



FERNHURST PARISH COUNCIL

Planning Committee Meeting Minutes Monday 7 May 2019

Minutes of the Planning Committee meeting held at The Fernhurst Centre

Monday 7 May 2019 at 6.00pm

Councillors Present: Mr J Buchanan, (Chairman), Mrs H Bicknell, Mr W Black, Mr J Smith, Mrs M Timms, Mr G Williamson.

P/43/19 Apologies For Absence: Mrs S Bloomfield, Mr G Inns, Mrs M Jenkins, Mr A Moncreiff, Mr C Tedd.

P/44/19 Declaration of Interests: None.

P/45/19 Public Representations: Mr Iain Brown addressed the committee to stress the level of local support for the highest possible level of affordable housing to be provided at the proposed Syngenta (Fernhurst Park) development.

P/46/19 Previous Minutes: The minutes of the meeting held on the **15 April 2019** were approved.

Proposed: Cllr Buchanan, seconded Cllr Jenkins

P/47/19 Matters Arising From The Minutes: None.

P/48/19 Planning Applications:

a.)

Reference	SDNP/19/00913/FUL
Alternative Reference	PP-07576690

Address

Syngenta Site, Henley Old Road, Fernhurst, West Sussex GU27 3JE

Proposal

Construction of 210 dwellings (Use Class C3) and 233sqm of ancillary café (Use Class A3), retail (Use Class A1) and community use (Use Class D1 / D2) buildings, retention of existing Pagoda building and associated commercial use (Use Class B1) and landscaping and associated access and parking, following demolition of the Highfield building.

Decision: Fernhurst Parish Council (FPC) does not object to the principle, embodied in the Fernhurst Neighbourhood Plan, (FNP), that approximately 200 dwellings should be built on this site. FPC objects to the proposed scheme on the following grounds (itemised in no particular order):

A) **Design, Density and Layout of Dwellings** - The scheme does not provide a sufficient diversity of different house types/designs and they are laid out in too regimented a structure, poorly 'blended' into the green surroundings – addressing these shortcomings might require fewer dwellings and/or more creative use of green space on the site, but could improve overall viability and make it more attractive for residents and visitors alike. The SDNPA laudably requires a 'landscape-led' scheme with significant 'green infrastructure'. When combined with, at the eastern end of the site, the National Trust covenant (that has allowed them to effectively veto any buildings there), only about 40% of the site is not 'green infrastructure' of one sort or another. Understandably, the applicant wishes to maximise profitability and therefore seeks to build as many units as possible on the remaining site area. The unfortunate result is that the proposed houses are densely packed, in a regimented layout. FPC considers that a related problem is inadequate parking provision, discussed below. FPC would much prefer to see fewer dwellings (200 per section 5.19 of the FNP, or fewer), less densely packed, with more internal space, greater parking provision and better interwoven with the green spaces.

It is important to note that the FNP (5.44) states that "...the applicant must work closely with the SDNPA and FPC in order to establish the design principles and how these can be achieved...". The applicant has demonstrably not done this, as far as FPC is concerned. Similarly, FPC has had no interaction with the SDNPA Design Review Panel – neither being invited to attend in any capacity or receiving written or other material from, any meetings where this scheme may have been discussed.

B) **Building Heights** – FPC has heard, and understands but does not agree with, the architectural arguments for four-storey blocks (E/F) of flats near the site entrance. FPC strongly disagrees with any proposal for such tall, and visually imposing, buildings on the most elevated part of the site, nearest to the A286. The proposed blocks would be too large and incongruous in the wider landscape, and especially so when illuminated after dark. FPC's position is that no building should be higher (above datum, in terms of 'whole site' elevations) than the Pagoda. FPC is given to understand that building heights were of significant concern to the then LPA in the 1980s at the time of the building of the Pagoda and Highfield office units – constraining them to be on some of the least elevated ground on the site and restricting their overall design height and, in the former case, massing. If the National Trust, in enforcing its covenant responsibly, considers that the eastern end of the site should not be built on at all, it is hard to imagine that four storey buildings are appropriate 200m or so to the west, on higher ground.

C) **Parking Provision and Internal Road Layout** – Partly due to the space constraints described above, and partly due to a laudable attempt to minimise the visual impact on the overall scheme of large numbers of parked cars, only 360 car parking spaces are provided for 210 dwellings and any visitors to them. Of these 360, 107 are to be garages – in real life, garages are often not used for parking - especially if space is at a premium inside the dwelling. FPC is supportive of the attempts to use underground parking to meet these aims, but considers the parking provision to be unrealistically inadequate. Based on experience of existing housing in the village, FPC would expect at least another 30-50 parking spaces to be required in this case. The application states that the WSCC 'parking demand calculator' was used to help estimate parking requirements – FPC questions the validity of the use of this calculator in this situation and would argue against undue reliance on it. Unless the parking provision is increased, FPC anticipates potentially very serious problems – in the real world – for example, in ensuring emergency vehicle access. The internal road layout also complicates domestic refuse collection in a

way which increases costs for residents and increases the risks associated with non-compliance by residents – especially so, if parking provision proves inadequate.

D) **Affordable Housing** – The provision of affordable housing (AH) is the single most important element of this scheme as far the ‘host community’ of Fernhurst is concerned. No Viability Assessment (VA) was submitted with the application, this was an extremely regrettable omission given all the many other professionally-prepared reports and documents which were submitted ‘on time’. A cynic might suggest that this delay was deliberate. A VA was eventually made publicly available on the SDNPA website on 16-Apr-19. FPC strongly requests that, *prior to determination*:

- i. The VA be subjected to rigorous scrutiny by an independent professional reviewer, with the provision of adequate resources to enable specialist reports to be obtained from other professionals as necessary, for example a quantity surveyor, to the maximum extent consistent with government planning policy necessary to assure confidence in all the embodied assumptions, from “bottom-up”. Please also see Appendix 1 for specific detailed comments on the submitted VA;
- ii. The final results of the scrutiny, and any subsequent negotiations are made public – to the fullest extent;
- iii. The mix of dwelling types and tenure types is confirmed to actually meet the profiles required by the Planning Authority’s assessment of housing needs;
- iv. A condition be applied to any consent, providing for an ongoing Viability Assessment Review Mechanism – to strengthen compliance with relevant policies over the lifetime of the scheme.

FPC notes that the VA appendices include five nearby (but outside the SDNP) comparator sites, where affordable housing provision on-site varies from 22% to 56% of the total, with a simple arithmetic average of 36% provision, and with a mix of houses and apartments of varying configuration. FPC understands that, as at today’s date, (7 May 2019) the applicant is proposing to offer 10% AH, being 21 flats and no houses. FPC considers that:

- 10% is significantly below what has been achieved in nearby developments – both in terms of the number of dwellings and their variety (flats only, no houses);
- The comparator sites average 36% AH, but – all things being equal - a site within a National Park should be expected to provide a greater proportion of AH than a comparable one outside (Ref. SDNPA TSF-12 Affordable Housing Background Paper, updated April 2018).
- Given the targets for AH provision in the FNP and the emerging SDNP Local Plan, and the absence of any significant site-specific factors reducing viability (and the absence of material changes in the factors affecting viability since the FNP was made in early 2016), FPC expects the proportion of AH to be much higher.
- Regardless of any other considerations, FPC would urge refusal of the proposed scheme if it proves unable to provide the mix of affordable housing broadly consistent with the expectations embodied in the FNP.

Additional representations are as follows:

A) **Accessibility and Lifetime Homes Standard (FNP Policy H1)** – FPC requests that at least 80% of proposed houses and of flats should, by planning condition, be classified as ‘Category 2 – Accessible and Adaptable Dwellings’ under the 2015 Building Regulations Part M4(2) as amended, and that a pre-agreed proportion of both houses and flats be similarly classified as ‘Category 3 – Wheelchair User Dwellings’. This is on the

understanding that the ‘Lifetime Homes’ standards can, for the most part, adequately be met by the optional Part M4(2) requirements.

B) **Links to the adjoining area** – FPC requests a binding commitment from the applicant, prior to determination, that:

- i. There should be no vehicular access to the site from the East, either during construction or operation of the site, other than the minimum required for access to undertake landscape maintenance. To protect neighbour amenity and to mitigate the ecological impact of the development.
- ii. A paved pedestrian (at least) trackway will be provided to link, beside the A286, to the existing pedestrian pavement to the north.
- iii. No new pathways or access-ways will be created onto adjoining property – to protect the integrity of, for example, the Sussex Wildlife Trust meadows to the north.

C) **Air Quality - Wood Burning Stoves** – given that all the proposed dwellings will be built to high standards of energy efficiency and will have living space and domestic hot water heated by high-efficiency gas boilers, the proposed provision of wood-burning stoves, as additional space heating, in each of the 104 houses can only be seen simply as ‘window-dressing’. The ‘air quality technical report’ provided with the application rightly states that there should be no bonfires during the construction phase(s), it then completely ignores the contribution to air pollution represented by the proposed stoves during operational phase(s). The report offers scant evidence, either way, on existing levels of air pollution in the actual vicinity of the site. The local knowledge of FPC members and parishioners is that the Vale of Fernhurst already suffers from poor air quality, at times, especially during the colder half of the year, directly attributable to the domestic use of solid fuel heating appliances generating wood-smoke. FPC requests that a binding commitment be obtained that no wood-burning appliances will be installed in any houses – no realistic mitigation is possible.

D) **Mitigation of Ecological Impacts** – Given the high ecological quality of much of the adjoining land area, and its high sensitivity to:

- i. **Predation and habitat disturbance** – pet cats present a direct threat to birds and other small animals, and an additional indirect threat through unwanted competition for food for predatory birds (e.g. owls) and mammals, for hundreds of metres beyond the site boundary. Both cats and dogs can disturb wildlife, for example, ground-nesting birds (nightingale, nightjar, woodcock etc.);
- ii. **Insecticides and other drugs** – pet dogs and cats are routinely treated with worming/flea treatments as well as drugs including antibiotics. As such, for example, they regularly excrete small amounts of persistent and very powerful, often broad-spectrum, fungi-/parasiti-/insecti-/cides which accumulate in soil and groundwater – and which directly affect plants, fungi and insects, and indirectly affect birds, bats etc. Many ecologically responsible landowners, probably including the Sussex Wildlife Trust, insist that their graziers refrain from using anthelmintic treatments (e.g. Avermectin), or prophylactic drugs, on livestock for example.

FPC requests that a binding commitment be obtained from the applicant that all dwellings will, in perpetuity, be prevented – by covenant or by other binding means – from keeping domestic cats or dogs (registered assistance dogs excepted). Such measures would also help to protect the ‘green infrastructure areas’ of the scheme from animal waste pollution and the associated human health risks. FPC notes that the keeping of domestic cats is restricted by Section 106 agreement over parts of the nearby King Edward VII site.

- E) **Employment (FNP Policy SA1)** – FPC welcomes the proposal to continue use of the Longfield and Pagoda buildings by the existing business tenants. Policy SA1 states that “Provision of space for smaller businesses and as live-work units will be expected”. Besides offering some possibility for desk-based “working from home”, the proposed scheme provides no live-work opportunities for artisanal or similar occupations. FPC sees this as a missed opportunity to engender a truly mixed community, which does not accord with the spirit of the FNP.
- F) **Leisure and Tourism (FNP Policy SA1)** – The application has disregarded all the terms of this part of the policy. There is no evidence of any assessment of the ‘...leisure infrastructure needs of the community...’ and no ‘...process of consultation with the Fernhurst community...’ on this subject. Particularly disappointing is the lack of provision of allotments.
- G) **Sustainability – PV Solar Panels** – The provision of such panels is strongly welcomed, however it should not be allowed to compromise the visual design of the dwellings and should avoid undesirable light reflections both within and beyond the site boundaries. FPC would wish to see low-reflectivity coatings used to minimise glare.
- H) **Public Consultation** – The details of this application have been subject to repeated iterative changes, some of them large, for at least the last three years. On the basis that being consulted is not the same as simply being informed, it is fair to say that the ‘host community’ was briefly consulted in 2016 – on a very different scheme - and has not been consulted since. As far as being informed, the applicants briefly visited FPC in late 2018 at a meeting (to which the public were not invited, at the applicant’s request). When the application was submitted – a complicated set of 490-odd documents being placed on the SDNPA website – the applicant had no intention to provide accessible hard copies of the proposals to the community, nor any stated intention to make verbal presentation of them. Reluctantly, the applicant did provide a limited presentation of the scheme to local residents – on a date one day before the (then known) deadline for public representations. Combining all the above with a failure to provide a timely affordable housing ‘viability statement’ as part of the application, the applicant has – whether by accident or by design - shown a disrespect for local people which does not bode well for their future relationship.
- I) **Transport** – the transport report does not correctly reflect the existing traffic problems, especially at peak times, at the A286/A272 junction – this means that future problems are also underestimated. FPC welcomes the provision of a ‘Travel Plan’ with a manager, and sees that effective provision of a minibus service, as part of an overall package, will be absolutely critical to avoiding circulation and parking problems on-site and undue exacerbation of traffic problems off-site (at Haslemere train station, for example). It is noted that enhancements to the public bus services along the A286 could provide much greater benefits to the wider community than a private minibus. FPC expects that lower speed limits will be required in future on the A286 from Cooksbridge southwards, beyond the Henley road junction.
- J) **Archaeology** – FPC requests that a copy of any the records to be made of pre-existing buildings on the site be lodged with the Fernhurst Archive c/o Fernhurst Village Hall.

APPENDIX 1 – Detailed comments on the applicant’s Viability Assessment (VA)
(as posted on SDNP website on 16 April 2019)

1. *Target Profit as % of GDV* - FPC suggests that the target profit level as a % of GDV should be taken as 15% (not 20% per the last paragraph of section 3.2 of the VA) since government guidance has changed as of 24-July-2018.

2. *Land Value calculation* - FPC questions the make-up and use of the figure for “Finance and Acquisition Costs” of £17.47m – included under ‘Scheme Results’ on the last page of Appendix 1 of the VA. On the face of it, this figure includes amounts which should not contribute to the calculation (based on EUV+) of land value in the VA – since Acquisition Cost is irrelevant to this calculation. The EUV is valued in Appendix 4 at £7.125m and if uplifted by 20% yields a land value of £8.55m – deducting this from £17.47m would give finance costs of £8.92m but there is insufficient information provided here to understand whether the calculation has been done correctly.

Proposed: Cllr Black, seconded Cllr Bicknell

b.)

Case No:	SDNP/19/00142/HOUS		
Type:	Householder		
Date Valid:	4 April 2019	Decision due:	30 May 2019
Case Officer:	Louise Kent		

Applicant: Mr Tony Manos

Proposal: Erection of two storey side extension to include associated alterations and additions to fenestration and roof work.

Location: **Fiddlers Acre, 55 Vann Road, Fernhurst, GU27 3NP**

Decision: No objection.

Proposed: Cllr Buchanan, seconded Cllr Timms

c.) No: SDNP/19/01941/FUL

Closing Date for comments: 27 May 2019

Case Officer: Louise Kent

Letter Reference DC/TU/PQ5IB7TU0AH02

Location: **Land adjacent to Fernhurst Wastewater Treatment Works, Midhurst Road, Fernhurst, GU27 3EZ**

Proposal: Change of use of land to operational wastewater treatment works, construction and operation of a chemical dosing kiosk, emergency shower facility, associated areas of hard standing/access and security fencing.

Decision: No comment

Proposed: Cllr Buchanan, seconded Cllr Bicknell

d.) Case No: SDNP/19/01864/HOUS
Case Officer: Louise Kent

Closing Date for comments: 21 May 2019
Letter Reference DC/TU/PPZTRTTUL9W08

Location: **White Gate, Chilcrofts Lane, Kingsley Green** Fernhurst, GU27 3LZ
Proposal: Two storey side extension and the addition of a pitched roof over porch.

Decision: No objection.
Proposed: Cllr Smith, seconded Cllr Williamson

e.) Case No: SDNP/19/01855/LDP
Case Officer: Louise Kent

Closing Date for comments: 21 May 2019
Letter Reference DC/TU/PPUVSPTUL9F0D

Location: **White Gate, Chilcrofts Lane, Kingsley Green,** Fernhurst, GU27 3LZ
Proposal: Single storey rear extension.

Decision: None required.

P/49/19 Planning & Appeal Decisions: Those on the agenda were noted.

Date of Next Meeting: T.B.A.

Signed.....Date.....

Meeting closed at 7.20pm