



TO: Planning Committee South

BY: Head of Development

DATE: 18th August 2020

DEVELOPMENT: Demolition of existing dwellinghouse and erection of 16 residential dwellings with associated works.

SITE: Vineyards Old London Road Washington Pulborough West Sussex RH20 3BN

WARD: Storrington and Washington

APPLICATION: DC/19/2478

APPLICANT: **Name:** Violeta Ltd **Address:** c/o Lewis & Co Planning 2 Port Hall Road Brighton BN1 5PD

REASON FOR INCLUSION ON THE AGENDA: An appeal for non-determination has been submitted by the applicant. As more than eight persons in different households made written representations raising material planning considerations that are inconsistent with the Officer's recommendation, the Committee's resolution in the event an appeal had not been lodged is necessary to inform the Council's position for the Statement of Case.

RECOMMENDATION: To recommend to the Planning Inspectorate that in the event the appeal had not been lodged, the decision of the Council would have been to refuse planning permission for the reason set out below.

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application to inform the Council's position for the appeal Statement of Case.

DESCRIPTION OF THE APPLICATION

1.2 Planning permission is sought for the erection of 16 dwellings, comprising 4 x two bedroom maisonettes, 3 x two bedroom dwellings, 3 x three bedroom dwellings, 3 x four bedroom dwellings, and 3 x five bedroom dwellings. The dwellings would be sited either side of a single street, formed from the existing access on to Old London Road, forming a 'T' shaped junction at the rear of the site.

1.3 The dwellings would benefit from a mix of on-plot and on-street parking, including visitor parking, including few examples of attached single carports and detached garages. The boundary hedging to the south-west and south-east are proposed to be removed and re-planted with native species. All trees within the site are to be removed, except for the group

of Leyland cypress trees to the north-western boundary shared with Lamorna Close, which are proposed to be retained and cut to 8m in height.

- 1.4 The majority of the dwellings would be two-storeys in height, with the two bedroom dwellings one and a half storeys in height with a rear dormer. The dwellings would be composed of red brick and Cedral cladding, and would host pitched roofs of varying form finished with a red clay tile. Each dwelling (including the 4 x maisonette units) would benefit from a modest garden amenity area.

DESCRIPTION OF THE SITE

- 1.5 The application relates to a 0.52ha site currently occupied by one detached chalet bungalow, and associated outbuildings. The site slopes upwards from the street, which incorporates its own access, with existing mature and established foliage to each boundary. The site is currently landscaped, including hardstanding areas, outbuildings, and a large front and rear garden curtilage.
- 1.6 The A24 is located to the east of Old London Road – a Southern Water pumping station and kiosk is sited between the A24 and Old London Road. The surrounding area is mixed in character, composed of piecemeal residential development and light industrial uses to the south-west. Whilst the site and surrounding area is located outside of the built-up area, the locale is considered to bear a semi-rural character.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

- 2.2 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 7 - Strategic Policy: Economic Growth
- 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 30 - Protected Landscapes
- Policy 31 - Green Infrastructure and Biodiversity
- 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
Policy 42 - Strategic Policy: Inclusive Communities
Policy 43 - Community Facilities, Leisure and Recreation

- 2.3 Supplementary Planning Guidance:
Planning Obligations and Affordable Housing SPD (2017)
Community Infrastructure Levy (CIL) Charging Schedule (2017)

- 2.4 RELEVANT NEIGHBOURHOOD PLAN
Storrington, Sullington & Washington Neighbourhood Plan 2018-2031 (2019):
Policy 1: A Spatial Plan for the Parishes
Policy 2: Site Allocations for Development
Policy 14: Design
Policy 15: Green Infrastructure and Biodiversity
Policy 17: Traffic and Transport
Policy 18: Car Parking

- 2.5 PLANNING HISTORY AND RELEVANT APPLICATIONS
The most recent and relevant planning history relating to the site is as follows:

DC/20/0717	Demolition of existing dwellinghouse and erection of 16no residential dwellings (C3) with associated works	Pending Consideration
DC/16/1720	Demolition of existing residential dwelling and ancillary buildings and the erection of 14 residential dwellings with associated access, parking, services and landscaping	Withdrawn Application on 26.10.2016

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

- 3.2 **HDC Landscape Architect:** (*summary*)
Holding Objection – the proposed layout does not sit comfortably in the plot nor does it relate or respond sympathetically to its countryside location. It is very urban in nature as result of the number, size and bulk of the proposed dwellings. The layout doesn't allow or has very limited capacity to accommodate tree planting to the detriment of the amenity of the area and bearing in mind the amount of onsite trees being removed to facilitate the development. The limited size of gardens and close proximity of the proposed dwellings to the existing boundary trees will result in overshadowing of the gardens and some windows resulting in future pressure to severely trim back or remove these in favour of sun light. Following discussions with our tree officer we have come to the conclusion that the retention of the existing boundary conifers G1 and G3 is not justified and therefore although this is a requirement of the NP policy 2, our view and recommendation is that these should be replaced with more appropriate planting.
- 3.3 **HDC Arboricultural Officer:** (*summary*)
Holding Objection – whilst I register no objection to the principle of development on the site, nor to the loss of those trees thereon selected for removal, I remain unconvinced that the site can be developed in its present iteration in line with best practice whilst retaining the conifer groups G1 and G3, putting the scheme in conflict with BS 5837. A far better option in

my view would be to wholly remove the two conifer groups and secure, by condition, robust but more appropriate planting which would not only maintain the screening of the site and the visual characteristics of the locality, but improve them.

- 3.4 **HDC Environmental Health:** No Objection – subject to the attachment and adherence to suggest conditions.
- 3.5 **HDC Housing:** Comment – Following review of the submitted Financial Variability Assessment, it is accepted that a policy compliant provision of affordable housing cannot be achieved on this site.
- 3.6 **HDC Drainage Engineer:** No Objection – subject to the attachment and adherence to suggest conditions.

OUTSIDE AGENCIES

- 3.7 **WSSC Highways:** No Objection – The problem of overgrowing vegetation may be dealt with at implementation stage and a condition covering visibility splays has already been recommended. Suggested conditions (attached).
- 3.8 **Ecology Consultant:** No Objection – subject to the attachment and adherence to suggest conditions.
- 3.9 **Southern Water:** Comment – subject to the attachment and adherence to suggest condition and informative.
- 3.10 **WSSC Flood Risk Management:** No Objection – the site is located within an area of low risk to flooding. The Drainage Strategy included with this application state that soakaways would be used to control the surface water runoff from the site. This method would, in principle, meet the requirements of the NPPF and associated guidance documents. All works to be undertaken in accordance with the LPA agreed detailed surface water drainage designs and calculations for the site, based on sustainable drainage principles. The maintenance and management of the SUDs system should be set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved designs.

- 3.11 **South Downs National Park:** Comment – The SDNPA makes no comment on the principle of development, however would recommend that consideration be given to the International Dark Night Skies Reserve and dark night skies, which are a special quality of the National Park, and opportunities to provide recreational links for future occupants of the site into the National Park.
- 3.12 **Viability Consultant:** (*summary*)
Comment – the applicant has demonstrated that the site would not be viable for the inclusion of a policy compliant provision of affordable housing, and has offered one shared ownership unit.

PUBLIC CONSULTATIONS

Parish Comments:

- 3.13 Washington Parish Council supports the principle of the proposal, subject to the inclusion of the following conditions:
- Retain adequate 'green' screening to maintain privacy and to prevent overlooking on neighbouring properties, and to mitigate traffic noise from the nearby A24.
 - Request no street lighting, in recognition of the Parish's Unlit status, and the important designation of the nearby South Downs National Park as an International Dark Skies Reserve

- To prohibit any burning of waste, including 'green waste', on site. All waste to be taken off site

Representations:

- 3.14 19 letters of representation were received from 8 separate addresses objecting to the proposal on the following grounds:
- Replacement hedging at G1 location (south-west) too small
 - Overdevelopment
 - Parking overflow to surrounding area
 - Site is not in a sustainable location
 - Foul water cannot be taken from this site
 - Loss of privacy to neighbours
 - Loss of trees and hedging
 - Increased traffic
 - Construction traffic, noise, and smells
 - Poorly designed buildings
 - Increased light pollution

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

Background

- 6.1 The applicant has submitted an appeal for non-determination against the Council. As the Officers are minded to support the proposal, and more than eight (8) letters of representation were received within the statutory consultation period objecting to the proposal, a Committee resolution is required. The purpose of this item is to determine whether the Council should support or oppose the appeal, thus informing the Council's stance for its appeal Statement of Case to be submitted to the Planning Inspectorate.
- 6.2 It is important to note that the applicant has submitted another near identical proposal on this site, which includes the provision of one shared ownership unit (this is not included as part of this current scheme). This is currently under consideration (reference: DC/20/0717). The Local Planning Authority have been informed that if the planning permission for this more recently submitted application is granted, this appeal will be withdrawn. However, given the timings from the Planning Inspectorate for the submission of the Council's Statement of Case, coupled with the on-going consideration of DC/20/0717, it is necessary to obtain the Committee's resolution on this application. In the event that this appeal is withdrawn before the deadline given, the Statement of Case will not be submitted to the Planning Inspectorate.

Principle of Development

- 6.3 The application site is located outside of the built-up area boundary, and is allocated for residential development within the Storrington, Sullington and Washington Neighbourhood Plan 2018-2031 (Policy 2, i).
- 6.4 Policy 4 (Settlement Expansion) of the HDPF states that the growth of settlements will continue to be supported in order to meet identified local housing needs. Outside the built-up area, the expansion of settlements will be supported where:
1. The site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge.
 2. The level of expansion is appropriate to the scale and function of the settlement type.
 3. The development is demonstrated to meet the identified local housing needs and/or employment needs or will assist the retention and enhancement of community facilities and services.
 4. The impact of the development individually or cumulatively does not prejudice comprehensive long term development, in order not to conflict with the development strategy; and
 5. The development is contained within an existing defensible boundary and the landscape and townscape character features are maintained and enhanced.
- 6.5 Policy 15 (Housing Provision) of the HDPF establishes the District's housing need within the development plan period (2011-2031). This has been identified as 16,000 homes. Criterion (4) of the policy states that part of this provision is expected to be delivered through neighbourhood planning, amounting to 1,500 homes over the plan period.
- 6.6 Policy 2 (Site Allocations for Development) of the Storrington, Sullington and Washington Neighbourhood Plan (SSWNP) sets out the Plan's site allocations. The Land Old London Road ('Vineyards') site (Policy 2, i) states that development will be permitted where:
- a. at least 15 dwellings will be provided within the identified residential area as shown on the policies map;
 - b. a new access is achieved off the Old London Road;
 - c. existing landscape boundaries around the site are retained and enhanced.
- 6.7 Given the site has been allocated for development within the SSWNP, there is no objection in principle to the proposal. Consideration must therefore be given to any site-specific constraints, and the detail of the scheme. As such, the principle of development on the site is considered to be acceptable, subject to the detailed considerations as set out below.
- 6.8 The following sections of this report will detail how criterion (a)-(c) have been met as part of the proposal.

Affordable Housing

- 6.9 Policy 16 of the HDPF states that sites providing 15 or more dwellings, or on sites over 0.5ha, the Council will require 35% of dwellings within the development to be affordable. The application proposes the erection of 16 dwellings on a site of 0.5ha, therefore triggering this affordable housing requirement. The applicant has opted to offer on-site affordable unit provision. For a site of this size for 16 proposed dwellings, the expected proportion of affordable units would equate to equivalent of 5.6 dwellings.
- 6.10 Due to viability constraints, the applicant has not offered a policy compliant provision of affordable housing. The Council's Planning Obligations and Affordable Housing SPD allows for flexibility in seeking planning obligations where viability constraints are identified, in accordance with the NPPF and Policy 16 of the HDPF. As a result, a full Financial Viability Assessment (FVA) (prepared by Oakley, dated November 2019) was submitted to the Council by the applicant explaining the reasons for this. The study details the associated costs including build costs, remediation works, demolition costs, professional fees, marketing

costs and CIL payments etc., as well as calculated land values and projected revenues from sales.

- 6.11 The Council's viability consultants have independently assessed the applicant's viability assessment against current best practice as set out the Planning Practice Guidance. In order to fully test the applicant's build cost calculations, the Council commissioned a further independent review of the applicant's build costs at the applicant's expense which informed the viability consultant's assessment of the proposal. The final appraisal of the proposals concluded that the scheme values cannot support the provision of any affordable housing. The reasoning for this is largely a result of there being a high existing use value on the site owing to its occupation by a large house in a large plot.
- 6.12 Despite the conclusions drawn from the Council's review of the site's viability, it is noted that the concurrent identical application DC/20/0717 includes one shared ownership unit whereas this application includes none. Both applications have been subject to the same viability evidence. Therefore, the Council is of the opinion that whilst a full policy compliant level of affordable housing may not be achieved on this site, the applicants have demonstrated that there is scope and willing to include a shared ownership dwelling in the development. Consequently, the current offer of no affordable housing within this submission does not meet local housing needs as required by Policy 16 of the HDPF. Officers therefore recommend to members to support a recommendation to the Inspector to dismiss the appeal on this basis.

Housing Mix

- 6.13 Policy 16 of the HDPF states that development should provide a mix of housing sizes, types, and tenures to meet the needs of the district's communities as evidenced in the latest Market Housing Mix study (Iceni, November 2019) in order to create sustainable and balanced communities. Table 70 of the study shows that residential development market housing should comprise the suggested mix:
- 1 bedroom housing – 6%
 - 2 bedroom housing – 27%
 - 3 bedroom housing – 41%
 - 4+ bedroom housing – 26%
- 6.14 The application seeks consent for the erection of 16 dwellings, comprising the following housing mix:
- 1 bedroom housing – 0%
 - 2 bedroom housing – 44%
 - 3 bedroom housing – 19%
 - 4+ bedroom housing – 38%
- 6.15 Whilst it is acknowledged that the proposal incorporates fewer than the anticipated number of 1 and 3 bedroom market dwellings, this has been balanced out with an increased provision of 2 bedroom units. As such, the proposed housing mix is considered to broadly comply with the Council's expectations for a residential development of this quantum and is therefore considered in accordance with Policy 16 of the HDPF and the latest SHMA assessment. As such, the proposal is considered in accordance with criterion (a) of Policy 2(i) of the SSWNP.

Design and Appearance

- 6.16 Policy 32 of the HDPF states that good design is a key element in sustainable development, and seeks to ensure that development promotes a high standard of urban design, architecture and landscape. Policy 33 of the HDPF states that development proposals should make efficient use of land, integrate effectively with the character of the surrounding area, use high quality and appropriate materials, retain landscaping where feasible (and mitigate

loss if necessary) and ensure no conflict with the character of the surrounding town or landscape.

- 6.17 The existing dwelling would be demolished, and the proposed development would utilise the whole of the site, featuring dwellings either side of a single arterial street accessed from Old London Road, opening on to three dwellings at the rear of the site. In terms of the layout function, the proposal is considered logically designed, which ensures that dwellings are evenly spaced between one and other, and that each unit has its own private amenity space and parking provision. Save for the Leyland cypress trees to the northern boundary shared with Lamorna Close, all trees and boundary hedging on the site will be removed and replaced with native species.
- 6.18 The density of the site measures 30.7dph (at 16 dwellings on 0.52ha), which is similar to the density of the neighbouring development at Lamorna Close to the north. With regards to the urban grain within the surrounding area of the site, the density of this part of Washington varies, featuring semi-detached dwellings to the east at Montpelier Gardens, and a mix of terraces and detached dwellings further along Old London Road.
- 6.19 The majority of the dwellings would be two-storeys in height, except for plots 1, 10 and 16 (the two bedroom detached dwellings), which would be one and a half storeys in height each with one rear dormer. Plots 12-15 would be formed of 4 x two-bedroom maisonette units. Plots 4-6 would be formed of 3 x terraced units. Plots 2, 3, and 11 comprise detached four bedroom units with attached car ports, and plots 7-9 comprise the larger four+ bedroom units with detached double garages. The smaller units (two bed maisonettes, two bed units, and three bed terraces) would benefit from one on-plot parking space plus visitor parking, which is located between plots 6 and 7 (totalling 6 spaces). The detached three bedroom units would benefit from two on-plot parking spaces including the attached car ports, and the larger four bedroom+ units would benefit from 2 parking spaces in addition to a double garage each. Each dwelling (including the four maisonette units) would benefit from its own modest garden curtilage.
- 6.20 The elevational detail demonstrates a varied mix of dwelling types, incorporating a reasonable variety of materials and forms. This includes a mix of styles of detached, semi-detached and terraced housing with varied use of materials and combinations, such as bay windows, pitched roofs and chimneys. The design attempts to reflect the character of the mix of two-storey dwellings to the north on Lamorna Close and show a high-quality appearance.
- 6.21 The scheme includes dwellings with appropriate spacing between each other resulting in a sympathetic layout and quantum of development which would be appropriate in the context of the wider surrounding area, in particular Lamorna Close adjacent. It is noted that the garden sizes of each plot varies, and is not generally consistent with the type and size of dwelling they serve. For example, plots 7-9 (four+ bedroom dwellings) host garden sizes comparable to the smaller two- and three-bedroom units. Whilst it would be preferential if each garden was proportionate to the dwelling they serve, Officers do not consider this a reason for warrant refusal.
- 6.22 The proposed dwellings would incorporate a reasonable mix of materials for a development of this size and would include some variation to each dwelling type providing for a varied appearance. The garaging for each dwelling varies from semi-/detached and terraces, all set behind the principle elevation of each dwelling. This variation to the style and staggered frontages again adds to this variation in dwelling appearance.
- 6.23 Overall, the proposed houses are of a design and material finish that would complement closely the design of the houses in the wider area. As such, the proposed layout, design, scale, and appearance of the development would complement that of the wider development site and is considered acceptable, and in accordance with policies 32 and 33 of the HDPF.

Landscape Impact and Design

- 6.24 Horsham District Council recognises the value of its surrounding countryside, and the importance and influence this has on both the urban and rural character of the District as a whole. In order to retain and protect the most sensitive and important landscape features, the Council have commissioned several studies to help guide development, including the Horsham District Landscape Character Assessment (2003). Alongside these District-wide assessments, the HDPF (Policy 30) promotes the consideration of management plans within or nearby protected landscapes, such as the South Downs National Park.

Horsham District Landscape Character Assessment (2003)

- 6.25 The 2003 Horsham District Landscape Character Assessment identifies the site as falling within Character Area E1 Parham and Storrington Wooded Farmlands and Heaths. Although key characteristics of this landscape area are not present within the site itself. The site is well contained from short distance views and although outside of the settlement boundary and in a countryside location, it is influenced by development on two sides, scattered houses in close proximity, the existing dwelling and outbuildings and intrusion of traffic of the A24.

Impact on the South Downs National Park

- 6.26 The site is located approximately 162m north-east of the South Downs National Park (SDNP), with existing residential and commercial development sited between the proposal site and the national park.
- 6.27 Policy 30 of the HDPF states that the natural beauty of the SDNP will be conserved and enhanced and opportunities for the understanding and enjoyment of their special qualities will be promoted. Development proposals will be supported in or close to protected landscapes where it can be demonstrated that there will be no adverse impacts to the natural beauty and public enjoyment of these landscapes as well as any relevant cross boundary linkages. In the case of major development, proposals adjoining the SDNP will also be required to demonstrate why the proposal is in the public interest and what alternative to the scheme have been considered.
- 6.28 Given that the site has been allocated for development within the SSWNP, Officers are satisfied that the development would be in the public interest. Furthermore, alternatives to the scheme and subsequent landscape impact would have been considered during the preparation of the Neighbourhood Plan, thus the selection of this site demonstrates the most viable alternative.
- 6.29 The SDNP have commented on the proposal and have not raised any objections to the principle of the development, noting that the development would be located on a site where there is pre-existing development, thus resulting in minor impacts to the setting of the National Park. Considerations were recommended to the National Park's designation as a dark skies reserve encouraging a sensitive approach to lighting which conforms to the Institute of Lighting Professionals for lighting in environmental zones, and tries to achieve zero upwards light spill in all respects. Officers are satisfied this can be adequately controlled by way of planning condition, not only for landscape preservation reasons, but also for ecological reasons (see below). With this and the above in mind, Officers are satisfied that the proposal would not amount to adverse harm to the setting of the SDNP.

Landscape Assessment

- 6.30 The Council's Landscape Architect has reviewed the proposed development having regard the Council's character and capacity studies, and has raised concerns with the following aspects of the proposal, stating that:
- The layout does not site comfortably within the plot and is urban in nature

- The layout has limited capacity to accommodate planting and trees
- Retention of boundary trees would result in overshadowing to garden amenity areas

- 6.31 It is important to note that no objections have been raised with regards to the principle of the development.
- 6.32 The Council's Landscape Architect comments are acknowledged and understood. However, it is important to consider that the site has been allocated for the development of *at least* 15 dwellings under Policy 2.i.a of the SSWNP. Furthermore, Policy 33(1) of the HDPF states that development should '*make efficient use of land, and prioritise the use of previously developed land whilst respecting any constraints the existing*'. Whilst it is accepted that a reduced scheme could potentially provide a more comfortable layout and additional planting, a reduced scheme would not be compliant with the SSWNP and may not necessarily make the most efficient use of the land. The loss of one dwelling in this regard to retain compliance with the SSWNP would have a negligible benefit in terms of making for a more spacious development, as would any change to the housing mix. In addition, the existing trees to be retained on the site are recognised as a constraint, in that they provide high amenity value to neighbouring dwellings (further detailed below) in which their retention is also sought under Policy 2.i.c of the SSWNP.
- 6.33 Comments relating to the urban nature of the site are noted, given the site's location outside of the built-up area. However, the site is currently developed, albeit with one dwelling, and is located within a developed area. This therefore comes down to a question of character and as detailed in the preceding section of this report, the Officers are of the view that the proposed layout and quantum of development adheres to the general character of the surrounding area and thus would not appear out of context.
- 6.34 Details relating to arboricultural impacts and retention of trees as noted by the Council's Landscape Architect are detailed in the following section.
- 6.35 The Council's Landscape Architect has also suggested the submission of further landscape information for the application, including: existing and proposed land levels; hard and soft landscaping specification; planting; boundary treatments, and; a landscape management plan. Officers are satisfied that this could be adequately conditioned to be submitted for approval prior to the commencement and occupation of the development in the event that permission is granted.
- 6.36 On balance, with the above comments from the Council's Landscape Architect in mind, Officers consider that the proposed layout is acceptable, subject to the submission of further information by way of planning condition.

Arboricultural Impacts

- 6.37 Policy 33(6) of the HDPF presumes in favour of the retention of existing important landscape and natural features, for example trees, hedges, banks and watercourses. Development must relate sympathetically to the local landscape and justify and mitigate against any losses that may occur through the development.
- 6.38 The Arboricultural Implications Assessment (AIA) and Method Assessment accompanied with the application (prepared by David Archer Associates, dated December 2019) details that all 51 of the trees and boundary hedging on the site, save for the group of Leyland cypress trees to the boundary of Lamorna Close (marked as G3 in the statement), would be removed, and replacement hedging and native planting would be included within the scheme. The report details that the majority of these trees are 'category C' or lower, meaning that they are of low quality and little amenity value. Four trees, however, are graded 'category B', and would be removed as it would not be practicable to retain them. It should be noted

that the Council's Arboricultural Officer does not dispute these particular findings of the report.

- 6.39 However, it is acknowledged that the Council's Arboricultural Officer has raised an objection to the retention of the group of Leyland cypress (G3) to the rear of the site, which forms the site's boundary facing Lamorna Close. This group of trees has been retained as they provide screening between the development site and the neighbours at Lamorna Close, despite their current condition. The Arboricultural Officer's concern with their retention is that ownership and maintenance of this group of trees falls to the occupants of the proposed dwellings, where future residential pressure may well result in the loss of these trees. However, the neighbouring representation has made it clear that these trees hold amenity value, and would provide screening from the development. As such, Officers raise no objection to the retention of these trees, and are satisfied that appropriately worded planning conditions could ensure their long term retention and maintenance.
- 6.40 Neighbouring comments relating to the loss of trees to the other boundaries (marked as G1) are noted. However, as noted in the AIA and as agreed to by the Council's Arboricultural Officer, these trees are low quality and have no especial merit. Whilst it is appreciated that their partial removal and reduction in height would result in a perceived character change when travelling on Old London Road / to Lamorna Close, it would not be practical to retain them in their present form, given their proximity to the proposed dwellings. Furthermore, given the southerly orientation to the proposed dwellings, if retained there would likely be future residential pressures to remove these trees piecemeal, as this would result in reduced sunlight to gardens (more so than the G3 group to the rear of the site). The submitted AIA details that these would be replaced with a native species of hedge, which would serve to soften this boundary treatment in addition to holding some ecological value.
- 6.41 It is noted that suitable tree protective measures will be implemented to the retained trees on the site, and those on neighbouring properties that overhang the development area.
- 6.42 Whilst the SSWNP stipulates that the boundaries to the site should be retained (criterion c) Officers are satisfied that the applicant has suitable justified their partial removal (G1) and replacement with a more appropriate species. Furthermore, the boundary to the rear (G3) would be retained and maintained at a reasonable height to protect the amenities of the neighbours to the rear on Lamorna Close. On balance, it is considered that the proposed treatment to these boundaries is acceptable, and represents a reasonable and viable compromise to total retention. As such, no objection is raised on arboricultural grounds, and the proposal is considered in accordance with criterion (c) of Policy 2(i) of the SSWNP.

Amenity Impacts

- 6.43 Policy 33 of the HDPF states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land.

Amenity of Existing Neighbouring Residents

- 6.44 The rear garden of plots 7-9 back on to the rear gardens of nos. 5-8 Lamorna Close, separated at a distance of 18m+, including the boundary trees (G3) to be retained for amenity purposes. The proposed dwellings would comprise a similar height to the neighbours (two-storey).
- 6.45 The rear gardens of plots 1-6 face the rear gardens of nos. 2-20 (evens) on Montpelier Gardens at a separate distance of 40m+, which is intersected by the access road to Lamorna Close. The existing boundary (G1) to this part of the site would be removed and replaced with native species planting.

- 6.46 Sufficient separation distance is considered to be retained between the proposed dwellings and the neighbours, thus would not likely result in harmful amounts of overlooking to each property. Whilst it is appreciated that the introduction of 16 dwellings on this site would increase the level of activity to the rear of the neighbours' dwellings, and may be perceived as overbearing compared to the arrangement which currently comprises one single detached dwelling. Overall, this would not be so harmful to warrant consideration of refusal. The site does not directly neighbour any residential properties to the north-east and south-east.
- 6.47 Whilst it is accepted that the development would result in an increase level of activity on the site, in which residential development of this form and density would likely appear overbearing compared to the existing arrangement, the resultant development is not considered to result in adverse harm to the amenities of the existing neighbouring dwellings. As such, no objection is raised with regards to this aspect of the proposal.

Amenity of Future Occupants

- 6.48 The layout of the proposed dwellings are mostly considered appropriate with regards to their impact on each other.
- 6.49 The scheme does not include houses within central positions, thus no direct overlooking into neighbouring units would occur. The side elevations of the neighbouring units would be adequately spaced from each other, which would likely result in a degree of mutual oblique overlooking – a phenomenon which is not uncharacteristic of a development of this kind. Given their separation distance from each other, no harm is considered to arise by way of overlooking. Overall, this layout would not result in a significant sense of enclosure for future residents of the site, nor lead to undue harm by way of overshadowing and overbearing.
- 6.50 The site is located approximately 53m north-west of the A24, separated by a raised verge with mature and established planting. The Council's Environmental Health Officer has not raised any objections on grounds of noise, though has identified that there may be an impact on the dwellings and has suggested conditions in recognition of this. Officers are satisfied that through the submission of further information and adherence to the suggested conditions and mitigations that the proposal's siting in relation to the A24 would not result in harm to the amenity of future occupants by way of adverse noise impact.
- 6.51 With this and the above in mind, the proposal for 16 dwellings is neither considered to result in any undue harm to neighbouring amenities to the existing dwellings surrounding the site, nor give way to harm to the proposed neighbouring dwellings within the development. As such, no objection is raised to this regard.

Highways Impacts

- 6.52 Policy 40 of the Horsham District Planning Framework states that transport access and ease movement is a key factor in the performance of the local economy. The need for sustainable transport and safe access is vital to improve development across the district.
- 6.53 Policy 41 of the Horsham District Planning Framework states that development that involved the loss of existing parking spaces will only be allowed if suitable alternative provision has been secured elsewhere. Adequate parking facilities must be provided within the developments to meet the needs of the anticipated users.
- 6.54 The development would be served by the existing access, which would be replaced with a formal vehicular access, with a 6m radii at the junction to Old London Road. The existing footway will be provided with dropped kerbs and tactile paving to maintain accessibility. The proposal will be served via a simple 'T' junction. The visibility standards are designed and can be maintained to the required standard for the speed of traffic using Old London Road.

- 6.55 The submission was accompanied with a Transport Statement, which is unusual for a development of this size. The statement details that the proposal will be served via a simple 'T' junction. The visibility standards are designed and can be maintained to the required standard for the speed of traffic using Old London Road.
- 6.56 The development will provide 28 allocated car parking spaces: one each for the two- and three-bedroom units, and two spaces for the four-bedroom, and four spaces each for the four-bedroom+ units. The proposal incorporates 6 visitor parking spaces, and each units will be allocated with a minimum of two cycle parking spaces.
- 6.57 WSCC have not raised any objections to the proposal, in terms of highway safety, access, and parking, subject to the recommended conditions attached to this permission. Further, it has been advised that the applicant enter into a Section 278 agreement (Highway Act, 1980) for works to the highway, in addition to highway adoption. As such, Officers have no concerns with regards to the highway impacts and parking provision for the proposal.
- 6.58 As the development would be served by an access from Old London Road, the proposal is considered in accordance with criterion (b) of Policy 2(i) of the SSWNP.

Ecology

- 6.59 Policy 31(2) of the HDPF states that development proposal will be required to contribute to the enhancement of existing biodiversity, and should create and manage new habitats where appropriate. The Council will support new development which retains and/or enhances significant features of nature conservation on development sites. The Council will also support development which makes a positive contribution to biodiversity through the creation of green spaces, and linkages between habitats to create local and regional ecological networks.
- 6.60 The submission was accompanied with a Preliminary Ecological Appraisal (prepared by Urban Edge Environmental Consulting, dated December 2019). The reports surveyed the likelihood of the presence of great crested newts, reptiles, badgers, bats, dormice, other invertebrates, and flora, and proposed suitable mitigations in respect of the development. The survey concluded that: the presence of great crested newts is low; the presence of reptiles is low; the trees surveyed have low to moderate suitability for roosting bats; there were no signs of badger activity; the site has no suitability for dormice, and; the hedgerows, trees and scrubs would likely provide suitable habitat for nesting birds.
- 6.61 The Council's Ecology consultant has reviewed the submitted survey and, subject to adequate avoidance, mitigation and enhancement measures secured via suggested conditions, does not object to the proposed development.

Climate change

- 6.62 Policies 35, 36 and 37 of the HDPF require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions mitigate the impact of development on climate change.
- 6.63 In addition to the provisions included as part of the submission detailed in the applicant's planning statement, Officers are satisfied that the following measures can be secured as part of this application to reduce the development's impact on climate change:
- Water consumption limited to 110litres per person per day
 - Integration of SUDS and green infrastructure to manage flood risk
 - Requirement to provide full fibre broadband site connectivity
 - Dedicated refuse and recycling storage capacity

- Opportunities for biodiversity gain
- Cycle parking facilities
- Improved pedestrian and cycle links

6.64 With the above in mind, Officers are satisfied that through the use of appropriately worded planning conditions, the above measures could be implemented to reduce the development's impact on climate change. To this regard, there are no objections to the proposal on these grounds.

Other Matters

Flood Risk / Drainage:

6.65 The Environment Agency's (EA) online flood maps show that the site is located wholly within Flood Zone 1, meaning that the land is in a 'low probability' flood zone, and has a 'less than 1 in 1,000 annual probability of river or sea flooding'. In addition, no water courses run through the site. The site is located approximately 37m north-west (uphill) of designated floodzone 2/3 (sourced from an ordinary watercourse). The County Lead Local Flood Authority confirmed that the site is in low risk of flooding.

6.66 The application was accompanied with a Foul and Surface Water Drainage Strategy (prepared by Hodel Consulting Engineers, dated July 2016). The report detailed that the foul drainage will discharge via a new pump chamber located in the south east corner of the site prior to connecting to the public sewer off site to the south. Surface water drainage will discharge via several soakaways located within the site.

6.67 The submitted strategy has been assessed by both WSCC Flood Risk Management team and the Council's Drainage Engineer, in which both parties are satisfied that the proposed methods of surface water management would meet the requirements of the NPPF (subject to conditions for ongoing maintenance etc.). Officers do not object to the proposal on these grounds.

Contaminated Land

6.68 Chapter 6 of the submitted Preliminary Risk Assessment (prepared by Phlorum, dated January 2020) details the general risk of contaminated land on this site. The Council's Environmental Health Officers have identified that there may be a risk of contamination on this site that may impact the safe occupation of this site.

6.69 A condition has been suggested in light of this, requesting further investigation and surveys to be undertaken and to be submitted to and approved in writing to the Local Planning Authority, in addition to appropriate remediation to be implemented in the event the contamination is found. Officers are satisfied that this condition could adequately address this potential issue and ensure safe occupation of the site.

Community Infrastructure Levy (CIL)

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

6.71 **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	1786m ²	196m ²	1,590m ²
	Total Gain		1,590m²

Total Demolition **196m²**

- 6.72 Please note that exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.
- 6.73 In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

Conclusions and Planning Balance

- 6.74 The application seeks planning consent for the erection of 16 dwellings. As the site has been allocated for the development of at least 15 dwellings in the SSWNP (Policy 2, i), the principle of the development is accepted. The proposal includes an appropriate housing mix, and it has been demonstrated that a policy compliant level of affordable housing would not be viable to develop the site. However, the Local Planning Authority are aware that some level of affordable housing provision on the site is achievable, as demonstrated on the concurrent planning application DC/20/0717. Therefore, the principle of not allowing any level of affordable housing on this site entirely is not considered acceptable.
- 6.75 The proposed quantum of development, layout, and design is considered appropriate, which would not amount to adverse landscape harm. It has further been demonstrated that the proposal would not amount to an adverse impact on existing residents' amenity.
- 6.76 On balance, Officers consider that the landscape layout is acceptable, considering the associated viability constraints on the site. Further information has been requested by way of condition to secure the planting and boundary treatments, which is not fully detailed as part of the submission. Officers also consider that the retention of the group of Leyland cypress trees to the rear of the site, adjacent to the shared boundary to the neighbours on Lamorna Close, is appropriate, given their amenity value to the neighbours as a means to protect privacy. The removal of all other trees and hedging on the site has been satisfactorily demonstrated as part of the application, and would be replaced with an appropriate level of native planting.
- 6.77 Appropriate ecological mitigations and enhancements have been recommended, which the Council's Ecological Consultant has agreed to. Furthermore, appropriate climate change mitigations have been included as part of the scheme, and will be secured by way of condition.
- 6.78 Despite the merits of the scheme, the Local Planning Authority does not accept that no affordable housing can be delivered on this site. Officers therefore recommend that members support the recommendation to the Planning Inspectorate that the appeal is dismissed.

7. RECOMMENDATIONS

- 7.1 To recommend to the Planning Inspectorate that in the event the appeal had not been lodged, the decision of the Council would have been to refuse planning permission for the following reason:

Reason:

- 1 The development fails to provide for an appropriate provision of affordable housing to meet local housing needs, contrary to Policy 16 of the Horsham District Planning Framework (2015).