

## **Agenda Update Sheet**

### **Planning Committee**

**Date: 17<sup>th</sup> October 2019**

## **ITEM 1**

### **Application DM/18/4541**

#### **P30 Infrastructure**

At the Planning Committee meeting on 5 September 2019, members queried the appropriateness of the Formal Sport contribution in the planning obligation being directed towards a Skateboard Park project. Following further discussion this contribution has now been identified in the planning obligation as being expendable on either a Skateboard Park or on pitch drainage improvements at the Balcombe Recreation Ground. Expenditure on pitch drainage improvement would be in accordance with the Council's Playing Pitch Strategy 2015-2031 which identified a need for improvements to increase capacity.

#### **P36 APPENDIX A – RECOMMENDED CONDITIONS**

There is an existing vehicle activated speed sign within the proposed northern visibility splay. West Sussex County Council has confirmed that this will need to be removed from the splay for highway safety reasons. In order to secure control of the relocation of this, the following additional pre-occupation condition is recommended:

No part of the development shall be first occupied until such time as the existing vehicle activated speed sign currently located within the proposed northern visibility splay has been relocated in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: In the interests of road safety and to accord with Policy DP21 of the Mid Sussex District Plan 2014 - 2031.

#### **P36 APPENDIX B – CONSULTATIONS**

Updated comments from Sussex Police, received 9 October 2019:

Thank you for your correspondence of 19th September 2019, advising me of a planning application for the erection of 16 no dwellings and associated development (amended plans and documents received 28th March 2019, further amended plans received 29th April 2019) at the above location, for which you seek advice from a crime prevention viewpoint.

I have had the opportunity to examine the detail within the amended application and in an attempt to reduce the opportunity for crime and the fear of crime I offer the following comments from a Secured by Design (SBD) perspective. SBD is owned by the Police service and supported by the Home Office that recommends a minimum standard of security using proven, tested and accredited products. Further details can be found on [www.securedbydesign.com](http://www.securedbydesign.com)

The National Planning Policy Framework demonstrates the government's aim to achieve healthy, inclusive and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion. With the level of crime and anti-social behaviour in Mid Sussex district being below average when compared with the rest of Sussex, I have no major concerns with the proposals, however, additional measures to mitigate against any identified local crime trends should be considered.

Within my previous correspondence of PE/MID/18/21/A dated 03/12/2018, I raised concerns about the following;

perimeter fencing, car barns and access to rear gardens.

The addendum to the design and layout submitted in support of the amended application proposes 1.2 metre high post and rail timber fence with stock infill with hedging to the rear perimeter of plots 8,9,10 &11. My concern was that this was not sufficient to deter intruders. However, I am willing to accept the above should the hedging be deep enough and to a height of 1.5 metres at its initial planting, that would make it robust enough to deter intruders at the initial planting stage, and go on to grow a impenetrable ecological hedge to satisfy my security concerns.

My other comments and concerns remain extent. I thank you for allowing me the opportunity to comment.

The Crime & Disorder Act 1998 heightens the importance of taking crime prevention into account when planning decisions are made. Section 17 of the Act places a clear duty on both police and local authorities to exercise their various functions with due regard to the likely effect on the prevention of crime and disorder. You are asked to accord due weight to the advice offered in this letter which would demonstrate your authority's commitment to work in partnership and comply with the spirit of The Crime & Disorder Act.

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Updated comments from Balcombe Parish Council, received 14 October 2019:

Balcombe Parish Council submitted detailed comments in response to the plans for Barnfield in November 2018 and June 2019. In December 2018 BPC met with the MSDC Planning Officer and in August 2019 a permissive footpath was negotiated by the MSDC Planning Officer and BPC. In Sept 2019 the application was deferred by MSDC Planning Committee following representations from BPC on the basis of Design, Access and 106 allocation. A summary of the points raised by BPC at the committee meeting was submitted as below and updates are noted in **orange text**.

No active discussion has taken place between BPC and MSDC, or BPC and the applicants Rydon Homes, since the September Planning Committee. However the design of plots 15 and 16 have been altered to remove the 2 storey glazed bay to the staircase to plot 15 and the front elevations of both houses have been improved. No other amendments have been made to the scheme.

#### **Comments made by BPC to Committee in Sept 2019 with updates in orange text**

BPC has both a made Neighbourhood Plan and a Design Guide. Whilst policies are contained in the Made Plan the Design Guide formed part of the referendum and therefore, at the guidance of the Inspector, forms part of the NP.

Our remaining concerns are;

- **The access to the site** - WSCC Highways Officer has responded (email of 25/9/19) that she is content with the findings of the RSA and that the parked cars in the visibility splay do not constitute an unsafe arrangement for the access. She has stated that she is content with the MSF2 calculated visibility splays and that a suitable SSD is achieved. No changes to the design.
- **Pedestrian access across Haywards Heath Road** (provide refuge island, similar to the other 2 entrances to village) – WSCC have not ruled out the provision of an island but state that it is not required for this development (email 25/9/19). No changes to the design.

- **Use and siting of the green space** (move green space up to pond or incorporate as a green rather than isolated on eastern edge; move plots 1 and 2 down slope away from pond slightly? or move all north side down slope ? and/or move plot 9 to be beside plot 8, alter 10 and 11 to face the pond more ??) – no further comment has been made by any MSDC consultees. **The design has not changed in this respect.**
- **Impact on the setting of the existing pond** (provide more green space around it, allow more space for footpath) **The design has not changed in this respect**
- **Parking** (double length parking barns don't work, no turning space, blocked in cars, **please read section below**) **Tracked paths to show vehicle movements have been provided for some of the plots, this is discussed below. Access still doesn't work to several plots. The design has not changed in this respect.**
- **The design of some of the houses** (plots 8, 11 are overbearing and 15 in particular is unattractive and out of keeping and on HH Road ) **Plots 15 and 16 have been amended slightly. No changes to plots 8 and 11.**
- **Allocation of Infrastructure funding** (needs better priority on IDP, too much allocated to things that are unachievable at present or have been funded in last 2 years already – talk to the PC !) **WSCC allocation to traffic calming has been enabled to perhaps allow a scheme in the village centre to be progressed.**
- **Create a sense of Place through design** (AONB location needs more than mediocre) **Not addressed.**

Renewable energy, DDA and accessible housing – dismissed in MSDC Officer's report as 'good insulation will do' and 'why apply the high standard on DDA when you have lower ones that can be applied'? And yet important issues for Balcombe which were transcribed into our NP, forming part of the package voted in a referendum. **Renewable energy and DDA access has not been addressed.**

### Detailed notes on issues above

#### Access to/from the site

At initial consultation WSCC required a departure for the access which would have allowed clear scrutiny of the reasons for the reduced visibility provision however they have now withdrawn that and allowed the lower standard to be applied without departure on the basis of a subjective view of what constitutes an 85% percentile speed below 40mph for 'significant periods' of the day, 85% percentile is in fact above 40mph for about 1/3 rd of the day. In addition the road safety audit highlights **parked cars** from the neighbouring properties within the reduced **sightline to the south**, this is **unresolved**. We note that the Planning Officer's report to Committee mentions a sign (easily moved) but not the parked cars (displaced to where?)

WSCC Highways Officer has stated that she is content with the use of MSF2, that the visibility splays have been designed in accordance with a suitable standard, that she is content that the SSD provided is sufficient and that the issues raised in the RSA do not constitute an unsafe access arrangement.

BPC would note that although the clause quoted by the Highways Officer regarding 40mph is correct, that the precise recommendations of chapter 10 of the MSF2 applies the limit of 37mph 85%ile to calculation of SSDs. We note and accept that the averages recorded in traffic

measurements at this site are between 38.3mph and 40mph. However, the Officer has stated that the SSDs have been calculated with regard to DMRB perception times and that she is content with the use of table 10.1.

**A casual pedestrian route through the site** has now been agreed and will provide a link to prevent the isolation of the new development, the requirement of the NP. It is currently tucked into the space by the hedge at plot 1 and will need constant trimming of brambles etc. BPC are grateful to the MSDC Officer for her considerable input into negotiating this, however its season of use needs to be extended through the wetter months by good surfacing.

In discussion on the negotiated path the MSDC Planning Officer has stated in his report to the Planning Committee that the NP objective of providing a pedestrian route through the site to allow casual access on foot has been achieved by provision of the crossing of Haywards Heath Road - BPC strongly disagree with this assertion. All sites allow access and egress what they don't provide is a through route, hence the clause in the Balcombe Design Guide stating, 'Pedestrian routes should be provided through all new developments to encourage access on foot; to allow a through passage for people and avoid the isolation of new housing.'

BPC would like to see the permissive path be made into a condition of the application, in particular its provision with the development site, so that the developer, or any future owner, cannot pull out of this commitment.

**Pedestrian access** across Haywards Heath Road onto the existing footway on the west side of HH Road remains a concern. With speeds of between 35 and 50 mph recorded and low standard sightlines this is hazardous. BPC would like to see a pedestrian island provided. This will require a localised widening of the carriageway by 1.2m eastwards at the site entrance. This would also act to slow traffic. There are pedestrian crossings at other locations in the village with slower speeds and less traffic, installed when Junction 10a was opened. They are sited at the crossings closest to the entrances to the village where speeds are high, just like this one. One wasn't needed at this location before, as there was nothing to cross to.

BPC's concern remains, no island is being provided. Although the WSCC Highways Officer has not ruled out her agreement to such a crossing, noting that it could be provided as part of a subsequent traffic calming scheme, she has not made it a requirement of the development. This is regrettable.

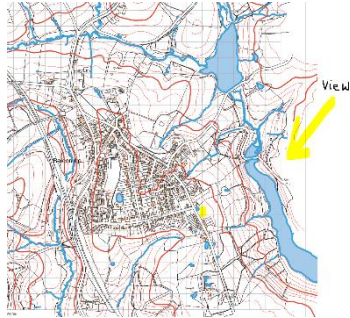
It should be noted that once the access to the site has been constructed there will be little scope for retrofitting a crossing or for developing a traffic calming scheme on this length of road.

**Use and siting of the Green Space.** The policy for this site allows the development of 0.5Ha of the 1.195Ha site. This is to allow for green space to be incorporated into the design. In the current scheme a significant tract of green space remains on the eastern boundary rather than forming the green frontage/heart to the site as intended in the Neighbourhood Plan. It's not just about reducing the impact on the existing housing on HH Road as stated in the Officer's report. The green space should be overlooked by the new housing to provide both an amenity, a pleasant outlook, to create a sense of place and to add to its security rather than tacked onto the edge of the site as a buffer zone. The recently drafted High Weald Design Guide echoes this stating,

*'The location of public green spaces may be determined by existing site landscape features, and are best placed at the heart of the scheme, as it allows them to work as community gathering points. Designs should avoid pushing public spaces to the back*

*edges of the site, as this makes them remote and hard to access and misses an opportunity to connect into the existing community.'*

The space is also used to **screen** the development however it's at the **low point** and the contours and wooded nature of the land mean that the only vantage point towards the site is from near Edmunds Farm, Mill Lane, on the hill to the north. The screen, being lower than the housing, **will be ineffective**.



The space has been improved as per Urban Designer's comments but it needs a bit more to incorporate fully into the scheme. The hard lines to plots 8,9,10 needs work. Reorientating 9, 10, 11 would do this.

No amendments have been made in regard to these comments.

**Setting of Existing Pond.** The housing is too close to the existing former farm pond. The root protection zones for the trees around the pond are in places under the access to these houses, the parking from plot 1 in the hedge! This is detrimental to the setting of the pond and future ecology. Trees will be lopped continually by residents. Move plots 1 and 2 at the very least further east.

No amendments have been made in regard to these comments.

**Design of the houses.** In particular the houses fronting HH Road, plots 15 and 16 are out of keeping with the existing street scene. The proposed house at **plot 15 is extremely odd**. The glazed side stairwell is not attractive nor in keeping, presenting an odd and incongruous unit at the entrance to the site.

The units at plots 11 and 8 still present a bland and unattractive façade, these large end plots deserve better.

Plots 15 and 16 have been altered slightly, plot 15 no longer has the glazed stairwell and the amendments are an improvement. We note however that plot 15 now has a velux window added to the roof space on the front elevation although no accommodation is shown on the plans in the loft and this is a 3 bedroomed home, all of which are on the first floor. If this unit were to be built with a loft room it would be increase the allocation of 4 bedroomed units to 2 more than the quota set out in the policy for the site.

In all the design has been improved but as initially described by the Urban Design Officer, the development fails to deliver a **sense of place** or the quality of grouping and design befitting the AONB location. **Comment remains.**

**Parking** The double length parking in the communal barns will not be used and on street parking will become an issue. Despite what the Officer's report states, BPC like the barns, it's the nature of the double length parking that is an issue. Whilst most of



the parking is cramped that for units 3, 4 and 5 is not suitable for use and 14, 15 and 16 has the same issue but also the access and turning space within the forecourt area is insufficient to allow access in and out of the parking area. A car would have to reverse down the narrow access and out onto the road.



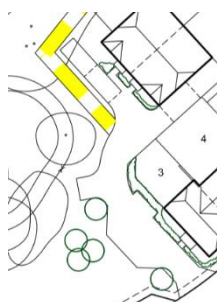
The applicant has provided swept paths/tracked paths for several of the plots (but not all).

The barn has been brought forward for plots 3,4,5, which we feel is better but the double length parking distant from front doors will still mean occupants won't use these spaces.

The more concerning, and this has been raised repeatedly by BPC, is the forecourt arrangement to 14,15,16. The tracking diagrams clearly show the absurdity of access to these parking spaces. Even the WSCC Highways Officer's response that, 'however a vehicle can reverse into the area 'forecourt' to turn and enter the access road in a forward gear', is guarded and this cannot be a sensible suggestion. The tracking diagram illustrates a 4 point turn in the forecourt to enter and leave in forward gear. BPC feel strongly that our concerns are illustrated in both the WSCC response and the tracking diagrams.

The provided tracking for plot 13 shows another very complicated 2 car manoeuvre to get a 2<sup>nd</sup> car out if 2 cars are parked in the drieway.

Plot 1's parking compromises the setting of the existing pond, is partially in the hedge. It would need repeated cutting back of trees and existing hedge to operate, plus it is right outside the front window! Furthermore the turning head location is uneable by houses 1 and 2. No amendments have been made in regard to these comments.



**Infrastructure Funding** – no consultation has been had with BPC on allocation of infrastructure funding from this site. Under CIL BPC could have expected £60k towards the items on our established IDP. We are allocated £12k but must apply for it. There are wider objectives for infrastructure in the NP with now no funding stream. Without some involvement of the PC in strategic allocation of funding the aims of the NP are not going to be fulfilled. We have a Village Centre enhancement scheme to improve pedestrian safety well advanced but no funds to build it, whilst this development gives 56k to WSCC for a cycleway miles from us with no route as yet



secured! a skateboard park with no land allocated: IDP was last updated in 2016 and things have moved on, some items have now been funded by other means in the last 3 years. MSDC **must** engage in this process with the PC in order to achieve the plan objectives beyond mere housing numbers.

WSCC allocation of the 56k has been amended to allow for its use for a traffic calming, pedestrian safety scheme such as the Village Centre. BPC are pleased to see this has been addressed.

The remaining 106 needs some discussion and BPC are submitting a revised IDP summary to MSDC to illustrate which plans have been achieved since our last input in 2016. Hopefully this will give a better baseline for allocation of 106 funding in the parish.

### **DDA and Renewable Energy**

Other issues on lack of **DDA accessible homes** and **renewable energy** which are unfulfilled requirements of the Neighbourhood Plan remain. Disabled access is not difficult to provide at this stage but cumbersome to retrofit.

### **In conclusion**

BPC feel that the remaining issues of no pedestrian crossing, green space in poor location, no wheelchair access, no alternative energy initiatives, in parts inadequate parking and limited improvement in design are again disappointing.

### **BPC insist on the following;**

- **Better parking provision, in particular to plots 14, 15, and 16.**
- **That the permissive path is made a condition of planning approval within the scheme extents**
- **Disabled access is provided in accordance with building regs and the BPC Design Guide.**

### **BPC would like to see;**

- **Further discussion on 106 allocation by MSDC (WSCC has been addressed)**
- **Pedestrian island installed on Haywards Heath Road**
- **Green space around the existing pond or in a green rather than placed in linear strip on the eastern boundary**

**Or that alternatively a scheme for 14 homes is presented in line with the Balcombe Neighbourhood Plan policy for this site !!**