

KIRDFORD PARISH COUNCIL

c/o 8 Saville Gardens, Billingshurst, West Sussex, RH14 9RR.

Clerk: Mrs. I. Marshall, BA(Hons), FILCM.
Tel: 01403 783477 E-mail: kirdfordpc@gmail.com

You are hereby summoned to attend the Extraordinary Parish Council Meeting which will be held at The Kirdford Village Hall, Kirdford on Monday, 19th November, 2015 commencing at **7.00** p.m., when the following business will be considered and transacted.

Date: 12th November, 2015.

I. Marshall.
Mrs. I. Marshall
Clerk to the Council

A G E N D A

Please note that all discussion must be via the Chair.

1. Apologies for Absence – to receive both apologies and reasons for absence.
2. Public Participation – to receive and note questions, comments or representations made by members of the public.
3. Disclosures of Interest – to receive disclosures of personal and prejudicial interests from Councillors on matters to be considered at the meeting.
4. To consider and comment upon the following Planning Applications :-
 - (a) KD/15/03367/FUL: Mr. Stuart Forrester, Cala Homes, Land on the East Side of Plaistow Road, Kirdford – Proposed construction of 54 residential dwellings and associated works. **Appendix I.**

To approve any expenditure thought to be necessary in respect of consultants fees, should this be felt necessary.
 - (b) K/15/03620/TCA: Mr. Jonathan Rodwell, Bridgefoot Cottage, Glasshouse Lane, Kirdford – Notification of intention to fell 2 no. Horse Chestnut trees (1). Reduce tip of main ascending stem by 1.5m on 1 no. Pear Tree (2). Reduce tips of branches in the upper crown by approx. 1.5m to join healthy pruned lower branches on 1 no. Apple tree (3). Reduce height by 1.5 – 2 m on 1 no. Willow Tree (4). Remove ascending branch tip on 1 no. Weeping Beech (5).
5. To Note Planning Decisions received from Chichester District Council :-
 - (a) SDNP/15/04255/HOUS: Mr. Alexander Kleinwort, Hawkhurst House,, Hawkhurst Court,, Kirdford – Replacement conservatory, extension of terrace and associated landscaping works. **APPROVED.**

- (b) SDNP/15/04584/LIS: Mr. S. Huttly, The Homestead, A.272 Croucham Lane to Linfold Road, Strood Green, Kirdford – Replacement of floor to 1940s extension, lowering of external ground levels, internal removal of modern paint and other minor works to remove damaging elements from the building, i.e., modern paintwork, cement repairs, cement render and modern brickwork from inglenook. **APPROVED**.
- (c) SDNP/15/03996/HOUS: Mr. Alexander Kleinwort, Hawkhurst House, Hawkhurst Court, Kirdford – Hard tennis court with 2.75m high chain link fencing enclosure. **REFUSED**.

6. Enforcement.

7. To formulate the Parish Council's future Business Plan.

APPENDIX I

OFFICER'S REPORT ON DOCUMENTS OF PLANNING APPLICATION NO.

KD/15/03367/FUL

CALA HOMES, PLAISTOW ROAD, KIRDFORD

1. **Application Background Information**

The Parish Council would advise that together with Greenoak Housing Association, its social housing provider partner, it has sought over the last 10 months to engage and work in a positive manner, initially with Banner Homes, now a wholly owned subsidiary of Cala Homes, the applicant development company. All discussions and development of the proposals were generally resolved to accord with the requirements and policies of the Kirdford Parish Neighbourhood Development Plan 2014 (KPNDP) with the notable exceptions of the housing types and phased or sequential delivery of the housing units to meet the local housing need over the term of the KPNDP.

During the pre-application process (some meetings with the Local Planning Authority attended by the representatives of the Parish Council) Chichester District Council Development Management advised that the application would have to be compliant with all the policies of the KPNDP 2014 which forms part of the CDC Local Plan 2015.

The desire to be non-compliant with the policy on housing numbers, type and phasing was argued at that time on the basis of financial non-viability, however it was clarified that the applicant's agent Genesis partook in all of the KPNDP development workshops and consultations therefore being fully informed of the policies and the consequential import on land value prior to the plan's adoption's. All such information was available in the public realm and addressed by the Examiner before making recommendation for the plan to go to referendum. See Examiner comment in case study report :-

<http://www.ourneighbourhoodplanning.org.uk/case-studies/view/369> .

The Parish Council encouraged Banner Homes to undertake a housing needs survey and this was agreed and commissioned albeit after the initial report findings were queried by CDC Housing Department and the Kirdford Parish Council; the Parish Council has received no further information on the survey.

Nevertheless it is noted that the application now omits the 4 and 5 bedroom properties originally proposed and now provides for 1, 2 and 3 bedroom properties in support of the policy but has increased the number of units from the previously presented number of 45 to 54 units, an increase of 20% over the adopted policy minimum. No supporting evidence to support or justify such increased density appears to be provided.

2. **Main Issues** :-

Phasing

The application still seeks to set aside the KSS1 policy requirement, namely “*Any application should provide for a phased development using the entirety of the site that seeks to provide the sustainable delivery of housing over the plan period [2014-2029]. An appropriate phasing plan that responds to both the immediate and future need should be included in support of any planning application.*”

Given the absence of any supporting information or justification for any significant change in Policy KSS1 being included with the application it appears the intent is to challenge the validity of the Policy. That view is supported by the content of the Planning and Design Statement submitted by Genesis on behalf of the applicant wherein it is argued; page 15 paras 5.20-5.23 that the Neighbourhood Plan delivery section refers to a possible 10 year construction programme.

The Parish Council is not clear as to how reference to a non-statutory part of the plan is relevant other than to demonstrate the Parish Council’s and community’s commitment to deliver to policies of the plan?

Genesis continues by stating in para. 5.20 that the Examiner of the KPNDP did not consider a ten year construction phasing programme to be part of the main Policy KSS1 and that in their view would cause site issues for existing residents, damage to landscaping and result in the site becoming untidy and badly planned.

It is believed the Examiner was very clear in her recommendations relating to the plan policy and its requirement for “*phased development using the entirety of the site*”. It is common development practice for a single land parcel to be developed in separate lots or stages over an extended period of time without causing issues to residents or the environment.

The NPPF is clear that the purpose of planning is to help achieve sustainable development. *It defines development as meaning growth and there being three dimensions to sustainable development, an economic role, a social role and an environmental role with no role being taken in isolation, because they are mutually dependent.* The KPNDP has been credited as being comprehensive, embracing the purposes of the NPPF and demonstrating that small rural parishes can deliver sustainable growth over a plan period.

In contrast the application ignores sustainable growth and seeks to deliver a 24% increase in current village housing stock in a single development, within 2 years or less, far in excess of current local need or demand. Unlike the KPNDP, it sets aside the competitive demand such rapid growth would place on local schooling, employment, medical facilities, in an isolated rural location, or any other demand on existing infrastructure all of which local evidence identified as currently struggling to cope with existing demand.

In para. 5.21 Genesis seeks to argue that a 10 year phased delivery of housing on the site would be inconsistent with Local Plan Policy 5.

CDC adopted the KPNDP in July 2014 on the basis it was compliant with its then emerging plan and that the Chichester Local Plan – Key Policies were adopted in 2015 and the KPNDP remains compliant with its policy 5 Parish Housing Sites 2012-2029 – Indicative Housing Numbers and the referenced Appendix D. Given the recent dates when the plans were publically examined and approved a reference to a footnote seems a rather spurious basis for challenging the substantive policies of the plans.

Para. 5.22 seek to argue that the KPNDP Policy KSS1 and the Chichester Local Plan is not compliant with the policy in the NPPF paras. 47 – Delivering a wide choice of high quality housing and para. 173 – Ensuring viability and deliverability.

Given both the KPNDP and Local Plan policies have within the last 18 months passed examination and been deemed to be compliant with the Basic Regulations and the NPPF the Parish Council will not seek to comment further.

Para. 5.23 argues that for all the reasons stated in paras 5.20 to 5.22 a 10 year phasing programme is not justified and would undermine overall viability of the site being developed.

Policy KSS1 allocates the land for housing and seeks to facilitate its delivery progressively over the plan period 2012-2029 in accordance with a master plan layout identified in the KPNDP. It does not require the development to be delivered as a single construction programme. Any financial viability appraisal based on a single construction period of 5, 10 or even 15 years for the development of the whole of the site under one contract would therefore be irrelevant as such a constraint is not imposed by the policy.

It should be noted, as stated in the adopted plan that discussions with the landowner and their agent have been maintained during the development of the plan and after the adoption and that the Parish Council through its Community Land Trust continues to maintain a desire to work with the parties to deliver the purpose of the plan. The landowner, developer and its agents were therefore fully capable to determine the change in land value from its agricultural value to its enhanced value when designated as development land in accordance with Policy KSS1.

Further that the Parish Council continues to have an interest in conjunction with its partner Greenoak Housing Association to procure the land or jointly develop it in line with Policy KSS1 and has advised the landowner's agent of this before and after the making of the KPNDP.

3. **Observations/discrepancies/comments/clarification required on application documentation :-**

Planning & Design Statement

- 1.3 – refers to 1/2/3 bed houses whereas the Design and Access Statement S2 refers to 4 bed.
- Tries to make an argument for single phase development contrary to the Kirdford PNDP.
- 4.18 and 5.12 – attempts to say that KPNDP policy DS5 is superseded by Government legislation and the CDC Local Plan.
- 5.3 – refers to agreement with the Parish Council for a Common Land swop – there is no such agreement and in any event agreement would be with the landowner (not the Parish Council).
- 5.15 – The only vaguely overt “green” feature seems to be water butts. Very disappointed that there are no grey water provision, no solar panels, nothing 21st century at all. To construct ecologically sound and pioneering buildings at no more cost is possible – is it not possible to build something pioneering and something that everyone would be proud of.

Transport Statement

- 2.15 – Train services incorrectly stated.
- 4.3 – Will anyone really use public transport – the figures need verifying.
- 4.6 – refers to close proximity to bus stops but very limited service.
- 5.3 – refers to School Buses in the afternoons.
- 5.4 – refers to Billingshurst Station being accessible by bus – in any meaningful sense this is not true.

Site Layout

- Shows a new footpath across private lane (Bramley Close) – is there agreement with the landowner?
- Does the layout accord with what was discussed previously with Cala?

Travel Plan

- 4.17 – table refers to a 2 x hourly bus service
- 4.18 – Train services incorrect

Design and Access Statement

- 2 – Proposals – “housing will be a mix of 1 bed flats, 2,3 and 4 bedroom houses”
- S1 – refers to abutting Cricket pitch – this is not correct.
- S9 – refers to gas boilers, but there is no indication of siting of gas tanks/bulk tank as no mains gas in Kirdford. Should there not be consideration being given to some form of sustainable energy?
- P.6 – Visual Impact – boundary zones remain within the ‘public’ realm. Control over the future appearance and maintenance is retained?
- 9 – Sustainability – Building to Level 3 per Local Plan not Level 5 per KPNDP
- P.15 – refers to street lighting – against KPNDP Policy – “where street lighting provided – designed to cover areas vulnerable to crime”. Kirdford is a ‘dark sky area’.
- P.16 – level of car parking – should each 2 bed + property have 2 parking places?
- P.18 – Car Parking – Illuminated communal parking areas BS.5489 – 1,2003 low level bollard lighting will **not** be used. As stated above, Kirdford is a ‘dark sky area’.
- P.18 – Street Lighting – The principal roads will be constructed to adoptable standards and will consequently incorporate street lighting to an acceptable standard. As stated, Kirdford is a ‘dark sky area’.
- Who will maintain roads/open space?

Flood Risk Assessment

- 6.2 – refers to existing sewers – there is need for confirmation that the pipes and/or treatment plan can cope.
- 6.3 – refers to land drainage. From local observation the ditch system outside the site is obstructed.
- 12.1 – states soakaways are not appropriate due to clay – how will surface water be handled?
- 12.3 – refers to a new connection to a culvert/outfall to existing watercourse – overload? SUDS
- The document lists Appendices A – H but these are not available on the website. Appendix E – Thames Water – Sewer Records - Kirdford is within the area of Southern Water.

Ethos Environment Planning – Habitat and Protected Species Survey and Report

- 1 - Bat Survey – 8 species of bat within 1km – however, there are known to be 15 of the 17 British species of Bat in Kirdford.
- 1.5 - Second paragraph – “ensuring no significant light spill in this area”
- 2.4 – Low population of Grass Snakes and good population of Slow Worms
- 2.5 - Reptile translocation exercise required prior to construction – mitigation measures
- 3.2 – Breeding birds – Barn Owls, Green Woodpecker, Starling
- 3.7 – Glow Worms
- Nightingales are known to be in that meadow.
- The Ethos inspection of August, 2015 stated that Slow Worms were present.

Affordable Housing Statement

- Third from last paragraph states “split 50% affordable and 50% intermediate – what does this mean? Should this be for first-time buyers, then it would be vital to build a cap into re-sale values because otherwise within a few years the prices would be out of reach of the next generation of first time buyers.
- What is meant by Affordable Rentals?

Draft S.106 Agreement

- Includes requirement for Public Artwork, but nothing included about Play Equipment and there does not appear to be any reference to Play Equipment provision within the documentation.

Building for Life

- Item 4 states that “Bus Route runs right outside the entry to the site”!! The only buses that go past the entry to the site are **School Buses**.

Application Form

- This states that “no new public roads to be provided within the site” whereas the Design and Access Statement states “principal roads will be constructed to adoptable standards”.

Loss of Trees

- 4 Oaks at entrance and Ash dog rose and thorn for new footpath route.

Plans

- Some plans show a bed 4, but only 3 bedrooms.
- Query design/size of some bedrooms referent intent of the KPNDP.

4. **RECOMMENDATION** :-

It is recommended that the Council **OBJECT** to this application on the basis of the above information, i.e., Phasing, Viability, etc.