



PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Head of Development

DATE: 4th September 2018

DEVELOPMENT: Demolition of a detached dwelling and erection of 14 residential units (3 no. affordable) with associated parking, landscaping, refuse/cycle facilities and the creation of an additional highway access onto Hayes Lane.

SITE: Welwyn Hayes Lane Slinfold Horsham West Sussex RH13 0SJ

WARD: Itchingfield, Slinfold and Warnham

APPLICATION: DC/18/0995

APPLICANT: **Name:** Mr Martyn Avery **Address:** 5A Fircroft Business Centre Fircroft Way Edenbridge TN8 6EN

REASON FOR INCLUSION ON THE AGENDA: More than eight letters of representation have been received contrary to the Officer recommendation;
By request of Councillor Youtan

RECOMMENDATION: To delegate authority to the Head of Development to grant planning permission subject to the completion of a S106 agreement to secure the provision of on-site affordable housing, and appropriate conditions.

In the event that the legal agreement is not completed within six months of the decision of this committee, the Director of Place be authorised to refuse permission on the grounds of failure to secure the Obligations necessary to make the development acceptable in planning terms.

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.1 This application is for a residential redevelopment scheme to provide no. 14 dwellings (Class C3) within the Built-Up Area Boundary (BUAB) of Slinfold, in place of an existing dwelling. The housing mix, as amended, consists of 3 no. 2 bedroom dwellings; 3 no. 3 bedroom; 6 no. 4 bedroom; and 1 no. 5 bedroom. The applicant has indicated that it would be intended to provide three of the dwellings as affordable housing (1 x affordable rent and 2 x shared ownership). The scheme equates to a density of approximately 16 dwellings per hectare.

1.2 The dwellings would be arranged as terraced and detached properties, with allocated parking provided on private driveways and within garages. It is intended to provide

each of two bedroom properties with 1 car parking space; the 3 bedroom properties with 3 spaces each; and the four and five bedroom properties with 3 and 4 spaces each. 6 no. unallocated spaces would also be provided within the development, providing a total of 42 spaces for 14 dwellings.

- 1.3 All the proposed dwellings would be 2 storey in height; the tallest would have a maximum ridge height of some 9.6 metres. A varied palette of materials selected to reflect the local vernacular would be used (including red-brown facing brickwork; render; hanging tile; and clay and slate roofs). The proposed dwellings would be dispersed across the site, with a terrace fronting Hayes Lane and a more informal cul-de-sac to the rear. The terrace would be served by an existing single track driveway, with the 2 no. TPO trees adjacent to it retained.
- 1.4 The cul-de-sac development would be accessed via a new 5 metre wide roadway set south of the existing track driveway and frontage terrace. The dwellings would be set away from the south end of the site to allow for retained areas of vegetation and access onto the Downs Link Bridleway. Paths would be formed to allow access from the development onto the Downs Link and public open space at Six Acres. New tree and thicket planting would be provided between the Downs Link and new dwellings to provide a vegetative screen and filter views of the development.
- 1.5 The application is supported by a Stage I Road Safety Audit and Transport Statement; Planning Statement; Ecological Report and bat building assessment and Reptile survey; and Surface Water Drainage Appraisal.
- 1.6 Negotiations between Officers and the applicant have secured various changes to the original proposal; i) commitment to a Sustainable Drainage System, ii) additional allocated parking to rear plots 1, 2 & 14 and unallocated 4 no. car parking bay; iii) amended access and layout to accord with updated highway safety audit; iv) amended housing mix with plots 1 and 2 (originally 3 bed semis) changed to 3 no. 2 bed terrace affordable housing and their reposition closer to Hayes Lane in line with the existing street scene; v) removal of garage link to Plot 7; vi) commitment to mitigation measures to accord with updated ecology data; vii) retention of Preserved Horse Chestnut tree fronting Hayes Lane; viii) amended landscaping within development site

DESCRIPTION OF THE SITE

- 1.7 The site is currently the grounds of Welwyn, a small bungalow that sits in a large plot (some 0.83 hectares), located to the east side of Hayes Lane, a 30 mph residential lane. The plot is an irregular L-shape, with its narrower side adjoining Hayes Lane. At the time of visit the site, which is generally flat, was mostly cleared of trees with the exception of the boundaries.
- 1.8 The site is bounded on the western, northern and half of the eastern boundary by back gardens fences of properties along Hayes Lane and Six Acres (a 56 no. two storey dwelling development immediately to the northeast of the site). The remainder of the eastern boundary abuts the open green space south of Six Acres. To the south, the site abuts the Downs Link, a national trail, and the open countryside beyond. A tree-lined mound physically separates the site from the Downs Link.
- 1.9 The southern boundary with the Downs Link is an important feature in the landscape and positively contributes to the amenity of the public bridleway, green approach to the village and its landscape character. It filters some of the views of the site from the Downs Link. There are clear views of the site from residential properties to the north

and west. Only a small section (at the access point) is openly visible from Hayes Lane due to its shape.

- 1.10 The site is approximately 400 metres from the centre of Slinfold, a 'Medium Village' defined in Policy 3 of the HDPF. There is a continuous footpath one side of Hayes Lane which links to other footpaths and leads to the village centre (with post office, school and some shops).
- 1.11 In terms of planning policy constraint, with the exception of its southern end, the site is within the defined Built up Area Boundary. No development is proposed within this southern section, other than increased buffer planting. As such, although part of the site falls outside the settlement boundary of Slinfold, all physical development sits within the settlement boundary therefore the application is not considered to represent a departure from the development plan. The site is within Flood Zone 1, as defined by the Environment Agency, and partly in a Major Hazards Consultation Buffer Zone (due to the presence of Schenectady Europe Ltd within the business park 150m to the west of the site) and within the defined Bat Sustainance Zone. Gaskyns and its associated outbuilding, both Grade II Listed, are approximately 369 metres away east of the site. Slinfold Conservation Area is 385 miles distant to the north. Two Horse Chestnuts trees fronting Hayes Lane are subject of a Preservation Order (TPO/1488).

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990

RELEVANT PLANNING POLICIES

The following Policies are considered to be relevant to the assessment of this application:

National Planning Policy Framework

Horsham District Planning Framework (HDPF 2015)

- Policy 1 - Strategic Policy: Sustainable Development
- Policy 2 - Strategic Policy: Strategic Development
- Policy 3 - Strategic Policy: Development Hierarchy
- Policy 4 - Strategic Policy: Settlement Expansion
- Policy 15 - Strategic Policy: Housing Provision
- Policy 16 - Strategic Policy: Meeting Local Housing Needs
- Policy 24 - Strategic Policy: Environmental Protection
- Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
- Policy 26 - Strategic Policy: Countryside Protection
- Policy 27 - Settlement Coalescence
- Policy 31 - Green Infrastructure and Biodiversity
- Policy 32 - Strategic Policy: The Quality of New Development
- Policy 33 - Development Principles
- Policy 34 - Cultural and Heritage Assets
- Policy 35 - Strategic Policy: Climate Change
- Policy 37 - Sustainable Construction
- Policy 38 - Strategic Policy: Flooding
- Policy 39 - Strategic Policy: Infrastructure Provision
- Policy 40 - Sustainable Transport
- Policy 41 - Parking

West Sussex Joint Minerals Local Plan (July 2018)
West Sussex Waste Local Plan (2014)

Parish Design Guidance
Slinfold Parish Design Statement (July 2006)

Supplementary Planning Document

Planning Obligations and Affordable Housing (2017)
Community Infrastructure Levy (CIL) Charging Schedule (2017)

RELEVANT NEIGHBOURHOOD PLAN

Slinfold Parish has produced a Neighbourhood Plan 2014 – 2031 which passed referendum in July 2018. Currently, it is anticipated the Plan will be formally 'made' at Full Council at the earliest opportunity. The Plan does not include any reference to the application site. Its relevant policies set out that development proposals will be supported:-

- Policy 3: Green Infrastructure
- Policy 4: Conserve and Enhance Biodiversity
- Policy 5: Development Principles
- Policy 6: Housing Mix

PLANNING HISTORY AND RELEVANT APPLICATIONS

None relevant

3. OUTCOME OF CONSULTATIONS

- 3.1 Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

INTERNAL CONSULTATIONS

HDC Strategic Planning: Comment (summarised)

The site is located within the BUAB of Slinfold, a medium village as defined by policy 3 of the HDPF. The policy allows for development within towns and villages with defined BUABs, so long as it is considered to be of an appropriate nature and scale to maintain characteristics and function of the settlement.

Policy 15 of the HDPF (Strategic Policy: Housing Provision) sets out explicitly where provision will be made for at least 16,000 homes within the plan period. This development would contribute towards the 750 units identified through windfall development.

Policy 16 (3a) of the HDPF requires, on sites providing 15 or more dwellings, or on sites of over 0.5 hectares, 35% of all dwellings to be affordable. This application provides for 2 affordable units out of a total of 13, which represents 15% affordable housing. The application is therefore contrary to Policy 16 (3a). 5 affordable units would have to be provided to be compliant with Policy 16 (3a).

The application is not included within the emerging Slinfold NDP, however is considered acceptable in principle, subject to the comments made in relation to the application being contrary to Policy 16 (3a), and the Case Officer being satisfied that the application accords with Policies 32 (Quality of New Development), 33 (Development Principles). The Case Officer would also have to be satisfied that Policy 16 (2) was met viz. that the mix of different housing types and sizes for the site was appropriate in terms of the established character and density of the neighbourhood.

HDC Landscape Architect: Comment (summarised):

Recent design revisions and additional trees are welcomed but concerns are raised with the proposals along southern boundary. Given close proximity of the proposed road to G1, it is not clear how the mound slope will be dealt without removal of whole of G1. Removal will allow for views into development from the Downs Link. This will significantly change its amenity value. The development will result in adverse harm and this should be given consideration.

Also draw your attention to importance of buffer along eastern boundary. Planting should be added to immediately adjacent open space to enhance. Whilst this requires for tree planting/hedgerow planting to be added outside of the red line boundary this may be something the applicant is amenable to provide. This is even more significant on the western boundary.

A detailed landscape scheme has not been provided and it is expected these details will be dealt by condition should the development be allowed. Condition: hard and soft landscaping; landscape management and maintenance plan; fencing; landscape details.

HDC Environmental Health: Comment (summarised):

Recommend following conditions if application is approved: development shall not commence until a Construction Environmental Management Plan (CEMP) has been approved; if contamination not previously identified is found, the developer submits a remediation strategy detailing how this shall be dealt with; no soils shall be imported or re-used until demonstrated their suitability for the proposed use; all site clearance wastes and construction waste shall be removed from site

HDC Housing: No Objection (summarised)

The applicant has proposed a development consisting of 14 dwellings. Of these the applicant has proposed 3 units (21%) of affordable housing.

Given the number of affordable units proposed the applicant will find a limited number of Registered Providers willing to offer on the site. On this basis Housing Officers would support the provision of two intermediate tenure units and one affordable rented unit.

No mention is made of a potential affordable housing provider, and Housing Officers would urge the applicant to reach an agreement with a provider as soon as possible, in order to clarify and confirm tenure split, and secure funding arrangements for the affordable homes and ensure the layout and specifications of the affordable units meet the provider's requirements.

HDC Drainage Engineer: No Objection (summarised):

No additional comments to make. Impose pre-commencement condition (foul and surface water)

HDC Arboricultural Officer Comment (summarised):

The two amended drawings confirm a revised intention to retain both of the two Horse Chestnut trees at the western extremity of the site, trees protected under tree preservation order. Given these trees are now to be retained, I am happy to withdraw my objection. Other trees on site are of very modest merit, and extremely limited public amenity value. Proposed layout is designed to minimise shadowing upon rear residential gardens.

OUTSIDE AGENCIES

WSCC Highways: No Objection (summarised)

Initial comments:

WSCC raise no existing highway safety issues; no recorded casualties or collisions in the last 3 years in vicinity of site, no changes required to existing access, and principle of new access accepted as visibility meets required standards for 30mph road. Recommended 37 spaces are provided overall. Plan indicates total of 40 spaces. Stage 1 Road Safety Audit required, and further layout plan if applicant intends to put the internal access road up for adoption. Swept path drawing would confirm if turning head is acceptable for use by emergency services and refuse collection.

Final comments: No Objection

Submitted Road Safety Audit revealed 1 problem related to potential for parking on verges outside the access. The designer has responded by assuring the verge will be removed as part of the access works, and additional visitor spaces provided in the access road itself.

WSCC Right of Way: No Objection (summarised)

The Downs Link is a public bridleway that crosses land that is in private ownership. It would be necessary for the Applicant to have secured private rights of access from the landowner. This section of the Downs Link is well used, particularly by walkers and cyclists, and this location is quite dark. An access point must therefore have adequate sight lines to ensure the safety of public users. The exact location of an access point would therefore have to be agreed with WSCC to ensure its suitability, in advance of construction.

The access point must be designed so that it prohibits access by motor vehicles to the Downs Link. The maintenance of any structure that forms the access point, or any part thereof, would be entirely the responsibility of the Applicant to maintain.

Ecology Consultant: No Objection (summarised)

Initial comments:

Further information requested re: dormouse, foraging and commuting bats and habitats Regulations, Reptiles. Welcome retention of mature trees and shrub along the boundaries.

Final comments:

Data search results and interpretation have been provided. These confirm that dormice are not considered to represent a constraint, and that significant impacts to foraging and commuting bats (including those from nearby designated sites) are unlikely; and provide further details regarding proposed reptile mitigation. In event LPA minded to grant planning permission, a planning condition is proposed to secure site clearance and enhancements in accordance with Section 6 of the Preliminary Ecological Appraisal and Reptile Report.

Southern Water: No Objection

WSCC Flood Risk Management: No Objection (summarised):

Site at low risk from surface water flooding. Majority of development at low risk from ground water flooding. Existing surface water flow paths across site must be maintained or appropriate mitigation strategies proposed. Wholesale site level rise via the spreading of excavated material should be avoided. Proposed that sustainable drainage techniques be used to control surface water run-off from this development, with discharge to the main sewer at Greenfield rates. This method would, in principle, meet the requirements of the NPPF and associated guidance documents.

NHS Horsham & Mid Sussex Clinical Commissioning Group: No Objection

Health and Safety Executive No Objection (summarised):

Does not advise, on safety grounds, against the granting of planning permission in this case of a certain development within the Consultation Distance of a Major Hazard Site.

MEMBER CONSULTATIONS

Councillor Youtan requested this application be determined by Planning Committee.

PUBLIC CONSULTATIONS

Slinfold Parish Council: Objection

Slinfold Parish Council asks HDC REFUSE this application, but does support principle of this being development. Amendments to satisfy the points below likely to be supported (summarised):

Drainage: NPPF states development should give “priority to use of sustainable drainage systems”. Development proposes no surface water attenuation and to discharge straight into the sewer network unacceptable. Empirical evidence suggests there is not sufficient capacity. A balancing pond would constitute a sustainable drainage solution. When Six Acres built, there was substantial flooding. Surface water drained from the orchard (now removed), immersing the gardens from 50 to 47 Six Acres in water. HDC requested drainage works to the orchard. These houses will be subject to flooding without a preventative measure.

Ecology: Plans suggest removal of one of two TPO’s on Chestnut trees at front of site. Suggested life span of 10 years is highly speculative. Insufficient justification for removal. Removal of 48 trees from site already occurred. Desire to maintain an aligned street frontage does not outweigh preservation of these trees. Hayes Lane has staggered frontages and to retain the trees is consistent with rural character of lane. Management of invasive plant Montbretia should be mandated through condition. Bats regularly sighted.

Parking: Insufficient parking and will cause extra problems with loss of current parking outside the site. Appreciate street parking is causal and unprotected. However the provision of additional parking would help mitigate the impact of lost parking availability.

Mix of Housing: Current housing mix is not supported. Emerging Neighbourhood Plan details a suitable mix of 1, 2, 3, and 4 bed dwellings. Proposals has 7 no. 4+ beds and 6 no. 3 beds. Discussion on provisions of maisonettes not come forward.

Design: Gable to plot 4 over-imposing and blank. Garden separation by fencing not shown on plans. Resolution by condition.

Fifteen (15) no. letters of objection from Thirteen (13) different residential addresses have been received, including one letter made on behalf of three residential addresses. The letters raise the following issues;

- Destruction of a beautiful piece of countryside and beautiful historic house.
- Overdevelopment.
- Inappropriate in this location and would be a strain on existing infrastructure, including the local school.
- New houses fronting Haynes Lane unsympathetic with architectural view of lane (Victorian and synonymous with closure of the railway)
- Hayes Lane floods and extra runoff of water will add to this problem.
- When Six Acres built, gardens which back onto Welwyn flooded. In response drainage trench built. Require a suitable provision be included to ensure trench is protected.
- Already difficult to exit driveways due to on-street parking. Better to provide new access from Six Acres estate to rear
- Hayes Lane is very narrow and difficult for two cars to pass each other. Often parking on kerbs
- Hayes Lane will not be able to cope with the increased traffic associated with the proposed development, as well as 23 houses built at Hayeswood Development and 30 houses allocated as part of the Neighbourhood Plan.

- Not enough parking within development. The development will compromise existing on-street car parking arrangements, exacerbating existing problems in Hayes Lane.
- Extra noise caused by new homeowners would be detrimental to living conditions
- Construction noise and disturbance needs to be limited. Been an issue for 7 years.
- During build out of Hayeswood development, construction vehicles mounted the kerb putting pedestrians at risk.
- Overshadowing of south-facing neighbouring gardens
- Loss of privacy and neighbouring gardens overlooked. Suitable evergreen shrubbery should be planted to provide barrier
- Loss of trees has impacted on wildlife
- Invasive plant montbretia needs management
- TPO trees fronting Hayes Lane should be retained

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS

- 4.1 Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application, Consideration of Human rights forms part of the planning assessment below.

5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

- 5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

6. PLANNING ASSESSMENT

- 6.1 The main issues to consider in the determination of this application are the principle of the development in land use terms, having regard to identified housing need in the District; impact on the character and visual amenity of the locality; the appropriateness of the mix of dwellings proposed; the impact on the amenity of existing neighbouring occupiers and future residents; the impact of the development on the setting of nearby Listed Buildings; whether safe vehicular and pedestrian access can be provided to the site and the impact of the development on highway and pedestrian safety and; whether the development can be delivered without harming the interests of nature conservation, flooding and land contamination.

Principle of Development

- 6.2 The HDPF sets the strategy for growth within the District to 2031. It is the Council's position that it can demonstrate a five year housing land supply.
- 6.3 The application site is located within the Built up Area Boundary of Slinfold, a medium village as defined by policy 3 of the HDPF. Policy 3 of the HDPF (Strategic Policy: Development Hierarchy) confirms that development will be approved within towns and villages which have defined built up areas, provided it is of an appropriate nature and scale to maintain the characteristics and function of the settlement. This is considered to be the case here as discussed below. On this basis, and subject to all other material considerations as discussed below, the principle of development of the site for additional housing can be supported. It is noted that Hayes Lane was been judged to be a suitable location for additional residential development in the recent past; in 2014 permission to the rear of 1–25 Hayes Lane southwest of the site was approved for 23 dwellings and community facilities (DC/13/2042).

- 6.4 The Slinfold Neighbourhood has passed referendum and so carries near full weight in decision-taking. The application site is not included within the Neighbourhood Plan, however the Plan does not exclude appropriate development within settlement boundaries in accordance with Policy 3 of the HDPF. It is noted that Hayes Lane has been assessed through the neighbourhood plan process and a site south of this application site has been allocated for residential development for up to 15 units on land on the south side of the Downs Link Policy 8).

Impact on Character and the Visual Amenity

- 6.5 The Horsham District Landscape Capacity Assessment (2014) categories the area as having a low to moderate capacity for small scale housing due to the many landscape features and qualities of the area. The Assessment is explicit in its requirement to consider each proposal on its individual merits.
- 6.6 The existing site forms a large parcel of land that is now mostly cleared of trees with the exception of the boundaries. The small bungalow building on it is not of particular design merit and is set well back from the street frontage. It makes very little contribution to the character of Hayes Lane. The plot is significantly larger than surrounding plots and its irregular L shape is uncharacteristic. The surrounding housing is generally two storeys in scale (some with rooms in the roof). It comprises modern detached family houses at Six Acres, and smaller semi-detached pairs fronting Hayes Lane interspersed with detached, all of varied age.
- 6.7 The layout of the proposal has been amended to carefully locate and design the new development to retain a sizeable buffer of additional planting between it and the Downs Link. The exact detailing of the treatment of the mound to the southern boundary and the supplementary planting is to be secured by condition. At this point along the Downs Link users of the Link would perceive the new houses behind this planting and within their sub-urban context – that being on the edge of an existing settlement.
- 6.8 The new housing is considered a satisfactory response to the architectural and street-scene characteristics of its surroundings, as identified in the Slinfold Parish Design Statement. The brick exterior and detailing of the new buildings is compliant with the assessment of Hayes Lane set out in the Design Statement (in particular pages 12 and 13) The building design reflects the local vernacular, as does their two storey scale. The new terrace would front Hayes Lane, reflecting the linear arrangement and massing of buildings along the Hayes Lane. Views of the site are relatively constrained by boundary vegetation, with only glimpses of the site available from Hayes Lane and other vantage points. This means the dispersal of the remaining units across the site would not be perceived as being at odds with the established pattern of development in this part of Hayes Lane. It also allows for a differing ratio of built development to open land – one that is more akin to Six Acres than Hayes Lane. These subtleties in design and layout enhance the scheme's 'sense of place' whilst not derogating the transition between the suburban context of Six Acres and the countryside to the south and east.
- 6.9 Due to the siting of the proposed development and the separation distances involved, it is not considered the proposal will harm the special and historic character and appearance of any Designated Heritage Assets in the area, or their settings (and the relevant statutory tests related to their settings have been satisfied).
- 6.10 The plans indicate the existing tree group which along the entire southern boundary to be retained (annotated as G1). However, the Landscape Architect has advised that given the close proximity of the proposed access driveway it is not clear how the mound slope will be dealt without the removal of part of this tree group. The proposed

access would cut into the mound at its north-westernmost extremity necessitating some loss of vegetation, although the plans indicate the retention of the main trees at this point, and replacement planting.

- 6.11 As a result of this partial loss of vegetation, the proposal would allow for some increased views of the development from the Downs Link for the time it takes for the replacement planting to mature. However at this point the Downs Link opens out onto Hayes Lane where the western side is already built up and clearly urbanised. As such the short truncation of the mounding and removal of some of the vegetation at this point would not excessively urbanise the setting of the Downs Link at this point, particularly given the replacement planting that is proposed.
- 6.12 It is considered that any future pressures to remove trees to be retained in the rear gardens of the new dwellings would be eased by the garden depths. The eastern vegetation buffer to the adjacent open space is already established with much of the planting sitting outside the application site, thereby providing an adequate screen. It is not considered necessary to supplement this further in order to make the proposed development acceptable in planning terms.
- 6.13 Subject to conditions requiring final details of all trees to be retained, and condition to secure new planting as part of the landscaping for the development, the proposal would not harm the setting of the site, including that or the Downs Link.
- 6.14 For these reasons, the proposed development is of suitable design, scale and layout that would serve to protect the amenity value and character of the Downs Link and complement the character and visual amenity of the surrounding area, Heritage Assets, and wider countryside, in compliance with the requirements of both local and national planning policy.

Dwelling Mix and Affordable Housing

- 6.15 Policy 16 of the HDPF seeks to achieve a mix of housing sizes, types and tenures to meet the needs of the district's communities. The policy states that the appropriate mix will depend upon the established character and density of the neighbourhood. Policy 6 'Housing Mix' of the Slinfold Neighbourhood Plan supports housing developments which provide a suitable mix of one, two, three and four bed dwellings. The pre-text to this policy identifies a demand for medium sized properties, with the public consultation on the Plan highlighted a preference for single person properties as well as 3/4 bed properties. Consequently the Plan does not set out a preferred mix. The Council's 2016 Market Housing Mix study recommends that rural housing schemes are weighted in favour of 1, 2 and 3-bed properties.
- 6.16 The proposed housing mix would comprise 3 no 2 bed, 4 no. 3 bed, 6 no. 4 bed, and 1 no. 5 bed, including three 2-bed affordable units. Although the scheme provides for 7 dwellings with four bedrooms or more, given the broad housing need identified in the Neighbourhood Plan, and the established character of the immediate area being one of family homes, the proposed mix is considered to be in line with the requirements of the Neighbourhood Plan and Policy 16.
- 6.17 In terms of affordable housing, Policy 16 sets out the Council's thresholds and targets. On sites providing up to 14 dwellings, Policy 16(3b) requires 20% of dwellings to be affordable. In the development proposal, 3 no. 2 bed units would be affordable homes (1 x affordable rent and 2 x shared ownership). This equates to 21%.
- 6.18 It is noted that Policy 16(3a) requires sites of 15 or more dwellings, or more than 0.5ha in size to provide 35% affordable housing. The underlying purpose of including

a 0.5ha threshold is to avoid applicants underdeveloping sites to avoid the higher affordable housing requirement. In this instance there is no indication an intentional underdevelopment of this 0.86ha site has occurred. The southern end of the site, some 0.15ha, forms part of the Downs Link buffer and is not proposed to be physically developed to avoid harm to the setting of this public bridleway. Its inclusion within the application site is purely to allow for appropriate boundary planting and pedestrian links to the Downs Link to be provided and re-enforced. Furthermore, the layout, dwelling sizes and gardens of all proposed dwellings are closely commensurate to that which prevails in the surrounding area. Consequently it is considered that the density of development accurately complements that of the area such that no underdevelopment has occurred. Accordingly it is considered appropriate to apply the 20% affordable housing threshold as required for developments of 14 units under Policy 16(3b).

- 6.19 The proposed affordable housing reflects unit size requirements and waiting list demands, particularly for smaller homes (2 bed properties), as set out in the Council Planning Obligations and Affordable Housing SPD (2017). The overall affordable housing tenure target is to provide 70% of the total as Social/Affordable rented properties and 30% as Intermediate/shared ownership properties which in this case requires 2 x affordable rented units and 1 x intermediate (shared ownership) tenure.
- 6.20 The Planning Obligations and Affordable Housing SPD (2017) recognises that on smaller sites the Council may negotiate a revised mix having regard to the overall target and the site specifics, and in order to facilitate on-site delivery rather than commuted sums.
- 6.21 The applicant has approached seven Registered Providers with only two returns of interest. Following negotiations with these Registered Providers, the applicant is looking to secure a tenure mix of 1 x affordable rent unit and 2 x shared ownership. The applicant has received offer on this basis from one of the Registered Providers.
- 6.22 The Council's Housing Officer recognises that given the number of affordable units proposed the applicant will find a limited number of Registered Providers willing to offer on the site. This has proved to be the case. More positively, a Registered Provider has expressed an interest in taking on these 3 units, including one as affordable rent. On this basis, Housing Officers support this tenure mix. Given this, it is considered that the proposed tenure split can be accepted in this instance. The provision of affordable housing on site, if achieved, would be a significant benefit to the scheme.

Impact of the Amenity of Existing and Prospective Occupiers

- 6.23 The neighbours principally impacted upon by the proposed development are those that abut the site to the north and east (Six Acres), and west along Hayes Lane. Outlook across the area of land that would be developed will, inevitably, be altered and there would be a greater propensity for mutual overlooking.
- 6.24 Given the careful orientation of the new buildings and the intervening garden distances, it is considered intrusive rear window-to-window overlooking and unacceptable loss of privacy would be avoided. The shortest intervening garden distance in relation to Six Acres would be some 21 metres (between the new unit 8 and No. 49 Six Acres). The distances in relation to Hayes Lane are more generous still; some 35 metres plus. Such distances are commensurate to those already established in the area and would be sufficient to negate adverse overshadowing and overbearing impacts in line with the Council's design guidance. The proposed terrace

would sit alongside 1 Council Cottages and as such would not result in a harmful loss of light or outlook to this property.

- 6.25 The most sensitive relationship would be between new units 9 and 10 with No. 44 Six Acres. No. 44 Six Acres has a number of first floor windows facing due west across the application site. The proposed development layout places units 9 and 10 at a suitable diagonal to this window such that given the separations it is not considered that a harmful level of inter-overlooking would occur.
- 6.27 Due to the acceptable separation distances involved and the relationship of the development onto existing properties, the comings and goings of vehicles or the use of the parking areas and rear gardens, would not result in unacceptable levels of disturbance to neighbours, including those directly opposite the proposed access.
- 6.28 Each new dwelling is of a good size with good access to natural light and outlook, and each would have its own rear garden. As such the development has been designed in such a way so as to ensure a pleasant living environment for prospective occupiers.
- 6.29 Concerns have been raised over the impact of construction works on the amenities of existing residents. A comprehensive Construction Environmental Management Plan (CEMP) is recommended by condition to help reduce noise, dust, and disturbance impacts during the construction phase. This would include limiting the hours of construction and deliveries, and control of the parking of contractors vehicles and storage of materials. The controls and measures of this CEMP would be sufficient to safeguard the amenities of existing residents.
- 6.30 Subject to this condition, the proposed development would have an acceptable impact on the amenities of adjacent residents in accordance with Policies 32 & 33 of the HDPF.

Access, Parking and Highway Safety

- 6.31 Evidence from site visits suggest demand for on street parking is already high in the local area, with vehicles parked on the verges and straddling the footway. The new access would remove some current informal on-street parking capacity. In order to address this, 4 additional on-street spaces are now proposed within the development site itself, close to the new access. Overall, the scheme would provide for 21 car parking spaces, 15 garaged spaces, and 6 unallocated spaces, making a total of 42. This is considered an appropriate level of parking across the site to avoid overspill parking in the local road network and is in excess of the WSCC recommended 36 spaces.
- 6.32 Amended plans have overcome the concern identified in the Stage 1 Safety Audit relating to potential parking on the verges outside the new access. The designated 4 space parking bay within the development site itself will ensure that suitable visibility splays can be achieved for the new site access. It also means the new access and visibility splays would not result in a net loss of on-street car parking on Hayes Lane. This will ensure that there is no displacement of existing on-street parking (which is important given the local demand).
- 6.33 The other issue raised by the Safety Audit relates to the provision of raised kerbs immediately to the north and south of new access, with dropped kerbs only provided outside the private access and Downs Link crossing point. This will be addressed through the necessary S278 highways agreement. In light of the above amendments, the Highway Authority is satisfied the proposed access arrangements are now

acceptable. The visibility at the site access and low vehicle speeds on Hayes Lane, and the access location relative to existing junctions, means highway and pedestrian safety will not be harmed. The provision and subsequent retention of the new parking bay within the development site could be secured by condition.

- 6.34 The Transport Statement indicates the development will result in a net increase of 10 vehicular trips during the morning peak hour and eight vehicle trips during the evening peak hour. Over a daily profile this could amount to an additional 77 vehicle movements. These comings and goings associated with the development would not have a harmful impact on traffic flows or contribute to traffic congestion on the local road network. There is adequate spare capacity in the local road network to accommodate the associated additional vehicle movements, without harmful impact on the safe operation of the highway, even having regard to the narrower sections of Hayes Lane.
- 6.35 It is considered that sufficient space would be made available within the garages or rear gardens of properties to provide suitable facilities for the storage of cycles and refuse/recycling bins. WSCC are satisfied the proposed garages meet their standards, which all have rear access so refuse can be stored in the rear garden and wheel through on day of collection to kerb site.
- 6.36 For these reasons the proposed development would have an acceptable impact on highway safety and the amenity of the area, providing sufficient onsite parking, in accordance with Policies 40 and 41 of the HDPF.

Ecology and Biodiversity

- 6.37 The applicant has undertaken ecological surveys that have established the impact of the proposal on protected species and their habitat, including whether the site provides foraging ground for bats. The surveys have been undertaken in accordance with best practice guidance. The Council's Ecologist considers these reliable and suitable to inform appropriate mitigation strategies.
- 6.38 Habitats within the site boundary are common. No protected bird species were found to be present and using the site. Nesting tree and scrub habitat would be enhanced by the proposed planting along the south boundary, which will improve connectivity of the site to the wider landscape. The Ecology report concluded capacity of bat foraging within the site boundary is likely to only support low numbers of common species; the flight lines of foraging barbastelle bats roosting in The Mens SAC Woodland do not reach the site. The Reptile Survey recorded a small population of slow worms and an individual common lizard.
- 6.39 Mitigation measures have been put forward (including the translocation of reptiles and the maintenance and management of suitable wildlife/landscape buffers around the perimeters of the site) to protect the nature conservation interests of the site. Through consultation with the Council's Ecologist, it is considered any harmful impacts of the development on protected species and their habitat could be adequately mitigated in accordance with the recommendations of the Preliminary Ecological Appraisal and Reptile Survey Report. These mitigations are secured by condition.

Drainage

- 6.40 Although the final details would be reserved by condition, the intent is to provide a Sustainable Urban Drainage System (SUDS) to address surface water quantity and quality. The sustainable drainage system would include permeable paving combined with below ground attenuation crates to provide temporary storage for run-off water

from the site during rainfall events, before releasing the water into the downstream sewer or watercourse, at a controlled rate to match current run-off conditions

- 6.41 The Council's Drainage Technician has confirmed the proposed drainage strategy is acceptable and appropriate and that the final details could be controlled through condition. Subject to this condition the proposed development would not increase the risk of flooding in the site or local area in accordance with local and national policy

Conclusion

- 6.42 The site is not allocated in either the HDPF or the emerging Slinfold Neighbourhood Plan. However, the development of this site is within the Built up Area Boundary of Slinfold and is therefore in compliance with the HDPF spatial strategy.
- 6.43 This proposal would inevitably change the character of the site and its immediate surroundings, however any harm is considered to be limited by virtue of the orientation and layout of the proposed dwellings on the site and the proposal for a landscape buffer to the southern end of the site. Overall the proposal would suitably preserve the key landscape characteristics of the area and be of a layout and design that would complement the character of this part of Slinfold. The proposed development will deliver 3 affordable units on-site, including one affordable rent unit which in this instance is considered an acceptable level of affordable housing.
- 6.44 There are several material considerations that weight in favour of development, including the contribution the development would make toward housing supply in the Parish of Slinfold and the wider district, and the capacity within the local highway network to safely cater for the development. In addition, the impacts can be suitably protected through the suggested conditions to control hours of construction operation and to secure final design and landscape details. It is considered no material harm would arise onto other material planning considerations, including; neighbouring amenity, parking and highway safety, ecology, drainage, and designated Heritage Assets.
- 6.45 For these reasons the application is recommended for approval.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017.

It is considered that this development constitutes CIL liable development. At the time of drafting this report the proposal involves the following:

Use Description	Proposed	Existing	Net Gain
District Wide Zone 1	1944	115.1	1828.9
		Total Gain	
		Total Demolition	115

Please note that exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

7. RECOMMENDATIONS

That planning permission be approved, subject to the completion of a S106 agreement to secure the provision of on-site affordable housing and the following conditions:

Conditions:

1. **Regulatory Condition:** Approved Plans List
2. **Regulatory Condition:** The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

3. **Pre-Commencement Condition:** No development shall take place, including any works of demolition, until a Construction Environmental Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. The approved CEMP shall be adhered to throughout the construction period and relevant phase. The CEMP shall provide for, but not be limited to:
 - i. An introduction consisting of a description of the construction programme, definitions and abbreviations and project description and location;
 - ii. Details of how residents will be advised of site management contact details and responsibilities
 - iii. Detailed site logistics arrangements, including location of site compounds, location for the loading and unloading of plant and materials, site offices (including height and scale), and storage of plant and materials (including any stripped topsoil)
 - iv. Details regarding parking or site operatives and visitors, deliveries, and storage;
 - v. The method of access to and from the construction site
 - vi. The arrangements for public consultation and liaison prior to and during the demolition and construction works – newsletters, fliers etc.
 - vii. Details of any floodlighting, including location, height, type and direction of light sources, hours of operation and intensity of illumination
 - viii. Locations and details for the provision of wheel washing facilities

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers and highway safety during construction and in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

4. **Pre-Commencement Condition:** No development shall commence, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, until an Arboricultural Method Statement detailing all trees/hedgerows on site and adjacent to the site to be retained during construction works, and measures to provide for their protection throughout all construction works, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented and thereafter carried out at all times strictly in accordance with the agreed details. Any trees or hedges to be retained on the site which die or become damaged during the construction process shall be replaced with trees or hedging plants of a type, size and in positions agreed by the Local Planning Authority.

Reason: As this matter is fundamental to ensure the successful and satisfactory retention of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

5. **Pre-Commencement Condition:** No development shall commence until precise details of the existing and proposed finished floor levels and external ground levels of the development in relation to nearby datum points adjoining the application site have been submitted to and

approved by the Local Planning Authority in writing. The development shall be completed in accordance with the approved details.

Reason: As this matter is fundamental to control the development in detail in the interests of amenity and visual impact and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

6. **Pre-commencement Condition:** No development shall take place, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, unless in strict accordance with the ecological mitigation and enhancement recommendations set out in the ARB1000: Preliminary Ecological Appraisal and Bat Building Assessment dated 11th Dec, separate letter ARB1000_Welwyn Slinfold dated 29th June 2018, and AEB100: Reptile Survey Report dated 9th July 2018 by ARBECO Ltd.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015).

7. **Pre-Commencement Condition:** No development shall take place until a drainage strategy detailing the proposed means of foul and surface water disposal by way of a Sustainable Drainage System (SuD) methodology that would also restrict surface water draining onto the public highway has been submitted to and approved in writing by the Local Planning Authority. The SuDs drainage strategy so approved shall be completed prior to the occupation of the dwelling houses hereby permitted.

Reason: As this matter is fundamental to ensure that the development is properly drained and in the interests of road safety to comply with Policies 38 and 40 of the Horsham District Planning Framework (2015).

8. **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the buildings has been approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted shall conform to those approved.

Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015).

9. **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until confirmation has been submitted, in writing, to the Local Planning Authority that the relevant Building Control body will be requiring the optional standard for water usage across the development. The dwellings hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to 110 litres per person per day. The subsequently approved water limiting measures shall thereafter be retained.

Reason: As this matter is fundamental to limit water use in order to improve the sustainability of the development in accordance with Policy 37 of the Horsham District Planning Framework (2015).

10. **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

- Details of all retained and proposed planting and seeding, including schedules specifying species, planting size, densities and plant numbers, and tree pit and staking/underground guying details
- Details of all hard surfacing materials and finishes
- Details of all boundary treatments
- Details of all external lighting

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Any plants, which within a period of 5 years, 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: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

11. **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, a landscape management and maintenance plan (including long term design objectives, management responsibilities, a description of landscape components, management prescriptions, maintenance schedules and accompanying plan delineating areas of responsibility) for all communal landscape areas shall be submitted to and approved in writing by the Local Planning Authority. The landscape areas shall thereafter be managed and maintained in accordance with the approved details.

Reason: To ensure a satisfactory development and in the interests of visual amenity and nature conservation in accordance with Policy 33 of the Horsham District Planning Framework (2015).

12. **Pre-Occupation Condition:** Prior to the first occupation of each dwelling, the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabytes per second through full fibre broadband connection shall be provided to the premises.

Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

13. **Pre-Occupation Condition:** No dwelling hereby permitted shall be first occupied unless and until provision for the storage of bicycles, refuse and recycling has been provided within the garage or side or rear garden for that dwelling. The facilities shall thereafter be retained for use at all times.

Reason: To ensure the adequate provision of bicycles, refuse and recycling facilities in accordance with Policies 33 & 41 of the Horsham District Planning Framework (2015).

14. **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the car parking spaces (including garages where applicable), turning and access facilities necessary to serve it have been constructed and made available for use in accordance with the approved drawings. The car parking spaces permitted shall thereafter be retained as such for their designated use.

Reason: To provide car-parking space for the use in accordance with Policy 40 of the Horsham District Planning Framework (2015).

15. **Pre-Occupation Condition:** No dwelling hereby permitted shall be first occupied until the vehicular access serving the development has been constructed in accordance with the approved planning drawings. The access shall include a rumble strip to delineate the start of

the shared surface arrangements and include all Road Safety Audit recommendations. The proposed site vehicular access shall provide for visibility splays of 2.4 metres by 43 metres and pedestrian visibility splays of 2 metres by 2 metres onto Hayes Lane. Once provided the access and visibility splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

16. **Pre-Occupation Condition:** The dwelling unit 9 hereby permitted shall not be occupied until the first floor en-suite window in the east elevation has been fitted with obscured glazing. No part of that window that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Once installed the obscured glazing and non-openable parts of those windows shall be retained permanently thereafter.

Reason: To protect the privacy of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

17. **Pre-Occupation Condition:** No dwelling hereby permitted shall be first occupied until details of the footpath connections from the site to the adjacent PRow (Downs Link) and open space south of Six Acres as detailed on drawing no. 18-415-04 Rev E received on 30 July 2018 have been submitted to and approved in writing by the Local Planning Authority. The footpath links shall be constructed in accordance with the approved plans and details and be open for use concurrent with first occupation of the development. The footpath links shall be retained as such thereafter.

Reason: To ensure the connectivity of the site with surrounding infrastructure and safeguard the rights and safety of the public using the PRow network in accordance with Policies 32 & 33 of the Horsham District Planning Framework (2015).

18. **Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays

Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

19. **Regulatory Condition:** If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy has been submitted to and approved by the local planning authority detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason: To ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

20. **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or Orders amending or revoking and re-enacting the same, no gate, fence, wall or other means of enclosure shall be erected or constructed in front of the forward most part of any proposed building which fronts onto a highway without express planning consent from the Local Planning Authority first being obtained.

Reason: In order to safeguard the character and visual amenities of the new development in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Background Papers: DC/18/0995