic approach can be taken to surface water management for the entire site, utilising existing flow routes and in some cases restoring flow routes that have become compromised over time. This approach is very desirable and if the site were to be developed in a piecemeal fashion it may be very difficult to replicate, or result in a less efficient drainage strategy which may reduce the amount of developable land within the TSDL and therefore the delivery of the entirety of the dwellings and associated facilities.

#### *Community Facilities, Education and Open Space*

- 4.10 Comprehensive development is also required to ensure adequate provision of open space, education and community facilities across the site as a whole, in accordance with the Neighbourhood Plan.

- 4.11 The Local Plan identifies that additional development at Tangmere and the resulting provision of new community facilities is required such that the village is able to develop its role as a Settlement Hub to the benefit of the local community and to meet the objectives of planning policy. Policy 18 of the Local Plan, emerging Policy A14 of the Proposed Submission Plan and Policy 2 of the Neighbourhood Plan all identify a number of community facilities required to support the development, including an expanded village centre, a new primary school, open space provision and sports provision. The location of these facilities has been driven by extensive ongoing engagement between the Council, Countryside and Tangmere Parish Council and is intended to foster an open and inclusive new development which is well-integrated with the existing village. If a comprehensive approach was not taken, and the location of facilities were driven by individual landownerships or land parcels, this may result in the site's inability to satisfactorily accommodate or deliver the requisite new facilities. Further, it may mean that the new facilities would not necessarily be sited in the most suitable and appropriate locations to serve both the existing village and new development.
- 4.12 The requirement of the Neighbourhood Plan includes reserving parts of the TSDL as open space, including sport pitches, allotments and a community orchard, and also the relocation of existing allotments onto the TSDL to facilitate the expansion of the Tangmere Military Aviation Museum. Any failure to secure this provision would jeopardise not only the comprehensive delivery of the TSDL in accordance with policy objectives, but also the expansion of a locally important tourist attraction which is another policy objective contained within the Neighbourhood Plan.
- 4.13 Local Plan policy requires the provision of a new primary school on site. Taking a comprehensive approach to development of the site allows consideration for the most appropriate location for the new school, and also allows land to be safeguarded for future expansion of the school, in the event that the existing school within the village relocates onto the site, which is another aspiration of the Neighbourhood Plan as a component part of its 'One Village' vision. A piecemeal approach would likely result in individual landowners making financial contributions to school provision without necessarily making land available within their ownerships for the school to be developed, therefore compromising the delivery of a necessary and important new education facility, as well as meaning the aspiration of the Neighbourhood Plan is not achieved.
- 4.14 Evaluation and investigation of the site has identified a Roman settlement comprising 16 hectares within the TSDL which is of regional importance. The Environmental Statement supporting the outline planning application outlines the mitigation strategy for this, which, amongst other requirements, includes a 3.09 hectare area for the preservation in-situ of the central core of the Roman settlement through the retention of this land as open space. The area of preservation straddles the land ownerships of Heaver and Pitts, and a piecemeal approach to development of the site has the potential to jeopardise the mitigation strategy for, and therefore the significance of, this non-designated archaeological asset, in that the mitigation strategy would require collaboration and agreement between these two landowners.
- 4.15 In isolation, this area of land would not be considered to have development potential given the significance of the archaeological find. The benefit of a comprehensive approach is that the area for the preservation in-situ can be used for an alternative use (open space as is proposed in the outline planning application), which has the benefit of affording the required protection, providing a land use that supports the wider development, and also enhances and publicises this significant historic feature through a sensitive and comprehensive landscaping design.

### *Environmental Impact*

- 4.16 A comprehensive outline application for the Scheme requires an Environmental Impact Assessment (EIA) as the project meets the spatial criteria within Schedule 2 10 (b) of the Town and Country Planning (EIA) Regulations, 2017 (as amended). Given the degree of functional interdependence required due to the TSDL's allocation, if the site were to come forward via piecemeal development, a separate EIA could be required for each individual parcel or planning application, to guard against 'salami-slicing'. In this circumstance any planning applications for individual parcels that were not accompanied by an Environmental Statement would be subject to further delays to allow for an EIA to be undertaken.

### *Housing Delivery*

- 4.17 Pursuing a piecemeal approach to the development of the TSDL may mean that more land is required for drainage provision or the provision of other infrastructure, resulting in the risk that the TSDL does not come forward in a way that maximises housing delivery, and/or fails to provide the infrastructure outlined above as required.
- 4.18 If developed by means of a piecemeal approach, it is unlikely the TSDL will be able to deliver the highest number of homes for the site in an appropriate and acceptable manner, compromising the Council's policy objectives and its ability to meet housing needs in an area which is subject to considerable environmental and infrastructure constraints.
- 4.19 Comprehensive development of the TSDL would not only support the Council in its objectives but will also comply with the requirements of the NPPF to make best and efficient use of land.

### *Planning Conditions*

- 4.20 The need for comprehensive development is also reinforced through the use of planning conditions which require a strategic approach to the delivery of the Scheme. Examples of these include:
- Draft condition 7 requires that the development 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.
  - Draft condition 23 which requires an overall Design Code for the development of the site as a whole;
  - Draft condition 24 which requires the submission of a Phasing Plan covering the entire site relating to the delivery of all of the residential parcels and the strategic infrastructure before any development can commence;
  - Draft condition 25 requires that the construction access and haul road from the A27 Temple Bar junction is constructed, surfaced and drained in accordance with details which must be submitted to and approved by the Council;
  - Draft condition 33 states that no development shall commence until details of a strategic system of foul drainage for the site have been submitted to and approved by the local planning authority in conjunction with the lead local flood authority.
- 4.21 All of these conditions are important, and are required in order to help ensure the delivery of a robust and comprehensive scheme of the standard expected. In the absence of a single landowner, the fulfilment of these conditions would require collaboration between landowners. To date, the Council is not satisfied that the landowners are able to work collaboratively to prepare and deliver the Scheme comprehensively and in accordance with the planning conditions for the Scheme.

## 5. PLANNING PERMISSION FOR THE SCHEME

- 5.1 A Planning Performance Agreement was signed between the Council and Countryside on 15 May 2019. This provided for the provision of an Environmental Impact Assessment Scoping opinion, formal pre-application advice, masterplanning preparation and the timely consideration of the outline planning application for the Scheme. The Council and Countryside are seeking to agree a new Planning Performance Agreement in respect of finalising the Section 106 Agreement and the planning conditions.

### **Tangmere Masterplan**

- 5.2 As part of the pre-application process, the Masterplan Document (**CD16**) was prepared by Countryside to outline how the Scheme could be brought forward and the TSDL comprehensively developed in accordance with the Local Plan, the Tangmere Neighbourhood Plan and the emerging Local Plan.
- 5.3 The Masterplan Document was designed to comply with the requirements of Policy 7 and Policy 18 of the Local Plan, Policy 2 and Policy 7 of the Neighbourhood Plan and proposed Policies AL14 and S32 of the emerging Local Plan (as it was drafted at the Regulation 18 Preferred Approach stage).
- 5.4 The Masterplan Document provides a comprehensive design framework to demonstrate how the TSDL can accommodate new homes and infrastructure in a satisfactory manner whilst achieving a high-quality and well-designed sustainable new development which connects effectively with the existing village to achieve the 'one village' vision that is fundamental to the Neighbourhood Plan.
- 5.5 The Masterplan Document sets out the spatial arrangement of built development and associated green and blue infrastructure and the broad locations for the required new community facilities, including the new primary school, the mixed use village centre and areas of open space including sports and recreation facilities. The new primary school and expanded village centre are located to the north and east of the development, immediately to the west of the existing village centre, and north of Malcolm Road, in order to integrate effectively with the existing facilities and promote a feeling of community. All of these new community facilities are located on the Heaver Land. The largest areas of open space are located on the Pitts Land, and the main locations for the attenuation basins are on Church Commissioners and Pitts Land.
- 5.6 The Masterplan Document was intended as a 'stepping stone' between the existing allocation and the outline planning application, and was submitted to and validated by the Council on 15 November 2019 (ref. 19/02836/MAS). It was consulted on by the Council and was endorsed by the Council's Planning Committee on 8 January 2020.

### **Outline Planning Application**

- 5.7 Following endorsement of the Masterplan Document, Countryside prepared and submitted an outline planning application for the Scheme on 6 November 2020, and it was validated by the Council on 18 November 2020 (ref. 20/02893/OUT). The description of development was as follows:

*"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 stations(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.”*

5.8 The outline application sought to establish the principle of a residential-led, mixed-use neighbourhood development on the site comprising 75.93 hectares (the entirety of the Order land). The compliance of the development proposals with the development plan is discussed in my statement below.

5.9 The outline planning application was considered by the Council’s Planning Committee on 31 March 2021, when the Committee agreed with the Officer’s recommendation, which was as follows:

*“Recommendation to **Permit**, 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 [the Planning Committee] report.”*

5.10 On 15 August 2021, Highways England withdrew its holding objection.

*Amendment to the Outline Planning Application*

5.11 On 26 June 2023, Countryside submitted an amendment to the planning application to address an objection raised by Saxon Meadow Tangmere Limited, which relocated the community orchard to outside of Plot 9 (see Section 7 of the statement of Andrew Frost).

5.12 The amendments to the previously accepted scheme included the removal of 0.34 hectares of land at Saxon Meadows at the western side of the site from the application, and a minor change to the position of the red line at the northern access into the site. The conclusion of the Officers Report (**CD19**) set out that it was considered that the proposed amendments did not materially alter the acceptability of the proposal. Whilst it was 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, and the amendments would not materially change the impacts of the proposed development.

5.13 The amended planning application was heard at Planning Committee on 16 August 2023, when the Committee agreed with the Officer’s recommendation, and is subject to a resolution to grant (**CD19** and **CD20**).

5.14 A draft Section 106 Agreement is currently being prepared, which will be signed and completed following confirmation of the Order and the acquisition and transfer of land into Countryside’s ownership. The Section 106 will be finalised before GVDs are served, and it is expected that, where necessary, landowners with whom voluntary agreements have been made will also sign up to the Section 106. The heads of terms have been agreed and detailed drafting is at an advanced stage. The remaining matters relate to drafting issues such as trigger points for delivery and to the form of the agreement, rather than matters of substance. The bulk of the draft Section 106 Agreement may be agreed in advance of this inquiry, but in any event I do not consider that it will prove a bar/impediment to delivery of development.

### *Compliance with the development plan*

- 5.15 Paragraphs 8.8 to 8.54 inclusive of the Planning Committee report (31 March 2021)(**CD17**) identify the main policies of the development plan relevant to the determination of the planning application, and extensively discuss the application's compliance with the policy criteria. Further detail is provided in paragraphs 8.63 to 8.212. I do not intend to repeat all of this assessment within my statement, and only set out some of the main considerations below. However I note that paragraph 8.218 of the report (**CD17**) concludes that "*the outline planning application is considered to comply with both established and emerging Policy, including the provisions of the Tangmere Neighbourhood Plan. It very much embraces the "one-village" vision that is required for Tangmere and it seeks to comply with all of the fundamental requirements and objectives of the Tangmere Neighbourhood Plan.*" The development will play a critical role in delivering significant benefits to the existing and new residents of Tangmere through the provision of extensive new and improved infrastructure.
- 5.16 The August 2023 Committee Report (**CD19**) identifies that there have been some changes to the planning policy context since the outline application was considered in 2021, namely the publication of the Proposed Submission Plan. Paragraph 7.2 of the 2023 Committee report (**CD19**) sets out the relevant policies of the Proposed Submission Plan and identifies that the Proposed Submission Plan is an important material consideration in the determination of planning applications, although the weight that can be attributed to the policies is dependent on the significant of unresolved objections.
- 5.17 The report does not extensively discuss the compliance of the amended application with the development plan, as the adopted development plan remains the same as when the application was previously considered, and Policy A14 of the Proposed Submission Plan remains generally similar to the previously drafted AL14 of the Preferred Approach plan. Paragraph 8.18 concludes that "*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... 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*".

#### *1. Quantum of development*

- 5.18 The application sought permission for up to 1,300 dwellings and associated uses. The principle of significant residential development on the TSDL is established through the allocation of 1,000 dwellings in Policy 18. Emerging Policy A14 recognises the potential of the site to satisfactorily deliver a higher number of new homes whilst maximising the efficient use of land, proposing to increase the number of dwellings to 1,300. It is accepted that the emerging Local Plan 2021-2039 has not yet progressed to submission (albeit this is anticipated to take place in last quarter of 2023/24) and that emerging policies carry limited weight, however Policy A14 represents the direction of travel for emerging policies in Tangmere.
- 5.19 As set out in paragraph 3.18 of this statement, the Council is not currently able to demonstrate a five year supply of housing land, and the additional 300 dwellings over and above the 1,000 currently allocated would contribute towards meeting significantly higher housing need identified using the Government's standard methodology.

- 5.20 It is not considered that the provision of additional dwellings on the site would compromise any of the other policy requirements for the development including the provision of the requisite supporting infrastructure as outlined in adopted and emerging policy.
- 5.21 The range, type and tenure of the new dwellings is another matter for consideration as part of future reserved matters applications; however the development will comprise 30% affordable dwellings, with up to 910 open-market private dwellings, and up to 390 affordable units.

## *2. Provision of infrastructure*

### *a) Access and Transport*

- 5.22 The application proposes a north-south spine road, connecting the A27 Temple Bar junction to the north with Tangmere Road to the south, as well as an east-west route primarily for pedestrians and cyclists that would connect the new development with the new expanded village centre and the existing village, both of which are policy requirements within the Neighbourhood Plan.
- 5.23 Whilst a matter for reserved matters stage, the outline application proposes a number of on- and off-site cycle and pedestrian connections, including cycleways along the north-south link road, connections into the new expanded village centre and a circular route for both pedestrians and cyclists around the site perimeter. I consider these proposals comply with Policy 9 of the Neighbourhood Plan which sets out expectations for a sustainable movement network. Policy requirements for off-site cycle provision, including improved and additional cycle routes linking Tangmere with Chichester city, Shopwyke and Westhampnett are also considered to have been met.

### *b) Open Space*

- 5.24 The outline application proposes to deliver open space well in excess of the Council's adopted minimum open space standards and is reflective of the requirement to preserve the archaeological asset in-situ, the desire to create a sensitive and attractive development, the land take for the SuDS provision, as well as the requirement to meet the policy objectives for open space in the Neighbourhood Plan.
- 5.25 The Neighbourhood Plan also requires the provision of a community orchard and community allotments. A total of 2.1 hectares of land is proposed for new allotments which would also facilitate the relocation of the existing allotments at the Tangmere Military Aviation Museum to allow expansion of the Museum. Approximately 0.34 hectares of land adjacent west of Saxon Meadow was previously proposed as a community orchard. The amended outline application removes this area of land from the application site, and relocates the community orchard partly to land west of Saxon Meadow and partly in a more linear arrangement on land to the north west of Saxon Meadow. Policy 2 of the Neighbourhood Plan does not detail specific requirements for the location of the orchard, and paragraph 8.9 of the August 2023 Planning Committee report (**CD19**) sets out that the new location of the orchard poses no greater conflict with the Neighbourhood Plan than the previously accepted location and there is a benefit to the provision of a linear orchard in that it will enable connectivity for users and wildlife to other open space. The full details will be secured through future reserved matters applications, however planning conditions will require the full provision of the open space, amenity land, play areas, allotment and orchard, and a condition requires the development to broadly accord with the submitted information.

### *c) Community Facilities and Village Centre*

- 5.26 The outline application proposes to provide for up to 1,100 square metres of community floorspace which will meet multiple needs, including some floorspace being used for shared purposes. Decisions have yet to be made as to exactly where and how this provision will be best made but the outline application provides options for future consideration.
- 5.27 While it will be considered in detail as part of any future reserved matters applications, the expanded village centre is fundamental to the delivery of the Neighbourhood Plan's 'one village' aspiration. In consequence, the outline application contains an illustrative layout demonstrating how the expanded village centre might look, including the provision of new village centre amenities, a pedestrian dominated public realm, the new primary school and an area of landscaping. This approach is considered to be acceptable and will meet the requirements of the Neighbourhood Plan, although the detail is expected to evolve during Countryside's discussions with Tangmere Parish Council and during the preparation of the reserved matters application.

### *d) Education Provision*

- 5.28 A new two-form entry primary school with associated playing fields, playgrounds and car park is proposed adjacent to the expanded village centre on a site of 2.4 hectares. The site also allows for the provision of an 'early years' setting and a 'special support centre' on the site. Furthermore, in accordance with Neighbourhood Plan policy, provision is also made for an additional safeguarded area of land comprising 0.49 hectares. This safeguarded land will enable the potential expansion of the new two-form primary school to three-form entry, which would allow the existing Tangmere Primary Academy School to relocate to the site and combine with the new school, if it so wishes.

### *Phasing of the development*

- 5.29 The timely delivery of the Scheme is critical for the Council to be able to realize the policy objectives of the development plan.
- 5.30 Subject to confirmation of the Order, it is anticipated that the development of the new dwellings will take place over approximately a 10-12 year build out period subject to market conditions, commencing in 2025. It is anticipated that the majority of the proposed development, including the provision of all strategic infrastructure, will be undertaken by Countryside. The build out rate is projected to be in the region of 120 dwellings a year, with peak construction year in 2029. Completion is anticipated by 2037.
- 5.31 Whilst the precise phasing is yet to be agreed, the permission for the outline application will be subject to a planning condition requiring the submission and approval of a Phasing Plan covering the entire site before development is able to commence. This will relate to the delivery of all of the residential parcels and the strategic infrastructure. It is currently anticipated that the provision of the two accesses from Tangmere Road and the construction of the north-south link road from the A27 junction will facilitate the first phase of development which will occur to the south of the site, the second phase from the north, and subsequently with the phases meeting in the middle.

## **6. CONCLUSIONS**

- 6.1 In my view, the core justification for the use of compulsory purchase powers is to deliver the comprehensive development of the TSDL with wider community benefits that will promote and improve the economic, social and environmental wellbeing of the area. On this basis I consider that there is a compelling case in the public interest that the Order be confirmed.



- 6.2 The role of the Order Land is included within the area identified in the Council's adopted Local Plan and made Tangmere Neighbourhood Plan, which form part of the Development Plan for the area. The Land is also included as an important strategic site in the Council's emerging Local Plan 2021-2039.
- 6.3 The Scheme is being brought forward within the adopted and emerging policy framework of the Development Plan, and is in accordance with the objectives and policies of that framework.
- 6.4 It is essential that the TSDL is planned and delivered comprehensively, in order to ensure that the land can be put most efficiently to use, thereby facilitating the delivery of the requisite quantum of development and associated infrastructure, and to ensure delivery within a reasonable timeframe (there has already been substantial delay to delivery of this SDL). Failing to deliver the Scheme in a comprehensive manner has the potential to jeopardise the delivery of the infrastructure which would compromise the significant public benefit, as well as fail to deliver the Council's longstanding policy objectives and aspirations, and those of the Tangmere Neighbourhood Plan.
- 6.5 The outline planning application for the Scheme complies with adopted and emerging policy requirements and makes provision for the delivery of a significant number of new dwellings, which will assist the Council in meeting its obligations to deliver identified housing needs. It also makes provision for the delivery of a significant amount of infrastructure and community facilities which will provide benefits to both new and existing residents of Tangmere. I note that the Council's Planning Committee has resolved to grant outline planning permission for the Scheme subject to the completion of a Section 106 Agreement.
- 6.6 Subject to confirmation of the Order to enable site assembly to be achieved, which will facilitate the signing of the Section 106 Agreement, the Council considers there are no impediments to the implementation of the Scheme. If the Order is not confirmed, and in the absence of voluntary agreements between all of the landowners, the Council is not confident that the Scheme will be delivered.