



**MID SUSSEX**  
**DISTRICT COUNCIL**

## **Agenda Update Sheet**

**Planning Committee B**

**Date: 28<sup>th</sup> February 2019**

## **ITEM 6**

### **APPLICATION DM/18/3627**

P.22 – Replace condition 8:

1) No works pursuant to this permission shall commence until there has been submitted to and approved in writing by the Local Planning Authority before development commences or within such extended period as may be agreed with the Local Planning Authority:

b) A site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk study created in accordance with BS10175:2011+A1:2013 and BS 8576:2013 Guidance on investigations for ground gas. Permanent gases and Volatile Organic Compounds (VOCs); the laboratory analysis should be accredited by the Environment Agency's Monitoring Certification Scheme (MCERTS) where possible; the report shall refine the conceptual model of the site and state either that the site is currently suitable for the proposed end-use or that will be made so by remediation; and, unless otherwise agreed in writing by the LPA,

c) A remediation method statement detailing the remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. For risks related to bulk gases, this will require the production of a design report and an installation report for the gas as detailed in BS 8485:2015 - Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings. The scheme shall consider the sustainability of the proposed remedial approach. It shall include nomination of a competent person<sup>1</sup> to oversee the implementation and completion of the works.

2) The development hereby permitted shall not be occupied/brought into use until there has been submitted to and approved in writing by the Local Planning Authority verification by the competent person approved under the provisions of condition (i)c that any remediation scheme required and approved under the provisions of conditions (i)c has been implemented fully in accordance with the approved details (unless varied with the written agreement of the LPA in advance of implementation). Unless otherwise agreed in writing by the LPA such verification shall comprise a stand-alone report including (but not be limited to):

- a) Description of remedial scheme
- ~~b) as built drawings of the implemented scheme~~
- c) photographs of the remediation works in progress
- d) certificates demonstrating that imported and/or material left in-situ is free of contamination, and records of amounts involved.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under conditions (i)c.

~~Reason (common to all): To ensure that the risks from land contamination to the future users of the land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbors and other offsite receptors.~~

~~In addition, the following precautionary condition should be applied separately:~~

3) If during construction, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the LPA), shall be carried out until a method statement identifying, assessing the risk and proposing

remediation measures, together with a programme, shall be submitted to and approved in writing by the LPA. The remediation measures shall be carried out as approved and in accordance with the approved programme. If no unexpected contamination is encountered during development works, on completion of works and prior to occupation a letter confirming this should be submitted to the LPA. If unexpected contamination is encountered during development works, on completion of works and prior to occupation, the agreed information, results of investigation and details of any remediation undertaken will be produced to the satisfaction of and approved in writing by the LPA.

**Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

## **ITEM 7**

### **APPLICATION DM/18/4002**

P.45 - Remove condition 3:

*The proposed first floor window to the northern elevation hereby approved, shall at all times be obscure glazed. They shall be non-opening unless any opening parts are at least 1.7 metres in height above the floor of the room in which the window is installed.*

*Reason: To protect the amenities of the neighbouring property and to accord with Policy DP26 of the Mid Sussex District Plan.*

With further consideration, Officers do not consider that it is necessary for the replacement landing window in the existing northern side elevation to be obscure glazed or to have restrictions in respect of its opening in order to comply with the development plan. This is due to the fact that the existing window is not obscure glazed and that the replacement will be of both smaller size and at a higher level.

## **ITEM 8**

### **APPLICATION DM/18/4746**

1 additional letter of objection, enclosing photographs from neighbouring property towards site (already forwarded to Members):

- New dwelling has a negative impact to existing properties
- Photos clearly show overbearing nature of this back garden development
- Existing structure should be demolished as it is in breach of planning
- Loss of privacy
- Insufficient garden depth

## **ITEM 9**

### **APPLICATION DM/18/2702**

P.72 - Replace existing Site Plan to reflect amended site boundaries:

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## **ITEM 10**

### **APPLICATION DM/18/4821**

It is noted that the application site does not, as stated in the report, lie with the plan area of the Crawley Down Neighbourhood Plan. Rather it lies with the plan area of the Worth Neighbourhood Plan. The Regulation 14 Draft Copthorne Neighbourhood Plan has been published and whilst a material planning consideration, little weight may be given to the policies of the plan.

The following items to seek to address the development plan policies referred to in the report.

#### **P.98 EXECUTIVE SUMMARY**

**P.99** - Paragraph 2 – Delete reference to policies CDNP04.2, CDNP05, CDNP06, CDNP09 and CDNP10 of the Crawley Down Neighbourhood Plan.

#### **P.99 SUMMARY OF CONSULTEES**

## **WSCC Highways Authority**

Additional comments received 27/02/2019:

I visited the above site yesterday to assess the access that has been created onto the highway. I took the attached photographs which demonstrate the observed visibility from a 2.4m set back into the site. As you can see this is considered to be severely substandard for the road type, the nature of the road at this point places the access on the inside of a gradual bend in the road which also does not assist with visibility. The primary restriction is the presence of multiple trees along the frontage which when staggered along the sight line, provide a physical barrier to visibility in both the leading and trailing directions.

The access in its current format is an unmade arrangement and vehicles progressing along Wallage Lane are not anticipating a manoeuvring vehicle as forward visibility is hindered by both the road layout and the dense wooded area either side of the access point.

We observed vehicles travelling around 35-40mph which with as limited visibility as the access offers, would not be considered safe for an emerging vehicle. Furthermore the types of vehicles travelling along this route varied significantly, we observed a number of small flatbed vehicles, delivery lorries, a number of emergency service vehicles (with the presence of a Police Dog Training Facility nearby) and domestic vehicular movements- many associated with the Business Park to the east of the site. The presence of these larger vehicles is also a concern given that the stopping time for heavier vehicles differs to that of smaller/lighter domestic vehicles.

I can advise that in its current format, we would not be in a position to support the use of this access point. I do not anticipate that the visibility splays can be achieved by the applicant as required and would advise that in the event this is the case, the access should be closed up and returned to match the existing street scene.

I await the additional information from the applicant.

### **P.100 SITE AND SURROUNDINGS**

**P.101** – Paragraph 4 amend to read:

In terms of planning policy the site falls within a rural area and countryside as defined by the Mid Sussex District Plan and the draft Copthorne Neighbourhood Plan.

### **P.102 LIST OF POLICIES**

**P.102** – Replace Crawley Down Neighbourhood Plan policies with the following:

#### **Draft Copthorne Neighbourhood Plan**

The Regulation 14 Draft Copthorne Neighbourhood Plan has been published and whilst a material planning consideration, little weight may be given to the policies of the plan.

Relevant policies include:

- COP01 – Securing Local Infrastructure (Little weight to be attached)
- COP05 – Control of New Developments (Little weight to be attached)
- COP06 – Sustainable Drainage Systems (Little weight to be attached)
- COP08 – Prevention of Coalescence (Little weight to be attached)
- COP09 – Protect and Enhance Biodiversity (Little weight to be attached)
- COP11 – Promoting Sustainable Transport (Little weight to be attached)

## **P.103 ASSESSMENT**

**P.104** – Paragraph 3 – Delete reference to the Crawley Down Neighbourhood Plan (2016)

**P.106** – Delete paragraph 4 relating to policy CDNP04.2 of the Crawley Down Neighbourhood Plan.

**P.107** – Paragraph 4 - Delete reference to policies CDNP04.2 and CDNP05 of the Crawley Down Neighbourhood Plan.

**P.107** – Delete paragraph 6 relating to policy CDNP10 of the Crawley Down Neighbourhood Plan.

**P.108** – Paragraph 3 and 5 – Delete reference to policy CDNP10 of the Crawley Down Neighbourhood Plan.

**P.114** – Paragraph 3 – Delete reference to policies CDNP04.2, CDNP05, CDNP06, CDNP09, CDNP10 of the Crawley Down Neighbourhood Plan.

## **P.114 APPENDIX A – REASONS FOR REFUSAL**

Reasons for refusal 1 -6 remove reference to policies CDNP05, CDNP06, CDNP09, CDNP10 of the Crawley Down Neighbourhood Plan.