



## **Agenda Update Sheet**

**District Planning Committee  
18<sup>th</sup> January 2024**

## **Agenda Item 5:**

### **APPLICATION DM/21/1842**

Para 4.1 Three additional letters of representation including one by, and on behalf of, residents of the Blackwell Farm Road estate. Issues raised largely as already set out in report with other issues summarised as follows:

- Original covenants on hospital land should preclude this development from progressing
- Planning Inspector's reasons for rejecting previous applications still valid
- Significant increase in traffic using Oakfield Way and road surface will not cope with construction
- Applicant's Safety Audit inaccurate and congestion issues have got worse
- Various inaccuracies in applicant's Transport Study
- Blackwell Farm Road not designed, or able, to cope with additional housing developments
- Conflict with District Plan DP21 and DP26
- Loss of trees will adversely impact existing residents and proposals conflict with District Plan DP37
- Unacceptable impacts on flora and fauna and conflict with District Plan D38
- Excessive noise and light pollution and conflict with District Plan DP29
- Safety hazards from the pond
- Adequate renewable technology being provided?
- Will infrastructure contributions be effective?
- Traffic will have increased by 25% since traffic surveys submitted in 2004

Letter received from Mims Davies MP sharing an approach from local residents setting out their concerns with the application. This has been shared with committee members.

Para 9.3 For completeness, reference should be made to the Tree Preservation Order (GR/05/TPO/03) that covers some of the trees to the south of the pond around the southern boundary of the site. The development does not however impact these protected trees which are some distance from the new buildings with the pond in between.

### **Appendix A - Conditions:**

Merge conditions 8 and 9 so that condition 8 now reads as follows:

*"No development shall take place, including any works of demolition, until a Construction and Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters;*

- *the anticipated number, frequency and types of vehicles used during construction;*
- *the method of access and routing of vehicles during construction;*
- *the parking of vehicles by site operatives and visitors;*
- *the loading and unloading of plant, materials and waste;*
- *the storage of plant and materials used in construction of the development;*
- *the erection and maintenance of security hoarding;*
- *the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);*

- details of public engagement both prior to and during construction works, including site contact details in case of complaints;
- measures to control noise and vibration affecting nearby residents;
- artificial illumination;
- pollution incident control; and
- dust control measures.

*Reason: In the interests of highway safety and the amenities of the area, to protect the amenity of local residents from noise and dust emissions during construction and to comply with Policies DP21, DP26 and DP29 of the Mid Sussex District Plan and Policy EG11 of the East Grinstead Neighbourhood Plan.”*

Condition 10 then becomes condition 9 and all subsequent conditions also get re-numbered accordingly.

## **Appendix B – Consultations:**

The **MSDC Tree Officer** comments in Appendix B refer to previous comments made on the application dated 13/7/2021. For clarity these comments, which were based on an earlier iteration of the scheme that was subsequently amended, read as follows:

*“This is a disappointing scheme which allows far fewer trees to be retained than in original pre application discussions.*

*I would concur with Will’s comments on the impacts of individual trees and the future pressure on trees retained as back garden trees, particularly along northwest and southwest boundaries. There is nothing further to add in this respect.*

*I would disagree with the statement within the AIA that this safeguards the trees. Trees in limited gardens are under constant pressure to be reduced for reasons of shading, encroachment, bird excrement etc. Whilst I note that the original pre app discussions contained more units , these were flatted and trees were safeguarded to a much greater extent by being retained within communal areas.*

*The boundary trees are particularly important, not only as a back drop to the development but for the screening and biodiversity they provide.*

*The site is protected by a Woodland Order, GR/8/TPO/93 . This is the most restrictive type of Order, in that it protects seedling trees and young trees. This is to allow for woodland regeneration. In this case, account does not seem to have been taken of younger trees. There is therefore no attempt to comply with Policy DP37. There is also no opportunity to replant on a 2 : 1 basis as mentioned in the AIA.*

*The whole scheme has a suburban planting feel. No attempt has been made to make a scheme which fits into the woodland and takes account of natural features of a woodland. Proposed shrub planting does not reflect native or woodland plantings/settings, meadow areas are proposed, hedges are in the main ornamental. Bulb plantings include invasive crocosmias instead of bulbs which would reflect the woodland floor or the unique setting, Hyacinthoides non scripta, primula vulgaris, native shrubs etc , ferns, which I noted on visiting the site, including a native Daphne. Proposals are disappointing in this respect.*

*The whole scheme appears disparate from its setting.*

*I note the Japanese knotweed on site and there is a separate planning application to remove a number of trees associated with this. No details have yet been received of methodology for*

*addressing this. This is a complicated and expensive issue which may impact on access issues and pose further issues for surrounding trees.*

*The large oak on Oakfield way appears to be the responsibility of WSCC. Have they been consulted in this respect ?*

*I note around 30 mature trees are to be removed, although this varies slightly. Also, a number of groups of smaller ( protected ) trees require removal. Other trees require facilitation pruning and, I would suggest that this may be more. At least 11 RPAs are heavily impacted, though, again I would suggest this may be more .*

*Drainage and utilities, including foul water drainage runs through other RPAs. I therefore suggest that a far larger number of trees will be impacted and lost than the AIA indicates. Bin stores and car parking areas within RPAs place further pressure on trees shown to be retained.*

*I note the methodology and maintenance appear sound. However, if approved, I would suggest a far more sensitive and site appropriate planting specification be submitted. No oaks are proposed and new trees are few in number and in no way compensate for what will be lost.*

*It is appreciated that this is an allocated site, however, in its present form, I cannot support this scheme. It appears completely insensitive to its woodland setting.”*

The **Council’s Ecological Consultant** has confirmed the position on Great Crested Newts as follows:

*“We note from the Ecological Survey Report (PJC Consultancy, November 2019) that Great Crested Newt (GCN) eDNA results confirm that GCN are not present within Pond P1 and therefore it is considered that this species is highly unlikely to be present within the site. In addition, the Preliminary Ecological Appraisal (PJC Consultancy, January 2021) and Preliminary Ecological Appraisal Update (PJC Consultancy, December 2022) confirm that GCN are unlikely to be on the site.*

*Our ecology comments dated 15th November 2023 support the implementation of a reptile precautionary method statement which should be included in the CEMP. Therefore, a non-licensed precautionary working method statement for GCN should also be included in the CEMP to prevent impact to this European Protected Species should any individuals enter the construction footprint.”*

#### **Agenda Item 6:**

#### **APPLICATION DM/23/1160**

One further objection letter received:

- support the objections of the Conservation Officer to the application
- development is next to another inappropriate development DM/21/1118

Add paragraph 9.6 to the report to read:

The land to the north of the site is proposed to be allocated under policy DPSC1 in the Mid Sussex District Plan 2021 - 2039 - Submission Draft (Regulation 19) for approx. 1,350 homes, day care nursery, primary school, play are and other community infrastructure, including allotments. The Mid Sussex District Plan 2021 - 2039 - Submission Draft

(Regulation 19) plan proposes that the built up area would be amended so that it adjoins the  
bridleway to the north of the site.

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