



PLANNING COMMITTEE REPORT

TO: Planning Committee (North)

BY: Head of Development

DATE: 4th June 2019

DEVELOPMENT: Demolition of existing 6.no dwellings and erection of 18.no flats and 3.no houses with associated car parking and external works

SITE: Land at Bennetts Road Horsham West Sussex RH13 5LA

WARD: Horsham Park (changed to Forest at beginning of May 2019)

APPLICATION: DC/19/0153

APPLICANT: **Name:** Saxon Weald **Address:** c/o The agent

REASON FOR INCLUSION ON THE AGENDA: More than eight persons in different households have made written representations raising material planning considerations that are inconsistent with the recommendation of the Head of Development.

RECOMMENDATION: To delegate authority to the Head of Development to grant planning permission subject to appropriate conditions, the satisfactory completion of the additional bat survey, and the completion of a s106 legal agreement to secure necessary highways works and to secure the provision of 100% affordable rented units.

In the event that the legal agreement is not completed within three 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

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application proposes the demolition of 6 existing semi-detached properties and the erection of a new development of 21 residential units (3x houses and 18x flats) with associated car parking for 25 cars, and integral refuse and cycle storage. The 21 residential units would comprise the following mix, and are all proposed as housing for affordable rent:

- Four 1-bed flats
- Fourteen 2-bed flats
- Three 3-bed houses

- 1.3 The proposed units are arranged in a block occupying a 0.21Ha corner plot linking Bennetts Road and Elm Grove. The block is proposed to range from 2 to 3 storeys in height, and comprises a mix of flat and pitched roofs. The highest part of the proposal is a 3-storey flat roof element fronting the main corner of the plot, measuring 10.2m in height. The pitched-roof element on the Bennetts Road elevation measures 9.3m to ridge, with the eaves measuring approximately 5.5m. The sections of the block along the Elm Grove elevation ranges in overall height including sections measuring 10.2m, 9.5m, and reducing to 9.1m in height at units 1 and 2. Two small dormer windows providing accommodation in the roof-space for the 3-bed houses at units 1, 2 are proposed, and several balconies are shown serving flats facing the Elm Grove elevation. Rear gardens (with sheds) are proposed for the three 3-bed houses. There are 2 balconies facing the rear of the building serving units 19 and 20.
- 1.4 The external materials proposed include facing red brick, horizontal light grey cladding, grey roof tiles, and light grey uPVC window frames and rainwater goods. Front doors serving individual units are proposed to be yellow, and communal front doors would be red. Balustrades would be a combination of decorative grey metal features, and railings.
- 1.5 A parking area to the rear of the residential block is accessed from a new vehicular access (via an undercroft) from Elm Grove. The parking area provides a total of 20no. parking bays. In addition, 5 further parking bays with dropped kerbs are proposed to the front of units 1, 2, 17, 18 and 21 with direct access to/from the highway. A covered and secure cycle store is proposed at the ground floor, providing space for 20 bicycles. Adjacent to the cycle store is a covered bin storage area, allowing space for 4x 1100L recycling bins, and an additional bin store is located opposite providing space for a further 2x refuse 1100L bins.
- 1.6 Hard surfacing across the parking area to the rear of the block, as well as bays fronting the building, are proposed to be laid with dark grey herringbone block paving. Private gardens, courtyards and pathways are propose to be laid with light buff paving. The main corner of the site is proposed to be planted with low-level native shrubbery, and low level native hedging and brick walls are proposed to screen the private gardens fronting Elm Grove. Three existing trees on site are proposed for retention, and a further 11 new trees are proposed to be planted.

DESCRIPTION OF THE SITE

- 1.7 The 0.21Ha site is located within the built-up area boundary of Horsham, in a predominantly residential area on the corner of Elm Grove and Bennetts Road, and is approximately 1km from Horsham Town Centre. The wider area is characterised by 2-storey, semi-detached houses (circa 1950s), arranged in regular form and set back from the main road by about 5m. On-street parking is common in the area, but many houses also have off-street parking. Dwellings within the vicinity have pitched roofs and chimneys, and are largely built in red brick with some light coloured render to the front elevations. Opposite the application site are examples of more modern (circa 2008) 3-storey blocks of flats with pitched roofs and dormer/bay window features, in a pale-coloured render finish with red brick detailing, as well as a convenience shop and local butcher.
- 1.8 The application site itself is characterised by mature trees and vegetation to the western boundary, and mature tree coverage is also a feature of much of the internal part of the site. None of the trees are subject to a tree preservation order, and the site is not in a conservation area. Three pairs of 2-storey semi-detached houses are located within the site, with long, south-facing rear gardens. The rear garden of No 2 Bennetts Road is particularly large, and contains the majority of the mature trees on site. The existing houses on site are of a similar age, design, form and character to neighbouring dwellings along Elm Grove and Bennetts Road. The 6 existing properties are owned by Saxon Weald, and whilst some are now vacant, they have all have been occupied by housing association tenants in recent years.

- 1.9 The site is in close proximity to neighbouring dwellings in all directions, and shares physical boundaries with four properties (20 Elm Grove to the south-west, 10 Bennetts Road to the east, and numbers 7 and 8 Fletchers Close to the south-east (rear). The existing boundary treatments between the site and these dwellings are largely defined by 1.8m close-boarded fencing and tree vegetation. Fencing (in conjunction with mature vegetation) also divides the plot boundaries at the rear of the site.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

2.2 RELEVANT PLANNING POLICIES

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

National Planning Policy Framework (NPPF 2019)

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 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 39 - Strategic Policy: Infrastructure Provision
Policy 40 - Sustainable Transport
Policy 41 - Parking

2.3 SUPPLEMENTARY PLANNING GUIDANCE

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

2.4 RELEVANT NEIGHBOURHOOD PLAN

Forest Neighbourhood Council forms part of the Horsham Blueprint Business Neighbourhood Forum which is the designated body of the un-parished area of Horsham Town. The Forum area was formally designated in June 2015 and comprises representatives from Denne Neighbourhood Council, Forest Neighbourhood Council and Trafalgar Neighbourhood Council. The Forum have not reached Regulation 14 draft plan stage yet, therefore the weight that can be afforded to the Neighbourhood Planning process in this location at present is very limited.

2.5 PLANNING HISTORY AND RELEVANT APPLICATIONS

None

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

3.2 INTERNAL CONSULTATIONS

HDC Landscape Architect: No Objection (subject to conditions)

[Summary]: No objection, subject to conditions including: (1) details of soft landscaping (including planting schedule, tree pit details etc.); (2) details of fencing. The principle of a block of flats is supported. Some concern raised with the building line particularly at the corner by virtue of its encroachment into existing open space to the front. Proposed boundary treatments are not clear, and several submitted documents show discrepancies with each other which can be misrepresentative. There is no mention of proposed boundary treatments to the rear of the site.

HDC Drainage Engineer: No Objection

[Summary]: No overall objection to the drainage strategy submitted, but amendments are required to the surface water elements to reflect current policy and advice for brownfield sites. This includes the provision of a 50% betterment of existing run-off rates.

HDC Waste Collections Manager:

[Summary of initial comments]: 6 x 360 litre bins are inadequate for 14 apartments for a period of a fortnight. The provision for 14 apartments must be 2x 1100L refuse bins and 4x 1100L recycling bins. Concern about separation of the bin stores. Confirmation that access to the bin stores and individual bins is appropriate.

HDC Housing: No Objection

[Summary]: The applicant has worked alongside housing officers to bring forward this proposal as a 100% affordable rented scheme. The proposed units meet the demands of the housing register and is one of the Council's top two areas of greatest demand. The proposal exceeds the affordable housing requirement of HDPF Policy 16 and is fully supported by housing officers.

HDC Arboricultural Officer: No Objection

[Summary]: Verbal comments received 23/4/19. No objection with regard to loss of trees with especial merit, but there may be some potential detriment with regard to local amenity/street scene. The acceptability of this is for the case officer to determine.

HDC Environmental Health: No Objection (subject to conditions)

[Summary]: No objection to the proposal in principle. Acknowledgement that demolition, site clearance and construction activities may cause noise and dust disturbances which have the potential to adversely impact nearby residential amenity. A condition is therefore suggested to require the submission of a Construction Management Plan to demonstrate how noise and other disturbances will be minimised during construction. It is also advised that electric car charging infrastructure is provided to mitigate any increases in air quality emissions (3x fast charging sockets for the houses, and 4x fast charging sockets for the communal parking area).

3.3 OUTSIDE AGENCIES

WSCC Highways: No Objection (subject to conditions)

[Summary of initial comments]: Visibility from Bennetts Road is considered sufficient for the crossovers. The vehicle access onto Elm Grove is adequate to serve the car parking area,

with acceptable visibility splays in both directions. There are no recorded accidents within the last 3 years in this area, and that there is no evidence to suggest that the local highway network is operating unsafely.

The Transport Statement suggests that the development will generate an additional 5 two-way movements in the peak hours. The use of TRICS data to generate this prediction is accepted by the LHA and provides a realistic indication of likely trip generation from the new dwellings. This proposal would not trigger the 30 vehicle movement threshold to warrant formal junction assessments. The LHA considers that the proposal is not anticipated to result in a severe cumulative impact on the operation of the local network.

The LHA have no concerns with the layout. The access proposals are considered suitable as this is a low speed, low traffic environment. The applicant is required to provide swept-path diagrams to show larger vehicles turning paths within the site. Parking provision is in accordance with the WSCC Parking Demand Calculator and is likely to satisfy the demands.

The site benefits from the existing footway network and on-street lighting. Horsham town centre and public transport services are within reasonable walking and cycling distances, and the site is well connected in terms of public transport and local amenities.

The LHA does not consider that the proposed development would have 'severe' residual impact on the operation of the highway network, therefore is not contrary to the NPPF (para 108 and 109). Suggested conditions include: (1) Access to be provided; (2) Car parking to be provided. An informative is also suggested to remind the applicant to formally apply to undertake works to the public highway.

[Summary of subsequent comments]: No objection. The additional information provided demonstrates that large vehicles will not be able to use the parking forecourt, refuse collection will all be kerb side, and electric car charging points can be controlled by condition. On that basis the areas of additional information requested by the LHA have been addressed and the LHA are satisfied the proposals are acceptable.

Ecology Consultant: Comment

[Summary of initial comments]: The ecology reports revealed that 22 Elm Grove has a 'low' potential for bats due a gap within the soffits board which could potentially provide roosting opportunities for bats such as common pipistrelle. It is recommended that a single dusk emergence/dawn re-entry survey is provided during the breeding season for 22 Elm Grove (Building B1) due to its suitability for bats. Without this, it is not considered that there is sufficient ecological information to support a lawful decision on this development proposal. (N.B. this survey is awaited)

Southern Water: No Objection (subject to conditions)

[Summary]: Condition suggested to require details of the proposed means of foul and surface water disposal. Southern Water can facilitate the disposal of surface water runoff, and can provide a water supply to the site. Formal applications are required for connection to the public sewer and mains water supply. Southern Water note that there is an increased risk of flooding unless any required network reinforcement works are undertaken. As such it is recommended that a condition is included to require that the developer works with Southern Water to review if the delivery of the network reinforcement works aligns with the propose occupation of the development.

Forest Neighbourhood Council: No Objection

[Summary of initial comments]: Forest NC does not have any planning objection to the proposal but is concerned that, taking into account the increased traffic, there is lack of highway improvements, particularly the existing junction with Bennetts Road/Elm Grove.

[Summary of subsequent comments]: Concern remains regarding overlooking towards residents to the rear.

CCG (Horsham and Mid Sussex): No Objection

[Summary]: Given the small nature of this planning application we have no objection.

3.4 PUBLIC CONSULTATIONS

During the first round of consultation, 14 letters of representation were received. All letters lodge an objection to the scheme. The Horsham Society were one of these respondents and object to the scheme on the grounds that the design does not serve to enhance the street scene, the massing on the corner is too great, balconies are inappropriate, and elevations are bland and require more colour.

The main reasons for objection cited by others are summarised below:

- Overdevelopment
- Lack of parking
- Design concerns (height, scale, massing, materials)
- Loss of privacy
- Balconies
- Increase in traffic and congestion
- Loss of trade from local shops
- Bin collection issues
- Loss of trees and greenery
- Noise and antisocial behaviour concerns
- Disruption during construction
- Air quality concerns

A second round of consultation was issued upon the submission by the applicant of a revised suite of plans which proposed several design amendments. 5 further letters of representation were received during this consultation period, all objecting to the revised proposal. The main reasons for objection include:

- Impact on privacy (scale / balconies)
- Blocks sunlight
- Density / Overdevelopment
- Insufficient parking
- Unsafe access / visibility
- Not reflective of local character (design and materials)
- Not affordable
- Bin storage issues

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 ASSESSMENTS

Principle of the Development

- 6.1 Policy 3 of the Horsham District Planning Framework (HDPF) sets out a development hierarchy for the District, and classifies settlements according to their characteristics and functions. The site lies within the Built-Up Area Boundary (BUAB) of Horsham which is described within Policy 3 as the District's 'Main Town'. Horsham is noted as having a large range of employment opportunities, services and facilities; and is therefore an area where the general principle of development is acceptable. Policy 3 states that any proposal to redevelop or infill within a defined BUAB is required to demonstrate that it is of an appropriate nature and scale to the main characteristics and function of the settlement. In principle therefore, by virtue of its location and current developed nature of the site; the proposed residential re-development of this site is considered to be acceptable.
- 6.2 Policy 15 of the HDPF seeks to allocate a sufficient quantum of new housing across the Horsham District to meet the identified needs until 2031. In addition to the allocation of large-scale strategic development sites, Policy 15 anticipates 1,500 homes to come forward through Neighbourhood Plan allocations, and an additional 750 to come forward as 'windfall units'. As the site is located within the BUAB of Horsham, it is considered that housing development such as the proposed scheme would contribute to the windfall units required by Policy 15 (part 5), which contributes to the 'in principle' acceptability of this proposal. In addition (and as discussed further in the next section), the 100% affordable housing that this site is proposing exceeds the requirements of HDPF Policy 16 which is welcomed.
- 6.3 The acceptability of the development in overall terms will however, depend on its appropriateness in terms of other development management principles including: layout, scale, design, parking, landscaping; and impact on ecology, the local highway network, and local amenity. These considerations will be explored within subsequent sections of this report, and a summary and balanced recommendation is presented at paragraph 6.56.

Affordable Housing Provision

- 6.4 Policy 16 of the HDPF requires that on sites providing 15 or more dwellings, or on sites over 0.5 ha, the Council will require 35% of dwellings to be affordable. The applicant (Saxon Weald) are a locally-based registered provider of affordable homes, and as such are proposing that all 21 units provided as part of the scheme will be available for affordable rent. This proportion of affordable units proposed therefore exceeds what is required by current policy, and as such, is welcomed. Paragraph 64 of the NPPF requires that the total quantum of affordable housing required for all major residential development schemes should make available at least 10% for affordable home ownership. An exception to this is where the proposal is exclusively for affordable housing, therefore as this scheme meets this exception, the proposal for 100% affordable rented accommodation is acceptable in policy terms, and is welcomed by the Council's Housing Manager. Given the proposal offers 100% affordable housing which is beyond the level required by Policy 16 of the HDPF, this will exempt the applicant from CIL payments, therefore this 100% provision of affordable housing will be secured within the accompanying s106.
- 6.5 The 21-unit development proposes a mix of dwellings including 1-bed flats, 2-bed flats and 3-bed houses. The provision of smaller flats and houses in this central location is welcomed by the Council's Housing Manager who has confirmed that the provision will greatly assist with meeting current demands from the Council's housing register. The Housing Manager has noted that this location is one of the Council's top two areas of greatest demand for affordable rented accommodation, and as such is highly supportive of the scheme. Officers

are of the view therefore, that the significant provision of additional affordable housing units in this location is a benefit that weighs in great favour of this application.

Layout and Density

- 6.6 The proposed 21-unit development has been designed to make maximum use of the 0.21Ha corner plot that is currently occupied by 6x semi-detached houses. The resulting density is calculated at 100 dwellings per hectare, which (whilst not unusual in this central part of Horsham), is considered to be a high density development. The layout of the site seeks to retain the existing linear form and set-back of the prevailing building line along Elm Grove and Bennetts Road as much as possible, before transitioning into a more prominent corner element which sits forward of the building line, fronting the junction at Bennetts Road and Elm Grove. To the rear of the proposed building is a parking court accommodating spaces for 20 cars, which is accessed via an undercroft from Elm Grove. The area to the rear also accommodates back gardens for units 1, 2 and 21, plus some small communal landscaped areas comprising amenity grass and trees.
- 6.7 Whilst the overall appearance of the development differs in appearance from the prevailing character of the surrounds (discussed in more detail at paragraphs 6.12 to 6.20), it is considered by Officers that the layout of the site as proposed would enable the continuation of the existing building line along Bennetts Road and Elm Grove, and in the long view, would sit appropriately in its urban setting. The two 'end sections' of the building have set-backs from the footway that are similar in depth to the set-backs of other dwellings in the vicinity (around 5m), which is considered to provide an appropriate transition from the older 1950's built form, to the new modern block. It is accepted that the corner element is set further forward of the prevailing building line, but Officers consider that this corner relates less closely with the surrounding built form, and has the capacity to accommodate a bolder design.
- 6.8 The positioning of the main block towards the two site frontages enables the rear section of the site to be used for private amenity space and parking. This arrangement allows for the provision of off-road parking to serve the new occupants which is considered to be beneficial due to existing pressures on street parking in this location. WSCC Highways have confirmed that the layout provides an adequately wide access point with appropriate visibility splays, and parking provision. Similarly, the Council's Waste Collections Team have confirmed that bin storage and collection arrangements are acceptable (these points are discussed in more detail in subsequent sections of this report).
- 6.9 The proposed layout also maximises the separation distance between the new block and the rear gardens of existing dwellings to the south and east (particularly Nos 10 and 12 Bennetts Road, No 20 Elm Grove, and Nos 7 and 8 Fletchers Close). The position of the building on the northern section of the site is unlikely to block natural sunlight to properties to the south, but may cast shadows on the frontages of properties facing the site. Whilst it is accepted that there is likely to be some level of amenity impact resulting from this high density infill development (which is discussed in more detail at paragraphs 6.21 to 6.32), Officers consider the principle of the overall layout proposed, to be acceptable.
- 6.10 As mentioned, the density of the site is calculated as being around 100dph. Whilst Officers consider this to be an example of high density development, it is not uncommon for this level of density to be seen in central location such as this, particularly for flatted development. It is accepted that the density is higher than densities of the existing 1950's style semi-detached houses in Bennetts Road and beyond (which are around 30-40dph), however the development at Keller Court opposite the site which was built in 2008 has a density of around 83dph, and other developments in the vicinity have densities of well over 100dph. It is accepted therefore that high density development is not considered to be uncharacteristic of this area. Whilst some of the surrounding densities are lower than the proposed density of the applications site, it is important to acknowledge that the Government now place a new

emphasis on making '*effective use of land*' and '*achieving appropriate densities*' (NPPF Paras 122-123), which is a material consideration in this case.

- 6.11 As this site is already within the BUAB of Horsham, and in relatively close proximity to Horsham Town Centre, the site is considered to be suitable and sustainable for residential development. In addition, there are several examples of other high density flatted development in the vicinity of this site (100dpa +), therefore it is considered that the site should be developed to its maximum potential, whilst respecting other development management principles including amenity impact and overall quality of development. With this in mind, Officers are of the view that a refusal on density grounds would be difficult to justify, given the NPPF emphasis on optimising the use of available land, and the demonstration within the submission that 21 units with associated parking and landscaping can be accommodated on this site.

Scale and Appearance

- 6.12 In general, whilst the overall layout and set-back position of the building is considered to be acceptable, Officers are of the view that the appearance and design of the proposed building when viewed from the Bennetts Road and Elm Grove elevations does not take the best opportunity to reflect the sense of rhythm and form that characterises the semi-detached houses in the area. This in itself is not though considered reason to refuse planning permission, and amendments sought during the course of the application have served to improve the overall design and impact of the building.
- 6.13 The form and scale of the two 'end sections' that feature on both elevations (comprising units 1-5 and 17-21) have been designed to enable a transition from the prevailing 2-storey pitched-roof character of houses along Bennetts Road and Elm Grove, to the larger 3-storey flat-roof element proposed on the corner of the new building. The ridge and eaves heights of these two end sections (9.1 and 5.5m respectively), plus the angle of the pitched roof and use of red brick and their set-back position; is considered to complement the existing neighbouring houses and would mimic the silhouette of the houses that would be demolished. These end sections therefore, would create little additional impact in terms of the building's height and bulk in these locations, and are considered to be acceptable.
- 6.14 It is acknowledged that the corner of the application site occupies a prominent position in the street-scene, and that the building's form lacks the sense of rhythm of the semi-detached houses in the area. In this instance though it is considered in principle that a bolder design and scale is acceptable at this corner location. It is accepted that the proposed 3-storey flat-roof element on the corner makes good use of the available land, and creates a unique feature with an active frontage.
- 6.15 Whilst it is accepted that the scale of this corner element is required in order to accommodate the proposed number of units, the combination of flat roofs, overall height, and position forward of the prevailing building line, increases the building's sense of mass. It is acknowledged that there are few examples of flat-roof structures in the local vicinity, but there are various examples of 3-storey residential blocks nearby, including Keller Court which is located opposite the site. Whilst the appearance of the proposed building is different (owing largely to the flat roof), it is difficult to argue that a 3-storey building is uncharacteristic of this area. Likewise, given the scale and purposefully modern appearance of the building, it is difficult to argue that the inclusion of flat roofs to the corner element would be harmful.
- 6.16 Red brick is proposed for a large proportion of the external elevations which is considered to compliment other built development in this location, and is a welcomed choice. Some brick detailing (including protruding brick patterns and soldier ribbon coursing) is shown on the more prominent corner element, and the soldier coursing continues along the other brick facing elevations along Bennetts Road and Elm Grove. This detailing helps to bring interest

to these elevations and is welcomed, but it is considered that these features could have been used more widely across the corner feature to help reduce the perception of scale and height.

- 6.17 The horizontal light grey cladding that is proposed at first and second floor levels and helps to break up the extent of brickwork, thereby creating more depth and interest to the appearance of the building. The cladding is used intermittently and used in set-back locations where it is less prominent from the street-scene which is considered to work well.
- 6.18 It is acknowledged that the grey window frames are not characteristic of the area (which largely comprises white uPVC frames), but in the context of this building and its purposefully modern appearance, the grey window frames are considered to work well. The window frames are also considered to compliment the slate grey roof tiles which, whilst different to the clay tiles used for dwellings nearby, would result in a similar roof-scape to the units at Keller Court opposite.
- 6.19 The full and Juliette balconies are shown with light grey laser-cut metal cut balustrades in a square block pattern. In order to break up the brick elevations and to retain a level of privacy for future occupants and existing residents opposite, the principle of laser-cut balustrades is accepted. It is acknowledged that the square block pattern shown on the submitted plans is only shown indicatively at this stage, however a more appealing pattern would be preferred in order to create a softer (and perhaps more organic) appearance to the building. A condition is therefore proposed to require final details of these balustrades to be submitted and approved prior to commencement.
- 6.20 In summary, it is accepted that the scale and appearance of the proposed building does not fully accord with much of the prevailing 1950's character of the existing built development in the surrounding area. However, whilst several shortcomings have been identified with the design of the proposed building; it is accepted that the building is purposefully modern in design, and by virtue of its flatted nature; is unlikely to achieve a design that is fully complimentary to its semi-detached neighbours. It is considered that the transition from lower level 2-storey accommodation at the 'end-sections', through to larger scale 3-storey accommodation on the corner, is an appropriate design concept for this area, and this, in combination with the use of red brick is considered to result in a development that ties in enough with the surrounding urban character to avoid warranting a refusal. In addition, an example of 3-storey development is present opposite the application site thereby creating a precedent of this scale of development in the area. The appearance and scale of the proposed development in this location, is therefore considered to be acceptable.

Amenity Impact

- 6.21 The location of the application site within an existing built-up and relatively densely populated urban area, naturally means that several existing properties and businesses are located within close proximity to the site. At present, the application site comprises 3 sets of semi-detached houses which are set back from the roadside, and surrounded to a large extent by mature tree growth both at the front and rear of the site. As such, the existing dwellings on site are relatively well screened, and any adverse impact on neighbouring amenity at present, is minimal.
- 6.22 Due to the required removal of the majority of existing trees to the front of the site, and the proposed positioning and scale of the new building, the proposed development will be much more visible to neighbouring residents, particularly when viewed from Bennetts Road and Elm Grove. The rear of the site will change from existing back garden space to a parking court, and whilst several existing trees in this location will be retained and new trees will be planted, the site is likely to be more visible to properties to the rear than at present. However, despite the increased prominence of the site from several viewpoints, the extent of harm toward neighbouring amenity is not automatically considered to be unacceptable and must be assessed on its own merit.

Privacy / Overlooking

- 6.23 It is considered that the smaller scale 'end sections' of the development would not result in significantly harmful impacts on privacy as the overall scale and footprint of these sections largely mimic the existing houses in these locations. The only exception is the two dormer windows at units 1 and 2 which would give future occupants an outlook onto Elm Grove from a higher position. Despite the inclusion of these dormer windows in the roof-space of units 1 and 2, the smaller end-sections of the proposed building (including the location of ground and first floor windows) are largely in the same position as the existing houses, and as such, are not thought to result in additional harm above what is already experienced. Additionally, the positioning of these sections face onto front elevations of existing buildings, and would not result in the ability to overlook the rear of the properties or any rear external amenity space.
- 6.24 The main concern with regard to the impact of the development on privacy and overlooking comes from the 3-storey corner element and the linked 3-storey section (including balconies) above the underpass on the Elm Grove elevation. These 3-storey flat roof sections introduce elevations of 10m in height, with first and second floor windows and balconies facing properties opposite. As existing, the 2-storey houses in this location (Nos. 2 and 4 Bennetts Road) are set back from the roadside by about 7.5m, and are screened to a large extent by trees and hedging. As such, the 3-storey corner elements of the proposed development would introduce a series of ground, first and second floor windows (and balconies) in a position that is closer to the roadside; and due to the absence of screening, would have increased visual prominence. Notwithstanding the separation distance between the application site and the properties opposite (including an 11m wide road and additional footway), the properties that are considered most likely to be impacted by the proposed development include Nos 10-14 Keller Court, Nos 1, 3a and 3b Elm Grove, and Nos 1-7 Bennetts Road.
- 6.25 It is accepted that the height and positioning of the proposed 3-storey sections of the building, and the removal of existing tree screening, introduces undesirable opportunities for future residents to face towards front elevations of existing dwellings opposite. This perception of overlooking is likely to be exacerbated by the height of the corner elements, and the presence of additional windows and balconies. It is accepted by Officers that some additional amenity impact upon the frontages of these existing properties would result. However, it is acknowledged that the application site is separated from these dwellings by Bennetts and Elm Roads (around 11m wide), plus pedestrian footpaths and additional 5m (average) set back of dwellings from the roadside.
- 6.26 Whilst Keller Court is positioned closest to the site (around 16m separation), the dwellings on Bennetts Road and Nos 1 and 3 Elm Grove are separated from the site by at least 20m (in some cases up to 26m where the corner junction widens). In addition, all the properties in question face towards the site, so whilst there may be an increased sense of overlooking at the front elevations, the more sensitive rear sections of these properties (including external rear gardens) are unlikely to experience any additional overlooking or loss of privacy. The impact on privacy and overlooking towards properties on Bennetts Road and Elm Grove is acknowledged, but on balance, and in the context of a development in a central urban area, it is not considered to result in significant additional harm, and is therefore considered to be acceptable.
- 6.27 Existing dwellings to the rear of the application site that are most likely to be affected by the proposed development include No. 20 Elm Grove, No. 10 Bennett's Rd, and Nos. 7 and 8 Fletchers Close. The proposed side elevations located close to side elevations of 20 Elm Grove and 10 Bennett's Rd, are similar in scale and location to the existing dwellings and include no window or door openings. As such, these elevations are considered not to result in harmful overlooking opportunities. The long and narrow rear garden of 10 Bennetts Road

boarders the application site to its east, and as part of the proposed development, would be located adjacent to the rear garden for unit 21, and parking bays 13-20. It is proposed that this boundary would have a 1.8m fence, which in combination with the proposed tree planting along this boundary (to the rear of the parking bays), is considered to provide sufficient visual screening in order to retain a satisfactory level of privacy between the site and the rear garden of 10 Bennetts Road.

- 6.28 Similarly, the rear of Nos. 7 and 8 Fletchers Close share a boundary with the application site, and would be located close to parking bays 01 and 20. As existing, both 7 and 8 Fletchers Close are screened from the rear gardens of the existing site by relatively dense tree cover, a large extent of which is on land in the ownership of these dwellings, but also within the application site itself. No vegetation on land owned by 7 and 8 Fletchers Close is proposed to be removed as part of this scheme, thereby retaining a proportion of screening already afforded to these dwellings. In addition, whilst there is proposed to be a significant amount of tree felling within the application site (discussed further in paragraphs 6.33 – 6.35 of this report); several existing trees within the application site close this boundary are proposed to be retained including T05 (Buddleia), T13 (Ash), T21 (Cypress) and T22 (Cypress group). This, in addition to proposed additional tree planting and a 1.8m fence on this boundary, is considered to offer sufficient screening to reasonably protect the privacy and amenity of residents in Fletchers Close.
- 6.29 In addition to the impact already discussed affecting the amenities of properties opposite the proposed building, it is also acknowledged that the scale of the building may result in overlooking towards properties to the rear of the site. The 3-storey (10m high) element includes rear facing windows on the ground, first and second floors which face an easterly and southerly direction (i.e. towards 10 and 12 Bennetts Road and 7 and 8 Fletchers Close). Despite the proposed 1.8m fence on the eastern and southern boundaries, combined with existing and additional trees in these locations; it is accepted that there is likely to be an increased sense of overlooking upon the rear gardens of these properties when compared to the current situation. However, given the boundary treatment described, coupled with the overall distance the new 3-storey elements will be from the rear of these properties (a minimum of approximately 30m); it is not considered that the extent of overlooking and impact on privacy, would amount to significant harm.

Noise

- 6.30 The proposed development comprises a high density development of 21 units, including 20 car parking spaces to the rear and several balconies located at the front and rear of the building. In comparison to the 6 dwellings on site at present, the proposed development will naturally result in an increase in noise-generating activity at the site. This is likely to include a higher frequency of vehicular, cycle and pedestrian trips to and from the building, and a higher frequency of other associated activities such as bin collections and general internal and external maintenance. Balconies afford an elements of external living for the future occupants, which on occasions, is likely to generate an additional level of noise in the vicinity.
- 6.31 It is accepted by Officers that the development is likely to result in an increase in noise-generating activities, and is therefore likely to raise the noise profile of the immediate surrounds more than is currently experienced. As the proposed development is for residential accommodation in a predominantly residential area, this is an acceptable form for development in this location, and therefore it is difficult to argue that quantum of development proposed would result in noise disturbances beyond what would normally be acceptable.
- 6.32 Given the proximity of sensitive receptors to the rear of the site (in particular 10 Bennetts Road, and Nos. 7 and 8 Fletchers Close), some concern has been noted regarding noise that would be generated from cars turning and parking in the rear parking court. Whilst cars are still likely to be heard, the noise from the parking court would be buffered to some extent by the proposed boundary treatments (1.8m fence and vegetation), and distances between

the spaces and the nearest windows of neighbouring properties. In addition, this would be a very low speed environment, where the main disturbance would be from ignition of engines and car doors closing. These noise sources are not unusual in urban residential location such as this, and as such the Council's Environmental Health Officer has not raised any particular concern with the location of this parking area and its proximity to neighbouring residential dwellings.

Construction Impact

- 6.32 As with all development sites close to neighbouring residents, there is likely to be disturbances during the construction period. This site is particularly sensitive due its constrained nature, and its proximity to a number of neighbouring properties and local independent businesses. In order to minimise any adverse impacts associated with the construction process, and as per the advice from the Council's Environmental Health Officer; a condition has been recommended to require the developer to submit a detailed Construction Environment Management Plan (CEMP) for approval prior to the commencement of any development or demolition. The CEMP will require satisfactory information to be submitted with regard to the construction programme, site logistics including access, contractor parking arrangements, and measures to control dust and mud. The approved details will help to reduce the adverse impact of the construction process on neighbouring residents, but it is acknowledged that construction process at this site is still likely to cause some (albeit temporary) adverse impact.

Trees and Landscaping

Trees

- 6.33 As existing, the application site contains several examples of ornamental shrubs and scattered trees of varying species and sizes. No trees are subject to tree preservation orders, nor is the site in a conservation area, therefore there are no 'in principle' concerns regarding their removal. A concentration of existing tree cover is located within the rear of No. 2 Bennetts Road both along the western (Elm Grove) boundary, as well as between the boundary of Nos. 2 and 4 Bennetts Road. An Arboricultural Impact Assessment (AIA), Tree Schedule, Tree Constraints Plan and Tree Retention and Protection Plan have been submitted in support of this application.
- 6.34 The AIA notes that the 53 trees on site are largely of low value and less than 25 years old. Within the site, 47 trees have been identified as Category C (trees of low value), and 6 identified as Category B (trees of moderate value). The Council's Tree Officer has confirmed that these categorisations are accurate. All but 5 of the existing trees within the site are proposed for removal in order to facilitate the development. The trees for retention include a 7m Juniper (T03, Category C), a 4m high mature Buddleia shrub (T05, Category C), a 16m early mature Ash (T13, Category B), a 4m Holly (T23, Category C), and a 6m Hawthorn (T24, Category C). These trees are located within the southern portion of the site and have been incorporated into the soft landscaping scheme. In addition, several Category C Cypress trees (6-8m height) located within the rear garden of No 8 Fletchers Close have been identified within the trees survey, and notwithstanding their location off-site, have been confirmed as trees for retention (T21 and TG22).
- 6.35 It is accepted that the extent of tree removal (including 4 Category B trees of moderate value) required to facilitate the development, is significant. However, as the majority of trees to be removed are relatively young and are of low individual merit or value, it is not considered that this tree loss would be detrimental. The Council's Tree Officer supports this conclusion. In addition, whilst the existing trees along the western (Elm Grove) boundary provide some screening and amenity value, it is considered that due to the location of the site within a central urban area, the existing trees have limited connectivity to the surrounding landscape character. As such, it is difficult to justify the retention of these trees in their own right. It is

considered therefore, that subject to a condition to protect all retained trees within and outside the site who's RPA's may be affected by the development; the proposed tree loss is considered to be acceptable.

Landscaping

- 6.36 The constrained nature of the site and the high density development proposed, does not afford the opportunity to provide significant additional soft landscaping at the front of the proposed building, however there is more opportunity to the rear. As part of the overall landscape proposals shown in the Site Plan [0002 Rev E] a scheme of new tree planting is proposed along the eastern and southern boundaries. Specific planting details are not proposed (this will be required by condition), but it is proposed that a scheme of native tree planting including Birch, Field Maple and Cherry species is undertaken. 11x new trees are proposed to be planted in total, with 5x trees along the boundary of No. 10 Bennetts Road, a further 2x trees at the boundary of No. 7 Fletchers Close, and individual street trees to the front of units 1, 18 and 21.
- 6.37 In addition to tree planting, other soft landscaping is shown on the Site Plan including amenity grass, low level native hedging, and low level shrubbery. The landscaping has been designed to soften the appearance of the development from the front elevations by introducing boundary hedging and shrub planting fronting the highway, to improve the appearance of the rear parking court from within the site, and to enhance the screening of the parking court from views outside the site boundaries. The landscaping scheme is intended to be effective, but also to be easily maintainable and accessible.
- 6.38 Hard landscaping is shown to include block paving laid in a herringbone pattern for the site access, rear parking court, and parking bays serving units 1, 2, 17, 18 and 21; and buff coloured paving slabs for walkways and private garden spaces. Boundary treatments comprise low-level brick walls and metal railings at the front elevations, and 1.8m close boarded fencing at the rear boundaries (dropping to 1.2m where adjacent to the front curtilages of neighbouring dwellings).
- 6.39 Whilst it is acknowledged that there is little opportunity to include a significant amount of soft landscaping within the site, it is considered that the planting proposed (including retention of 3 existing trees) has been designed well, and offers as much greenery as possible to break up the extent of brick and paving. The block paving proposed for the rear parking court would give the development a high quality finish and is preferred over other surfacing materials such as tarmac. The use of brick walls and railings at the front would improve the appearance of the development, and over time when the hedging matures, will complement this finish and soften the appearance. The use of 1.8m close boarded fencing at the rear is in line with existing boundary treatments in this location and is therefore considered to be acceptable from a visual and amenity perspective. The Council's Senior Landscape Architect has confirmed that subject to conditions to secure details of planting and boundary treatments, no objection is raised with regard to landscape.

Highways, Access and Parking

- 6.40 Chapter 9 of the NPPF describes the government's aspirations for the promotion of sustainable transport, and details how transport and highways implications arising from development proposals should be considered in planning terms. Paragraphs 108 to 111 of the NPPF are particularly relevant when assessing the appropriateness of a proposal in highways terms. Paragraph 108 requires that appropriate opportunities to promote sustainable transport modes should be considered, and that safe and suitable access to the site can be achieved for all users. In addition, it requires that any significant impacts from the development on the transport network or on highway safety can be effectively mitigated. Paragraph 109 is of key importance when determining whether a proposed development is acceptable, and requires that *'development should only be prevented or refused on highways*

grounds if there would be an *unacceptable* impact on highway safety, or, the residual cumulative impacts on the road network would be *severe*' [emphasis added].

Site Access

- 6.41 The main point of access into the site is proposed to be via an undercroft from Elm Grove. This access would lead to 20x allocated parking bays. Five private driveways (serving units 1, 2, 18, 18 and 21) are also proposed and would be accessed directly from Elm Grove and Bennetts Road via new dropped kerbs and crossovers. Both roads are 'D' class and are subject to a 30 mph speed limit. In support of the application, a Transport Statement (TS) has been submitted.
- 6.42 The main access point onto Elm Grove proposes a shared surface arrangement, allowing both vehicles, cycles and pedestrians to access the site. A raised table will demark this shared area. WSCC Highways have confirmed that this arrangement would be suitable as it will be a low speed, low traffic environment where vehicles flows are less than 100 per hour.
- 6.43 Visibility on Elm Grove and Bennetts Road to serve these access points has been confirmed by WSCC Highways as acceptable. The main access to the rear of the site would be 4.8m wide and demonstrates visibility splays in line with the requirements of Manual for Streets. Whilst there would be on-street parking in the visibility splays, Manual for Streets recognises that in urban areas this is common, and does not cause a safety problem. WSCC Highways have reviewed records for this area and confirm that there have been no recorded accidents within the last 3 years and as such, there is no evidence to suggest that the access and local highway network in this location is operating unsafely.

Trip Generation

- 6.44 The submitted TS estimates that the current site generates a maximum of 24 vehicular movements per day. TRICS data estimates that around 47 vehicular movements would be generated by the 21-unit development between 7am – 7pm. During the peak AM and PM hours it is estimated that the site will generate just under 5 two-way vehicular movements. The TRICS outputs therefore demonstrate that the development would result in an increase in vehicular trips at the site. WSCC Highways accept the methodology used to generate these results, and consider the outputs to be realistic. WSCC note that whilst additional trips would occur, they would not trigger the 30 vehicle movement threshold to warrant formal junction assessments. WSCC Highways have therefore confirmed that proposal is not anticipated to result in a 'severe' cumulative impact on the operation of the local network in accordance with paragraph 109 of the NPPF.

Parking

- 6.45 Parking provision for 25 cars is proposed, comprising 20 parking bays in the rear parking court, and 5 with private access via crossovers from Elm Grove and Bennetts Road. Parking is allocated at one space per unit (21), plus 4 additional unallocated spaces, which equates to an average ratio of 1.2 spaces per dwelling. Despite the TS suggestion that parking demand generated from this development equates to 27 spaces (and WSCC Highway's agreement of this) – Officers note that this calculation has been based on 20 units (not 21 as proposed) therefore is incorrect. Officers have run the WSCC Parking Demand Calculator for the correct number of units proposed (21) and the demand equates to 29 parking spaces (comprising 21 allocated spaces and 8 unallocated). The proposed parking provision of 25 spaces, is therefore 4 spaces short of the correct demand calculation.
- 6.46 Despite WSCC Highway's conclusion that the '*car parking provision is anticipated to satisfy the likely demands*'; given that this central area is not within a controlled parking zone, and most existing dwellings do not benefit from off-road parking; it is acknowledged that pressures on parking in the vicinity of the application site are already acute. The provision of

one allocated parking space for each of the three 3-bed houses is considered to be insufficient, as it is normally expected that at least 2 parking spaces are expected for a 3-bed house. However, when applying the Parking Demand Calculator to the existing site (i.e. 6x dwellings) this calculated a demand for 9x car parking spaces. Given only one of the existing 6 dwellings on site has a dedicated off-road parking space (No. 20 Elm Grove), this creates an existing overspill onto the street of 8 cars. In contrast, whilst the proposed development is 4 spaces short of the demand calculation (which is a maximum standard), this only results in an overspill of 4 cars which is an improvement of the existing on-street parking situation in the local vicinity.

- 6.47 Therefore, whilst there would be increased parking demand from this development, as additional off-road parking would be provided where it currently does not exist, the actual requirement for on-street parking in this area would be less than the current situation. Policy 41 (parking) of the HDPF seeks to ensure that *'adequate parking must be provided within developments to meet the needs of anticipated users'*. Whilst the proposed level of parking within the site boundary falls 4 spaces short of the WSCC parking standards, the overspill onto the road will be less than existing, therefore on balance, it is considered that the requirements of Policy 41 are satisfied.
- 6.48 In addition, secure and covered communal cycle parking has been proposed as part of the development which provides for 20 bicycles. WSCC cycle parking standards require 0.5 cycle spaces per every 1-2 bed flat. This would require a minimum of 9 cycle spaces (for 18 flats), therefore a provision of 20 (at a ratio of 1.1 spaces per flat) is considered to be sufficient. Each of the three proposed houses also have a shed in the rear garden for secure bicycle storage.
- 6.49 Whilst the acute pressures on car parking in this area are acknowledged, the site is located in an accessible part of the town, with the town centre and mainline railway station within reasonable walking distance (around 15 minutes). Further, the mix and tenure of the proposed units (comprising a majority of 1 and 2-bed flats) is of a low-occupancy nature that is less likely to attract car-dependent occupants requiring the constant use of a car. Government agenda and local planning policy seek to promote development that contributes to sustainable transport modes of transport, and it is considered that this proposed development is of a nature and location that meets these aims by reducing the need for car ownership and promoting the use of more sustainable modes. It is considered therefore that the proposed development accords with Section 9 of the NPPF and Policies 5 and 40 of the HDPF.

Summary

- 6.50 In summary, WSCC Highways do not consider that the proposed development would have a 'severe' residual impact on the operation of the highways network, therefore the proposal would not conflict with paragraph 109 of the NPPF. The Highways Authority does not therefore have an objection to the development and do not consider that there are any transport grounds to resist the proposal. Whilst it is acknowledged that there may be additional pressure on roadside parking as a result of this development, the site is located in a sustainable location with the town centre and main railway station within walking distance, and a number of busses and pedestrian/cycle routes available locally which enables future occupants to choose non-car modes of transport. The parking provision has been shown to fall short of the demand outputs of the WSCC calculator, however overspill onto the local roads will be less than existing, and the cycle storage provision exceeds requirements. The proposed development in highways, access and parking terms therefore, is considered to be acceptable.

Other Matters

Bin Collection

- 6.51 The requirement for all houses within the District is that they should have enough space for three bins (refuse, recycling and garden waste). Blocks of flats are required to provide sufficient bin capacity to cater for 180 litres per dwelling for refuse, and 240 litres per dwelling for recycling. The proposed development provides individual bin storage areas at the front of units 1, 2, 17, 18 and 21 which allows for the storage of 3 bins at each of these dwellings. The remaining 16 flats are provided with two communal bin storage areas. The 16 flats would generate the need for 2,880 litres of refuse bin capacity, and 3,840 litres of recycling capacity (total of 6,720 litres). As such, the two bin stores provide space for 6x 1100L bins which is considered to be sufficient capacity for the required need.
- 6.52 Operatives would wheel the communal bins from the stores in the undercroft to the collection vehicle which would be parked on the roadside Elm Grove. Similarly, individual bins will be placed outside by future occupiers, and emptied by Operatives from the kerb. The Council's Waste Collections Supervisor has confirmed that these arrangements are acceptable. It is acknowledged that other dwellings nearby currently place their bins on the corner of Elm Grove and Bennetts Road for collection on a Friday. Given that the footway will not be affected by this development it is not anticipated that this existing arrangement would change.

Drainage

- 6.52 In support of the application a Drainage Strategy has been submitted. The Drainage Strategy confirms that the site is located in Flood Zone 1 and therefore has a very low probability of river or sea flooding, or flooding from surface water. Two existing public sewers run close to the site which currently drain surface and foul water into the wider network. The proposed development would result in an increase in the impermeable area on the site from 584m² to 1,661m².
- 6.53 The Drainage Strategy proposes that permeable paving is used in the shared access way and communal car parking court to the rear of the building to provide infiltration and attenuation for rainfall flows. Surface water from hardstanding areas and the roof of the building is proposed to be captured by drainage channels, gullies and drains. The flows to the main sewer system will be restricted to a controlled output of 6.5 litres per second which represents a 25% betterment on the site. Wastewater from the site will be connected to the existing public sewer on Elm Grove. The infiltration technique is considered by the Council's Drainage Engineer to be appropriate for this site, and whilst good practice advice seeks a 50% betterment on brownfield sites, the proposed 25% betterment is considered to be acceptable as no additional increases in surface run-off is expected to leave the site.

Ecology

- 6.54 A Preliminary Ecology Appraisal (PEA) and Preliminary Bat Roost Assessment have been undertaken in support of the planning application. It has been identified that the site contains amenity grassland; bare ground; existing buildings; scattered trees; introduced shrub; species-poor hedgerow and standing water. It was noted that no rare or unusual species were recorded, and as the site is generally well maintained, its potential to support protected species is limited. The Council's Ecology consultants does not disagree with this conclusion.
- 6.55 As part of the ecology assessment on this site, an external bat roost inspection of No. 22 Elm Grove was undertaken. This revealed that the building has a 'low' potential for bats due a gap within the soffits board which could potentially provide roosting opportunities. Whilst it was noted that no signs of bats were recorded within the loft cavity (leading to the conclusion that the site is unlikely to support bats), the Council's Ecologist does not accept this

conclusion, and given the potential for this building to support roosts of protected bat species, the Ecologist required a 'dusk emergence/dawn re-entry' survey of this building to be undertaken. The applicant has instructed this survey to be undertaken, and the results are pending.

Air Quality

- 6.55 Paragraph 181 of the NPPF and Policy 24 of the HDPF seek to maximise opportunities to improve air quality through the effective mitigation of impacts caused by new development. The application site is not located within either of the District's two Air Quality Management Areas (AQMA's), but due to the most common source of air pollution in the Horsham District coming from vehicle emission, developments which have the potential for traffic increases (such as the one proposed) are required to make reasonable endeavours to minimise emissions. Accordingly, in accordance with the Council's '*Planning Advice Document: Air Quality and Emissions Reduction Guidance*', and West Sussex County Council's parking standards, it is recommended that the developer provides infrastructure of electric vehicle charging at this site. Whilst charging points have not been shown on the submitted site plan, the applicant agrees that this provision can be secured by condition. As such, a condition has been drafted to secure this requirement.

Planning Balance and Conclusion

- 6.56 In summary, the principle of this development in this location is in accordance with the Council's overarching development strategy, and the proposed 100% affordable rent tenure will meet a pressing demand for this type of accommodation in this area, therefore is welcomed by the Council. Whilst there may be some overspill parking resulting from the development, this is not considered to be greater than the existing situation, and there is no overall objection from the Highways Authority regarding highway safety. It is accepted that the scale and appearance of the proposed building does not fully accord with the prevailing character of the surrounding area. However, whilst several shortcomings have been identified with the design; it is accepted that the building is purposefully modern in appearance, and by virtue of its flatted nature; is unlikely to achieve a design that is fully complimentary to its semi-detached neighbours. Due to its overall scale, and position in a built-up urban setting, there is likely to be some impact on neighbouring amenity, however as described in this report, this is not considered to amount to significant harm. Whilst some reservations have been identified in terms of design, overall the development is considered acceptable. Officers therefore recommend to Members that this planning application is approved.

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	1783	446.1	1336.9
		Total Gain	
		Total Demolition	446.1

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

- 7.1 To delegate authority to the Head of Development to grant planning permission subject to appropriate conditions, the satisfactory completion of the additional bat survey, and the completion of a s106 legal agreement to secure the necessary highways works and affordable housing. In the event that the legal agreement is not completed within three 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.

Conditions:

1. List of approved plans

2. **Regulatory (Time) 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 Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. The approved CEMP shall be a single document, and shall be strictly adhered to throughout the construction period. The CEMP shall provide for, but not be limited to:

- i. An introduction consisting of construction phase environmental management plan, definitions and abbreviations and project description and location;
- ii. A description of management responsibilities;
- iii. A description of the construction programme which identifies activities likely to cause high levels of noise or dust;
- iv. Site working hours and a named person for residents to contact;
- v. Detailed Site logistics arrangements;
- vi. Details regarding parking, deliveries, and storage;
- vii. The anticipated number, frequency and types of vehicles used during construction
- viii. Details of any floodlighting, including location, height, type, timing and direction of light sources and intensity of illumination
- ix. Details regarding dust and noise (including vibration) mitigation measures to be deployed including identification of sensitive receptors and ongoing monitoring;
- x. Details of the hours of works and other measures to mitigate the impact of construction on the amenity of the area and safety of the highway network;
- xi. Communication procedures with the local community regarding key construction issues – newsletters, fliers etc.
- xii. The provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway
- xiii. Details of a scheme for the recycling/disposing of waste resulting from site clearance and construction works

Reason: As this matter is fundamental in the interests of good site management, highway safety, and to protect the amenities of adjacent businesses and residents during construction works to accord with Policies 33 & 40 of the Horsham District Planning Framework (2015).

4. **Pre-Commencement Condition:** No development shall commence until the proposed means of foul and surface water disposal has been submitted to and approved in writing by

the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 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 commence until full details of underground services, including locations, dimensions and depths of all service facilities and required ground excavations, have been submitted to and approved by the Local Planning Authority in writing. The submitted details shall show accordance with the landscaping proposals and Arboricultural Method Statement. The development shall thereafter be carried out in accordance with the approved details.

Reason: As this matter is fundamental to the acceptable delivery of this permission, to ensure the underground services do not conflict with satisfactory landscaping in the interests of amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

7. **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 the following preliminaries have been completed in the sequence set out below:

- All trees on and off the site shown for retention on approved drawing number [LLD1549-ARB-DWG-01-00-TR&PP Rev 02], as well as those off-site whose root protection areas ingress into the site, shall be fully protected throughout all construction works by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012).
- Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site.
- Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.

Any trees or hedges 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 protection of important trees and hedgerows on the site in accordance with Policy 33 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 the precise specification of materials and finishes and colours to be used for external walls,

windows, and roofs of the approved building has been submitted to and 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 full details of the balconies (including all Juliet balconies), including their design, materials, finishes and colour, have been submitted to and approved by the Local Planning Authority in writing. The balconies shall be constructed in full accordance with the approved details and be retained as such thereafter.

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).

10. **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).

11. **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:

- i. Details of all existing trees and planting to be retained
- ii. Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details
- iii. Details of all hard surfacing materials and finishes
- iv. Details of all boundary treatments including fencing, walls etc.
- v. 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. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed planting, which within a period of 5 years, dies, is removed, or becomes 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).

12. **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, 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 refuse and recycling has been made for that dwelling in accordance with drawing number [0002 Rev E]. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the adequate provision of recycling facilities in accordance with Policy 33 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 cycle parking facilities serving it have been constructed and made available for use in accordance with Site Plan reference [0002 Rev E]. The cycle parking facilities shall thereafter be retained as such for their designated use.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

15. **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied until the car parking spaces necessary to serve it have been constructed and made available for use in accordance with the approved details as shown on Site Plan reference [0002 Rev E]. 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).

16. **Pre-Occupation Condition:** Prior to the first occupation of any dwelling hereby permitted, the site access necessary to serve that dwelling shall be implemented in accordance with the approved details as shown on Site Plan reference [0002 Rev E] and shall be thereafter retained as such.

Reason: To ensure adequate parking, turning and access facilities are available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

17. **Pre-Occupation Condition:** No dwelling shall be first occupied until means for the charging of electric vehicles by way of fast charging points have been installed in accordance with details that have been submitted to and been approved in writing by the Local Planning Authority. The details shall have regard to the Council's latest Air Quality & Emissions Reduction Guidance document and include a plan of all charging points, their specification, means of allocation, and means for their long term maintenance. The means for charging electric vehicles shall be retained as such thereafter.

Reason: To mitigate the impact of the development on air quality within the District and to sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with Policies 24 & 41 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:** All works shall be executed in full accordance with the submitted Arboricultural Impact Assessment and Method Statement [LLD1549-ARB-REP-001 Rev 02, dated 22 May 2019].

Reason: To ensure the successful and satisfactory protection of important trees, shrubs and hedges on the site in accordance with Policies 30 and 33 of the Horsham District Planning Framework (2015).

20. **Regulatory Condition:** The development hereby permitted shall be undertaken in strict accordance with the ecological mitigation and enhancement measures set out in the submitted Preliminary Ecological Appraisal and Preliminary Bat Roost Assessment Survey [LLD1549-ECO-REP-00-00, dated 01 November 2018].

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).

21. **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order no development falling within Classes A B C or D of Part 1 of Schedule 2 of the order shall be erected, constructed or placed within the curtilages of the individual dwellinghouses hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity and due to the constrained nature of the site, in accordance with Policy 33 of the Horsham District Planning Framework (2015).

22. **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 locality and/or highway safety and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Informatives

1. Conditions to be Discharged

Please be advised that there are conditions on this notice that will require the submission of details to be submitted for approval to the Local Planning Authority. To approve these details, you will need to submit an "Application for approval of details reserved by condition" with an application form and pay the appropriate fee. Guidance and the forms can be found at www.planningportal.gov.uk/planning/applications/paperforms

2. Bats

The applicant is advised that it is an offence both to intentionally or recklessly destroy a bat roost, regardless of whether the bat is in the roost at the time of inspection. All trees should therefore be thoroughly checked for the existence of bat roosts prior to any works taking place. If in doubt, the applicant is advised to contact the Bat Conservation Trust at Quadrant House, 250 Kennington Lane, London, SE11 5RD, Tel: 0345 1300 228, email: equiries@bats.org.uk, <http://www.bats.org.uk/>

3. Highways Informative

The applicant is advised to contact West Sussex County Council Highways, tel no: 01243 642105 or to visit <https://www.westsussex.gov.uk/> for information on how to obtain formal approval from the highway authority to carry out works to the public highway. All necessary costs, the appropriate license and application fees for any works and any costs associated with the movement of any existing street furniture will have to be funded by the applicant. Although these works are approved in principle by the Highway Authority, no permission is hereby granted to carry out these works until all necessary and appropriate design details have been submitted and agreed.

4. Southern Water

Please note that Southern Water require a formal applications for connection to the main water supply and public sewer in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire (tel: 0330 303 0119) or www.southernwater.co.uk. Please also read the 'New Connections Services Charging Arrangements' documents which are available to read via the following link <https://beta.southernwater.co.uk/infrastructurecharges>

5. Southern Water

The applicant is advised to contact Southern Water to discuss the timings of the committed network reinforcement works (to be undertaken by Southern Water); and how these improvement works will coordinate appropriately with the projected completion and first use of the facilities hereby permitted. This will help to ensure that adequate waste water network capacity is available to adequately drain the development.

6. Unexpected Contamination

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.

7. Landscape Details

The applicant is advised that full details of the hard and soft landscape works include the provision of, but shall not be necessarily limited to:

- Details of existing and proposed levels for all external earthworks associated with the landscape proposals (including SuDS, play areas, etc.). Such details to include cross sections where necessary;
- Planting and seeding plans and schedules specifying species, planting size, densities and plant numbers;
- Tree pit and staking/underground guying details;
- A written hard and soft landscape specification (National Building Specification compliant), including ground preparation, cultivation and other operations associated with plant and grass establishment;
- Hard surfacing materials - layout, colour, size, texture, coursing, levels;
- Walls, steps, fencing, gates, railings or other supporting structures - location, type, heights and materials;

- Minor artefacts and structures - location and type of street furniture, refuse and other storage units, lighting columns and lanterns etc.

Background Papers:
DC/19/0153