



Chichester City Council

PLANNING AND CONSERVATION COMMITTEE Minutes

Date Thursday 15 August 2024

Time 4.00pm – 5.22 pm

Location Council Chamber, The Council House • North Street • Chichester • West Sussex • PO19 1LQ

PRESENT: Councillor Butler (Chair) and Councillors Vivian (Vice-Chair), C Gershater and Hitchman

EX-OFFICIO: The Mayor, Councillor Quail

ALSO IN ATTENDANCE: Councillor Apel, Planning Adviser, Deputy Town Clerk, Council Services and Support Manager, Communications and Civic Support Officer, Kayla Entre of BHESCo, Paul White for Smith Simmons (for application reference CC/24/01581/FUL and CC/24/01582/LBC).

36. **APOLOGIES FOR ABSENCE**

Apologies were noted from Councillor McHale

37. **DECLARATIONS OF INTEREST BY MEMBERS OF THE COMMITTEE IN MATTERS ON THE AGENDA FOR THIS MEETING**

None

38. **MINUTES OF THE PLANNING AND CONSERVATION COMMITTEE MEETING HELD ON 18 JULY 2024**

The Committee **APPROVED** as a correct record the minutes of the Planning and Conservation Committee meeting held on 18 July 2024

39. **AIR QUALITY IN CHICHESTER**

Councillors were informed that Mr Simon Ballard, Senior Environmental Protection Officer at Chichester District Council would not be attending this meeting and would now be attending the next Planning and Conservation Committee meeting on the 12 September 2024.

40. **PRESENTATION BY BRIGHTON & HOVE ENERGY SERVICES CO-OP (BHESCO)**

Founder and CEO of BHESCO Kayla Ente, provided Committee information about the organisation and how it could help support the City Council with its goals to reach Net Zero. She advised that this support could potentially include the installation of solar and wind power stations across the city and retrofitting buildings to become more energy efficient.

Members were informed that a grant of £40,000 was available, from the Community Energy Fund. This would help offset the first stage of development (decarbonisation planning stage), with a maximum grant of £100,000 being available to support the implementation stage.

Ms Ente advised that BHESCO would require an indication from the City Council of a willingness to collaborate on the project for it to begin.

Members received the presentation positively and discussed the issues raised.

The Council Services and Support Manager advised that, as this was a new initiative any decision would need to be discussed at the next full council meeting on Wednesday 25th September.

41. **APPLICATIONS FOR PLANNING PERMISSION**

**CC/24/01581/FUL and CC/24/01582/LBC - Case Officer: Emma Kierans
15 Southgate Chichester West Sussex PO19 1ES**

Change of use from former (now revoked) A2 use to residential C3 use including associated works of conversion and alteration.

Paul White of Smith Simmons highlighted that the building was originally a dwelling.

No objection from Council Members.

42. **ENFORCEMENT MATTERS**

No enforcements.

43. **UPDATES ON ACTIONS FROM THE PREVIOUS MEETING**

Members noted the update given on the agenda.

44. **WSCC CONSULTATION – PROPOSED EV CHARGE POINT INSTALLATION LOCATIONS**

Councillors expressed concerns about the number charging points in the City Centre. They agreed that charging points that were in the city, were not distributed well, with some Wards missing out. They agreed that modern streetlights don't provide enough power for EV points.

Councillor Vivian **AGREED** to email Councillors to encourage them to respond to the WSCC consultation.

45. **NATIONAL PLANNING POLICY FRAMEWORK CONSULTATION (NPPF)**

Members were advised that a consultation about the proposed changes to the NPPF had been launched

The Planning Adviser reported that the changes didn't specifically relate to Parish Councils that they were most relevant to Planning Authorities and include a new standard method of calculating housing need to provide much more housing.

The Planning Adviser gave a presentation outlining the main changes to the NPPF.

Housing Need Calculation Changes:

Members were informed that the new housing requirement for Chichester District was proposed to be 1206 new homes per year, an increase from 638. A small number will likely be in the South Downs National Park. The District Council's submitted local plan provided for 575 due to constraints (the limited capacity of the A27). The NPPF currently allows for this kind of approach, but this is proposed to be removed under the new NPPF.

The Planning Adviser summarised further proposed changes including:

The government proposed changing the standard method of calculating the housing requirement in each Local Planning Authority (LPA) area removing wording indicating that constraints to development (e.g. Flood plain areas, Green Belt, AONB etc) can justify LPAs planning for less housing than the standard method indicates.

Added emphasis on social rented homes as part of affordable housing provision with the minimum 10% affordable housing in major developments, being replaced with a requirement to meet identified local need.

Re-instate the requirement for all LPAs to have a 5-Year Housing Land Supply and a 5% buffer (which had been reduced in the December 2023 NPPF changes to 4 years where new Local Plans were at an advanced stage of preparation, and the 5% buffer requirement removed).

Add wording making conditions for refusals on highways grounds stricter. Where there would be an unacceptable impact on highway safety, or the cumulative impacts on the road network would be severe, "in all tested scenarios".

If an LPA cannot meet the new housing target, this would constitute an 'exceptional circumstance' whereby they should review their green belt boundaries.

Housing and commercial development to no longer be inappropriate in the green belt if the LPA doesn't have a 5-year housing supply, or where housing delivery is below 75%.

Local planning authorities should support planning applications for all forms of renewable and low carbon development.

Local Plans already submitted for examination would be assessed based on the current NPPF but Council's with 200 houses or more below the new Housing Requirements would be required to start preparing a new Local Plan (under the new NPPF & new housing requirements) 'at the earliest opportunity'.

Members discussed the matters raised during the presentation and the Planning Adviser responded to their questions. The Committee expressed grave concerns about some of the proposed changes and it was **AGREED** that the Planning Adviser should submit a response on behalf of the City Council.

Further **AGREED** that this response would be as follows.

The council would like to comment on the proposed changings they are as follows:

General Comment on all the Planning changes to the NPPF and OAN standard method:

- The Planning system aims to balance economic, social and environmental needs. The motivation for the proposed changes is overwhelmingly economic. Do the government consider that the system is currently unbalanced against economic needs, or is it proposed to introduce an unbalance in favour of it? If the former, what evidence is there of this? If the latter, what is the justification for this? In either case, where is the consideration of the likely impacts and risks, particularly matters other than the economy, such as social & environmental issues, of changing the balance in this way?

OAN standard method change and NPPF:

- Changing the standard method will result in a very significant increase in housing need, close to doubling it. This is likely to result in harm to matters of public interest as increasingly unsuitable sites must be allocated to attempt to meet such high housing targets.
- The removal of possibility to adjust the housing target based on constraints to development in the LPA area is likely to have significant detrimental effects, as LPAs are forced to allocate whatever is outside of the constrained areas, regardless of how unsuitable such sites are for development or the impacts development there may have. If there is a constraint to development, it must be allowed to be taken into account in housing target figures.
- The Plan-led system will be effectively undermined, as so many LPAs will immediately be in a 'tilted balance' position for a significant period, until a new Plan can be drawn up and adopted, a process likely to take at least 2 years.
- Increasing targets so sharply, well before LPAs can plan for them, is likely to result in many LPAs being in a tilted balance situation, having to issue a significantly increased number of permissions for housing on unsuitable sites. As it is not practicably possible for the local building industry to instantly double their house completions in line with the new targets, this will encourage Land Banking. The end result will not be a significant increase in delivery, rather a significant increase in land-banked, unsuitable sites, perpetual under-delivery and tilted balance situations for LPAs and the undermining of the Plan-led system.

OAN standard method change, NPPF paragraph 62 and transition arrangements:

- The transition arrangements, including possible financial support to assist in Plan-making, are insufficient to avoid significant unsuitable development being allowed due to LPAs not having enough time to plan for massive and immediate increases in housing need. LPAs need more time. Transitional arrangements should include a significant time period before new housing targets become effective to allow LPAs to plan accordingly, and phased increases rather than hugely stepped increases to ensure the building industry can keep up with rapidly and vastly increasing housing completion requirements.

Duty to co-operate

- The South Downs National Park Authority should have to take on their fair share of housing in relation to the LPA, and should not be sacrosanct, as their communities require new homes which should be provided there. The surrounding areas will not have any capacity to further increase housing provision to compensate for under-provision there.

General comment, OAN standard method and relevant to NPPF paragraph 98:

- Though policy has been added to give significant weight to infrastructure applications, this will not result in the delivery of basic infrastructure needed to support these new homes, such as investment in highways and sewage

treatment provision, which is lacking even for existing households, and has been for a considerably long time. The delay in provision of such infrastructure more often relates to Local and Central Government funding issues, and the difficulties in forcing privatised companies to invest significant capital in new or upgraded infrastructure projects, even in cases where that need has been felt by the public and recognised by Authorities for many years. Infrastructure should be anticipated and delivered much more readily in response to residents' needs, and even more so with such a huge increase in the population to be served by these new homes.

Highways

- Refusing planning permission on Highways grounds is already extremely difficult, even when there are very significant likely impacts on highway capacity, as 'severe' is a high threshold to reach, and allows for significant impact, as long as it can be argued to be less than 'severe'. Adding the wording 'in all tested scenarios' invites developers to run an unlikely 'best-case scenario' model with unrealistic inputs, to demonstrate a scenario which would be less than 'severe', but which, in practice is extremely unlikely to ever occur. Permission would not be able to be refused, even though severe impacts on the road network would be certain to occur in all realistic scenarios. In the case of most applications, the effect of such a change of wording would be to practically remove the ability of LPAs to refuse any application based on its impact on highways, regardless of the likelihood or severity of that impact.

Social housing

- The importance of Social Housing provision is recognised. The emphasis on provision of social rented properties is welcomed, as is the ability of LPAs to set their own minimum affordable housing requirements according to their local needs.

At this point the Chairman took agenda item 12.

46. **CHICHESTER DISTRICT COUNCIL DRAFT GAMBLING ACT 2005 STATEMENT OF POLICY 2025-2028 CONSULTATION**

Committee were advised by the Deputy Town Clerk that there had been minimal changes to the policy and recommended no response was required.

47. **AGREED, no objections. PUBLIC BODIES (ADMISSION TO MEETINGS) ACT 1960**

At this point Chairman closed off the meeting to the press and public for agenda item 11.

Proposed, seconded and RESOLVED to exclude the press and public from the meeting for agenda item 11 due to the nature of the business to be transacted, namely confidential business matters.

48. **NEIGHBOURHOOD PLAN UPDATE**

The Committee was informed that no response from the Neighbourhood Plan Steering Group (NPSG) has been received. The Town Clerk had contacted the Information Commissioner's Office and been advised that we send a final letter to the group, requesting data before pursuing further action.

Members noted the Town Clerk's recommendation regarding the two consultants who had provided quotes to undertake a review of evidence, the digital collection of documents, in-house data and data recovered from the NPSG.

Committee **AGREED** to invite the consultants to present their proposals to a special meeting of the committee

At this point the meeting returned to a public session and the published agenda order.

49. **ITEMS TO BE INCLUDED ON THE NEXT AGENDA**

- Air Quality in Chichester
- Neighbourhood plan
- Listed building consent application – West Walls Memorial Garden

50. **DATE OF NEXT ORDINARY MEETING**

DATE OF THE NEXT ORDINARY MEETING: Thursday 12 September 2024

The meeting closed at 5:22 pm.

ACTIONS ARISING FROM THIS MEETING

Minute ref.	Action	Assigned to
40	BHESCo proposal to be placed on the next Full Council agenda.	Comms and Civil Support Officer
44	Email Councillors about EV Charging Points consultation.	Councillor Vivian
45	Submit a response Regarding the proposed changes to the NPPF on behalf of the City Council.	Planning Adviser
48	Invitation to Neighbourhood Plan consultants to a special meeting of the committee	Town Clerk