

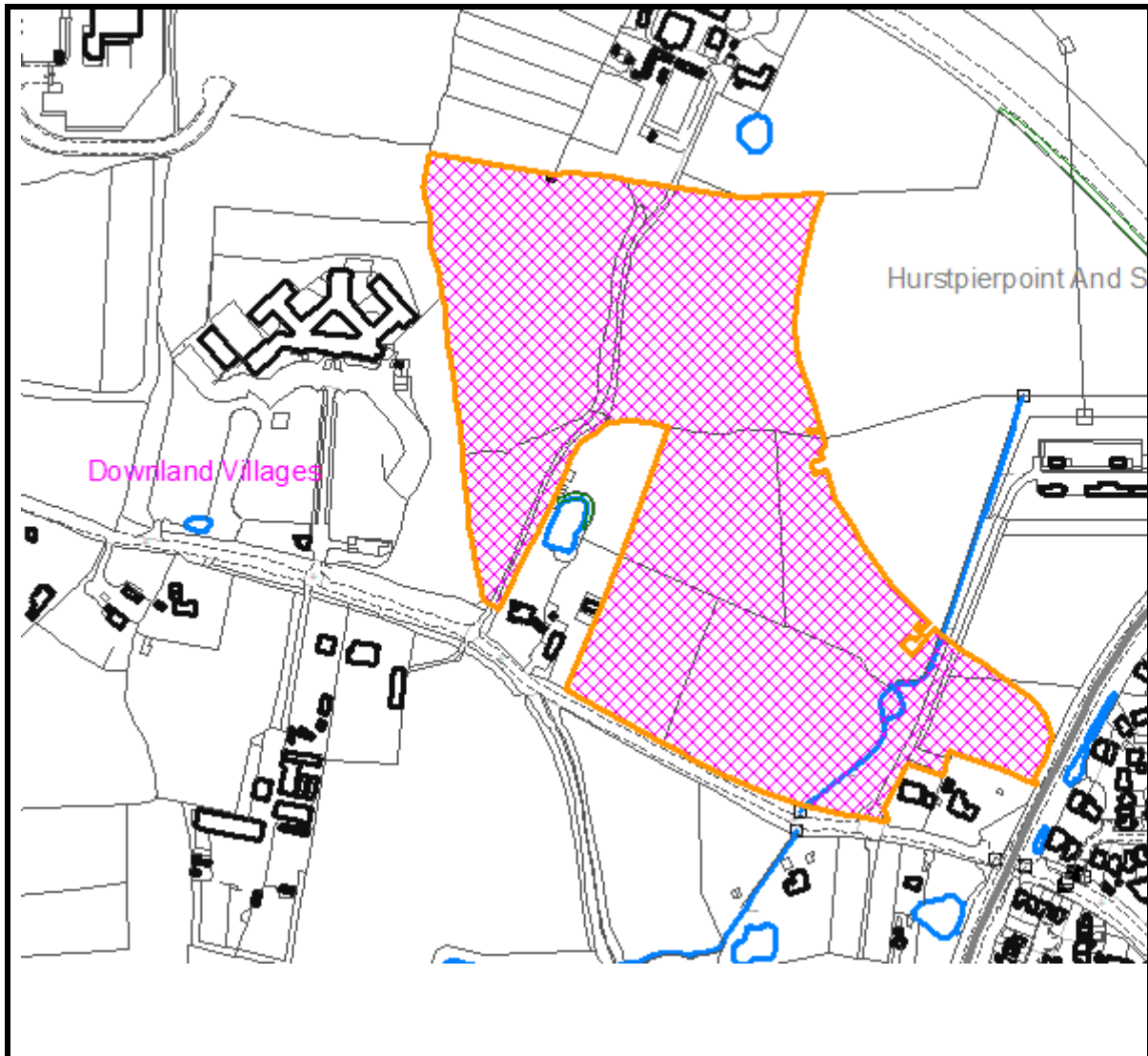
# District Planning Committee



Recommended for Permission

7th March 2024

DM/23/3182



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<b>Site:</b>	Burgess Hill Northern Arc, Land North And North West Of Burgess Hill, Between Bedelands Nature Reserve In The East And, Goddard's Green Waste Water Treatment Works In The West
<b>Proposal:</b>	Reserved matters application pursuant to outline application DM/21/3279, to consider access, appearance, landscaping, layout and

	scale with respect to the provision of a Centre for Community Sport with ancillary facilities at land west of Burgess Hill between the A273 and Gatehouse Lane, Burgess Hill, West Sussex designated for the Centre for Outdoor Sport (Amended plans/documents received regarding noise, pavilion elevations, fencing, drainage and landscaping)
<b>Applicant:</b>	Mr Rob Anderton
<b>Category:</b>	Smallscale Major Other
<b>Target Date:</b>	20th March 2024
<b>Parish:</b>	Hurstpierpoint And Sayers Common
<b>Ward Members:</b>	Cllr Geoff Zeidler /
<b>Case Officer:</b>	Louise Yandell

### Link to Planning Documents:

<https://pa.midsussex.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=S5M5ZGKT04L00>

#### 1.0 **Purpose of Report**

- 1.1 To consider the recommendation of the Assistant Director for Planning and Sustainable Economy on the application for planning permission as detailed above.

#### 2.0 **Executive Summary**

- 2.1 This application seeks Reserved Matters consent pursuant to outline application DM/18/5114, as amended by Section 73 application DM/21/3279, for access, appearance, landscaping, layout and scale for the erection of a pavilion, sports pitches and associated landscaping and facilities to form a Centre for Outdoor Sport at Brookleigh (formally known as The Northern Arc).
- 2.2 DM/18/5114 granted consent in October 2019 for the following development: *Comprehensive, phased, mixed-use development comprising approximately 3,040 dwellings including 60 units of extra care accommodation (Use Class C3) and 13 permanent gypsy and traveller pitches, including a Centre for Community Sport with ancillary facilities (Use Class D2), three local centres (comprising Use Classes A1-A5 and B1, and stand-alone community facilities within Use Class D1), healthcare facilities (Use Class D1), and employment development comprising a 4 hectare dedicated business park (Use Classes B1 and B2), two primary school campuses and a secondary school campus (Use Class D1), public open space, recreation areas, play areas, associated infrastructure including pedestrian and cycle routes, means of access, roads, car parking, bridges, landscaping, surface water attenuation, recycling centre and waste collection infrastructure with associated demolition of existing buildings and structures, earthworks, temporary and permanent utility infrastructure and associated works.*
- 2.3 A Section 73 application (DM/21/3279) was subsequently approved in December 2022 for the following development: *Application under Section 73 of the Town and*

*Country Planning Act 1990 (as amended) seeking alterations to conditions 5 (approved parameter plans), 6 (accordance with Design Guide), 7 (requirement for a Design Principles Statement), 11 (archaeological investigation), 22 (sustainable drainage) and 35 (restriction of development within 15m of ancient woodland) on planning permission DM/18/5114 to allow amendments to parameters of road layout, proposed land uses, right of way improvements & drainage outfalls, require general accordance with the Street Design and Adoption Manual and allow phased submission details for archaeology and drainage details.*

- 2.4 The principle of the development has been established through the granting of the outline planning permission DM/18/5114 (& DM/21/3279). The site is also part of a strategic allocation in the District Plan. A Masterplan and Infrastructure Delivery Plan have been approved as material planning considerations for the site.
- 2.5 Planning legislation requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. It is therefore necessary for the planning application to be assessed against the policies in the development plan and then to take account of other material planning considerations including the NPPF.
- 2.6 The details of the reserved matters of the layout, scale, appearance and landscaping of the site need to be assessed against the relevant policies in the development plan. In making an assessment as to whether the proposal complies with the development plan, the Courts have confirmed that the development plan must be considered as a whole, not simply in relation to any one individual policy. It is therefore not the case that a proposal must accord with each and every policy within the development plan.
- 2.7 The proposal is in accordance with the Northern Arc Masterplan, providing the key elements of infrastructure required to be delivered as part of this site.
- 2.8 The outline planning permission and the Masterplan anticipated that the sports needs generated at Brookleigh would be met at the Brookleigh Secondary School, the Triangle Leisure Centre and at the Centre for Outdoor Sport. Given the size of the site for the Centre for Outdoor Sport, it was always acknowledged that this centre could not meet all the requirements alone. Although Sport England has objected to the proposal specifically in relation to cricket, no objections are raised by Sport England in relation to the football and rugby provisions on the site. Due to the constraints of the site, it has not been possible for all the aspirations set out in the Playing Pitch Study to be met on this site. Furthermore, it is recognised that compromises have been made to some of the facilities in order to maximise the provision of the playing facilities. The proposal is not intended to be a “home ground” for a particular club/sport, instead being available to a wide range of clubs/users and is intended to complement existing provision in Burgess Hill and alternative provision elsewhere at Brookleigh. Overall, the proposal does provide a significant community benefit which weighs in favour of the proposal.
- 2.9 The proposal would provide a high-quality design, appropriate for the site and is considered acceptable in respect of visual impact. The proposal is supported by the Council's Urban Designer and the Design Review Panel. The proposal is in compliance with the Northern Arc Design Guide.
- 2.10 The proposal will not result in demonstrable significant harm to neighbouring residential amenity.

- 2.11 No objections are raised to the proposal by the local highway authority and in the absence of any technical objections there are not deemed to be any reasonable grounds to refuse the application on highways related matters. Adequate levels of car and cycle parking are provided.
- 2.12 Any unknown below ground heritage assets will be protected through the archaeology conditions on the outline consent.
- 2.13 The proposal is considered to be safe in relation to land contamination.
- 2.14 There are no technical reasons to object to the proposal in respect of water resources, flood risk and drainage.
- 2.15 The proposal would deliver a net loss in Biodiversity Net Gain. This, however, was anticipated in the approved Biodiversity Scheme and the Brookleigh development as a whole is required to deliver at least a 10% Biodiversity Net Gain. The Brookleigh scheme is currently predicting a Biodiversity Net Gain on the site of approximately 23%.
- 2.16 Subject to conditions, the proposal would not result in any unacceptable noise, air or light pollution.
- 2.17 The proposal would include appropriate accessibility provisions.
- 2.18 The proposal accords with the Council's sustainability policy requirements.
- 2.19 The proposal would not result in any additional significant environmental effects over and above those considered as part of the Environmental Statement submitted with the outline planning application.
- 2.20 The proposal would result in the loss of some high-quality mature trees on the site which is a negative aspect of the scheme. It is considered that tree losses have been kept to a minimum in order to facilitate the development. Furthermore, a comprehensive landscaping scheme has been secured to mitigate for their loss.
- 2.21 It is considered that the negative impacts of the proposal, specifically the loss of high-quality trees on the site, the inability of the proposal to meet some of the sporting aspirations for the site set out in the Playing Pitch Study and Sport England objections to the proposal in relation to cricket provision, would be outweighed by the significant community sport and recreation benefits that the proposal would deliver. The high-quality design that is proposed and the lack of any other technical objections would further weigh in favour of the proposal. The application is considered to comply with the Development Plan when read as a whole. Furthermore, other material considerations indicate that the development should be supported.
- 2.22 The application is therefore recommended for approval, subject to the conditions listed in Appendix A and subject to the consideration of any new material representations received before 04/03/2024.

### **3.0 Recommendation**

- 3.1 It is recommended that planning permission be granted subject to the conditions set out in Appendix A.

## 4.0 Summary of Representations

4.1 111 representations have been received commenting as follows:

- Need more sport facilities in Burgess Hill
- Facility can only be used for football and rugby
- Provision for hockey should be provided on the site
- MSDC's Playing Pitch Strategy identifies an overprovision of 8 football pitches in the area and a deficit of 4 hockey pitches
- Football pitch facilities already nearby at St Paul's School
- Pressure on hockey pitches in the area has led to some sessions being limited in numbers and some matches needing to be played in Crawley, leading to an impact on family based, community ethos that local clubs work hard to achieve.
- Change in surface type would allow provision to be made for other sports such as hockey and tennis.
- A Community Use Agreement (CUA) between Burgess Hill rugby club and MSDC, guaranteeing a minimum amount of access hours at community pricing rates should be agreed. Without this, Burgess Hill Rugby Clubs survival and its commitment to lower socio-economic groups could be jeopardised and current low membership fees would not be possible.
- A built (not space for) food and beverage container should be provided from day one as this would generate income.
- Shifting Burgess Hill Rugby Club junior training here on Sundays would negatively impact the clubhouse kitchen revenue and incur additional hire costs
- Pricing policy excluding training room use on training days would be beneficial
- Suggest furnishing one of the grass pitches with combination rugby/football posts for additional flexibility
- Propose prioritising white lines for rugby with football lines in yellow for dual use
- Black pitch surround would strengthen Sussex All Blacks branding
- Ongoing debate about the safety of microplastics, ELT and/or SBR infill material on rugby pitch due to time rugby players spend on the floor. Request organic/vegetal infill.
- Will open up back area of property with no consultation on security, noise or privacy
- Concerned why shrubbery has been cleared at the boundary exposing property to the road and this application will now become a public right of way, enabling cars, cyclists and pedestrian's visibility and access to the rear of my property, creating a security and privacy threat.
- Where clearance excessive, now have full visibility of passing traffic which comes with additional road noise and light pollution.  
(Officer note: these final three comments appear to relate to the Western Bridge and Link Road development rather than this proposal)

4.2 These issues are dealt with in the various sections below.

4.3 Amended plans/reports have been received during the course of the application and as a result of this, the application has been re-advertised. The amendments include:

- Minor design changes to the pavilion entrance and removal of seating on southern elevation
- Minor amendments to landscape scheme
- Minor amendments to car parking layout
- Amended drainage layout and Flood Risk Assessment
- Updated noise report addressing impact from southern pitches

4.4 This report has been published in advance of the amended consultation period expiring on 04/03/2024. Any additional representations will be reported in an update report to the Committee.

**5.0 Summary of Consultees**

5.1 Comments have been received from the following consultees:

MSDC Urban Designer	<ul style="list-style-type: none"> <li>• Scheme sufficiently addresses principles in Council’s Design Guides and accords with Policy DP26 of the District Plan</li> <li>• No objection</li> <li>• Recommend the following conditions:             <ul style="list-style-type: none"> <li>• Detailed landscape drawings</li> <li>• Detailed design drawings of entrance zones</li> <li>• Detailed design drawings of plaza and landscape setting of the building</li> <li>• Detailed design of the signage strategy</li> <li>• Details and samples of external facing materials</li> <li>• Details and samples of the landscape finishes and materials</li> <li>• 1:50 scale plans, elevations and sections of entrance zones to building</li> <li>• 1:20 sections and front elevations of the typical features of the roof/eaves details, windows, doors, rainwater downpipes.</li> <li>• Sustainability strategy details &amp; 1:20 sections showing solar panels in the roofslope.</li> </ul> </li> </ul>
Brookleigh Design Review Panel	<ul style="list-style-type: none"> <li>• Commended design changes that had been made since pre-app.</li> <li>• More detail required to ensure high-quality design</li> <li>• Pavilion:             <ul style="list-style-type: none"> <li>• Entrance cluttered, leading to awkward junction between canopy, glazed entrance and cantilevered overhang</li> <li>• Entrance canopy should wrap around side to frame glazed entrance</li> <li>• Framed seating adjacent to entrance should be removed</li> <li>• Form should be simplified with flat roof</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>• Site entrance: <ul style="list-style-type: none"> <li>• Gabian design feature should address sub-station</li> <li>• Suggest use of sandstone with corten lettering</li> </ul> </li> <li>• Landscape: <ul style="list-style-type: none"> <li>• Treatment around pavilion too urban (tarmac surfacing, metal cycle hoops, black lights, stainless steel handrails), a softer, more natural response required</li> <li>• Curve in tarmac clashed with entrance</li> <li>• Suggested widening the path in from north</li> <li>• Suggested removing orchard due to management of trees</li> <li>• Requested details of tree pits</li> <li>• Play area should have a natural appearance</li> <li>• Soil bund should be designed as a landscaped feature (e.g fitness trail) with breaks to allow visibility through</li> <li>• Felled trees could be clustered in groups to aid habitat value of site</li> <li>• Increase bund by attenuation basin to avoid balls entering</li> </ul> </li> <li>• Car parking/access <ul style="list-style-type: none"> <li>• Suggested free-flowing instead of one-way</li> <li>• Re-configure layout to provide easier route to pavilion from disabled spaces</li> <li>• Provide Copenhagen crossing across site entrance</li> <li>• Position lighting bollards at rear of footway to avoid damage</li> </ul> </li> <li>• Other issues <ul style="list-style-type: none"> <li>• Swap football and rugby to separate rowdier use from play area/green circle and avoid balls in the car park</li> <li>• Concerned that pavilion does not cater for demand with no catering facilities, small kitchenette should be provided</li> </ul> </li> <li>• Supported scheme subject to above issues being addressed</li> </ul>
MSDC Drainage Engineer	Comments dated 30/01/2024:  Flood Risk: <ul style="list-style-type: none"> <li>• No objection</li> </ul> Sewers & Watercourses <ul style="list-style-type: none"> <li>• Several existing and approved watercourses within the site including: <ul style="list-style-type: none"> <li>• Surface water easement along eastern boundary to serve employment site</li> <li>• 2 attenuation basins to serve Western Link Road</li> </ul> </li> </ul>

- Drain connections associated with the attenuation basins and their outfall into the watercourse
- Two watercourses on the site:
  - Cut-off ditch constructed as part of the Western Link Road (open along northern section of the site and culverted between the access road and the other water course into which it discharges)
  - Watercourse which flows north to south which dissects the southern section of the site (predates Brookleigh development)
- Development layout has taken into consideration the necessary standoff distances associated with these watercourses, as open channels and as culverts
- Maintenance and management plan of the development should include details of how these watercourses shall be maintained

#### Surface Water Drainage

- Southern Section – Natural Sports Pitches
  - Pitch drainage proposed that will discharge via two swales and form overland flow towards the existing bisecting watercourse on the site
- Northern Section – 3G Pitches, Clubhouse and Carpark
  - Proposal utilises multiple drainage features to manage surface water on site, with water attenuated across the site before discharging into the newly constructed 'cutoff ditch' watercourse.
  - Surface water is proposed to be stored above ground within the 3G pitches during the 1:30 and 1:100 plus climate change rainfall events. Surface water is also proposed to be stored above ground in an attenuation basin/ swale and an attenuation tank below the carpark
  - Understood that a landscaping condition is proposed for this development. Based on this understanding, the principle of attenuating surface water drainage across the site before discharging it into a watercourse is considered acceptable, subject to detailed design in collaboration with landscaping at discharge of conditions stage
  - Existing drainage features and approved drainage easements should be considered during the detailed design stage
  - Due to the proposed use of the 3G pitches as surface water storage areas the maintenance and management plan will



	<p>need to include details of how pitch use cancellations shall be determined and communicated</p> <p>Foul Water Drainage</p> <ul style="list-style-type: none"> <li>• Details of how the site shall manage foul water drainage will need to be provided as part of the detailed drainage design at discharge of conditions stage</li> </ul> <p>Recommended conditions</p> <ul style="list-style-type: none"> <li>• Foul and surface water drainage conditions associated with the outline planning permission should be utilised</li> <li>• Recommend surface water drainage verification report be secured prior to occupation</li> </ul> <p>Additional comments dated 20/02/2024:</p> <ul style="list-style-type: none"> <li>• Updated plans and FRA received. Appears to be some conflict between the plans within the document. The proposal generally appears acceptable subject to finalised designs.</li> <li>• Inception barrier/ditch included is not shown on landscape/layout drawings.</li> </ul>
MSDC Tree Officer	<p>Comments dated 30/01/2024:</p> <ul style="list-style-type: none"> <li>• Application involves the loss of 22 Cat A trees, oaks, and the removal of other Cat A groups, again, predominantly oaks. This is extremely regrettable.</li> <li>• Loss not reflected in the replacement planting scheme proposed which predominantly proposes ornamentals. Apart from the huge biodiversity loss, oaks provide the highest biodiversity of any British native tree, there is a loss of substantial trees, or trees capable of becoming substantial trees.</li> <li>• Very few oak replacements are proposed and these seem to be either <i>Quercus petraea</i> or the Spanish oak, <i>Quercus palustris</i>. In view of the large number of oak removals, I would expect to see large numbers of <i>Quercus robur</i> replacing these.</li> <li>• Whilst I am not averse to the use of some ornamentals, there is a wide palate of substantial trees which predominate in this part of the district, <i>Quercus robur</i>, <i>Pinus sylvestris</i>, <i>Fagus sylvatica</i>, <i>Carpinus betulus</i> and <i>Populus tremulus</i>, as well as alders. (I note a sprinkling of some of these are proposed). <i>Prunus avium</i> is also a common feature and I consider that the proposed ornamental cherries, <i>P serrula</i>, <i>P serrulata</i> and <i>P Pandora</i> should be replaced with these. Grafted cherries are often disease prone and short lived. <i>Prunus avium</i> 'plena' should not be used. Where multi stemmed specimens are proposed, alternatives may be considered.</li> </ul>

	<ul style="list-style-type: none"> <li>• Similarly, grafted apples and pears are unacceptable landscaping plants for the same reason.</li> <li>• Whilst I note a few native birches, predominantly <i>Betula albosinensis</i> and <i>Betula utilis</i> <i>Jacquemontii</i> are shown, again, these are relatively short lived.</li> <li>• Hedging plants and screening 'blocks' are mainly appropriate and I note the use of ornamental shrubs in more internal, central areas. Whilst I do not object to this municipal type planting in areas next to car parks, areas of meadow and grassland could benefit from the use of British native bulbs, such as <i>Narcissus pseudonarcissus</i>, instead of cultivated varieties.</li> <li>• Detailed method statement required for all encroachments within RPAs and the plant list requires to be updated.</li> </ul> <p>Additional comments dated 20/02/2024:</p> <ul style="list-style-type: none"> <li>• Latest landscape plans are an improvement on the previous, however, concerned that some of the ornamental planting is unsuitable and inappropriate to the site (refer to para 4 of previous comments)</li> <li>• Prepared to accept some <i>Liquidambar</i> and limited <i>Acer freemanii</i>, as shown. However, <i>Malus trilobata</i> and <i>Crataegus persimilis</i> should be substituted.</li> <li>• <i>Liriodendron</i> is a substantial tree but I have requested more oaks to replace the large numbers of Cat A oaks to be removed, rather than ornamentals such as this and <i>Platanus</i>.</li> <li>• Previous comments re <i>Betulas</i> apply.</li> <li>• <i>Stewartia</i> is an ornamental and not easy to grow, it is predominantly found in ornamental/botanic gardens in Sussex, rather than as part of a sports pitch enhancement.</li> <li>• Previous comments apply.</li> </ul>
MSDC Ecological Consultant	<ul style="list-style-type: none"> <li>• Site in close proximity to ancient woodland - satisfied no hard landscaping/lighting proposed within 25m of ancient woodland.</li> <li>• Satisfied lighting plans show appropriate use and placement of flood lighting, to ensure the wider landscape is not illuminated above acceptable levels, including details relating to times of use.</li> <li>• Condition 20 of outline permission states each reserved matters application should be submitted with an updated Ecological Impact Assessment (EclA) – satisfied that this application is supported by an EclA.</li> <li>• Updated protected species surveys identified small population of Slow Worm and Grass Snake around the peripheries of the site. Suitable precautionary</li> </ul>

	<p>measures recommended – recommend Reptile Mitigation Strategy be secured by condition.</p> <ul style="list-style-type: none"> <li>• Satisfied trees with bat roosting potential have been properly assessed and surveyed. No roosting bats were found - satisfied the proposed precautionary methods are appropriate and sufficient.</li> <li>• Satisfied that there is sufficient ecological information available for determination. No objections on ecological matters (excluding Great Crested Newt which we have been instructed to leave comments on to NatureSpace Partnership).</li> <li>• EclA provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species &amp; habitats and, with appropriate mitigation measures secured, the development can be made acceptable.</li> <li>• Mitigation measures identified in the EclA should be secured by condition to conserve and enhance protected and Priority species particularly bats, reptiles, Hedgehogs, Common Toad and breeding birds.</li> <li>• EclA recommends ecological enhancements, to secure net gains for biodiversity. The document recommends the biodiversity enhancement measures should be outlined within a Landscape Ecological Management Plan (LEMP). Recommend a condition to secure a LEMP covering a 30 year period to secure the biodiversity enhancements and habitat creation/management measures.</li> <li>• Measures will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.</li> <li>• Biodiversity Net Gain Assessment estimates a net loss in Biodiversity Units in both area and linear habitats for this reserved matter application. The document estimates a net loss of approximately - 10.03 (-21.26%) Habitat Units (HU) and -5.07 (- 49.40%) for Linear Hedgerow Units (LU). We note the trading summaries have also not been satisfied due to the loss of habitats which are not being replaced with the same distinctiveness or greater. However, we note the LPA case officer has advised that Biodiversity Net Gain has been secured by legal agreement (10% secured across the scheme as a whole). Therefore, we are satisfied net gain will be achieved for the scheme as a whole.</li> <li>• The habitat proposals for this site, which include the creation of attenuation basins, planted with a wetland grass mix, scrub planting and tree/ orchard planting will need to be secured, to ensure the habitat proposals are achieved.</li> </ul>
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	<ul style="list-style-type: none"> <li>• Recommend the following conditions: <ul style="list-style-type: none"> <li>• Development carried out in accordance with Ecological Impact Assessment (RPS, December 2023)</li> <li>• Reptile Mitigation Strategy to be agreed</li> <li>• Landscape and Ecological Management Plan (LEMP) to be agreed</li> </ul> </li> </ul>
MSDC Newt District Licencing Consultant (NatureSpace Partnership)	<ul style="list-style-type: none"> <li>• This type of application not relevant to district licencing scheme</li> <li>• No likely impact on newts or their habitats</li> <li>• No comments to make</li> </ul>
MSDC Environmental Health Officer (Environment Protection)	Awaiting comments on the updated noise report, these comments will be provided in an update report to the District Planning Committee.
MSDC Environmental Health Officer (Contaminated Land)	<ul style="list-style-type: none"> <li>• Records currently identify only one area on the site that may be potentially impacted by contamination, located to the South West where no development is currently proposed. Within this specific section, there exists a historical hole that has been infilled, with unknown contents, posing the potential for it to contain contaminated material.</li> <li>• Site is categorised as agricultural land, carrying a low risk of potential contamination. It is conceivable that agricultural practices, or related facilities, may have historically involved the storage of substances like biocides, fuels, or animal remains, which could potentially lead to localised contamination.</li> <li>• Imposing a comprehensive contaminated land condition is deemed overly burdensome given the perceived level of risk. Instead, I would recommend the implementation of a discovery strategy to address any potential contamination issues that may surface during groundworks.</li> </ul>
MSDC Leisure (Play Areas)	<ul style="list-style-type: none"> <li>• Require details of LEAP (layout, materials and boundary treatment) in northern half of the site and how it relates to the clubhouse, car park and path network.</li> <li>• Require details of informal play areas around the southern and western parts of the site.</li> </ul>
WSCC Highways	<ul style="list-style-type: none"> <li>• Matters already approved: <ul style="list-style-type: none"> <li>• Vehicular access from Western Link Road</li> <li>• Green Circle travels through the site with access onto Gatehouse Lane at South</li> <li>• Anticipated trip generation in weekday peak period</li> </ul> </li> <li>• Items to consider: <ul style="list-style-type: none"> <li>○ Layout</li> <li>• Site provides internal connections for sustainable modes linking shared use facility at site access and the Green Circle,</li> </ul> </li> </ul>

	<p>as well as providing access to artificial pitches</p> <ul style="list-style-type: none"> <li>• Tracking for fire vehicle acceptable. Refuse vehicle would need to serve site during quieter times as would require turning in parking area</li> <li>○ Parking</li> <li>• Important that parking levels sufficient to prevent overspill parking on Western Link Road. At present, no suitable off site locations where additional vehicles are likely to park.</li> <li>• Suggest Car Parking Management Plan secured by condition to monitor use of car park and any parking on Western Link Road and identifies any remedial measures to ensure no vehicles park on the link road.</li> <li>• Parking capacity assessment has been provided and is based on a schedule which provides a break between usage to ensure arrivals and departures overlap. Peak parking demand takes place on a Sunday with a total of 102 vehicles on site between 11am and 2pm. Site would provide 104 spaces and as such would be acceptable subject to the provision of a car parking management plan.</li> <li>• 6 of the spaces are accessible paces, 2 with EV charging and a further 19 spaces have the potential to be upgraded.</li> <li>• Potential to re-visit schedule as adjoining plots are developed which is likely to result in more trips being undertaken by sustainable means as additional sustainable infrastructure is provided or adjoining development plots could provide additional parking.</li> <li>○ Cycle Parking</li> <li>• A total of 40 cycle parking spaces are to be provided in excess of WSCC standards and are spread across the site providing for the ranges of uses.</li> <li>○ Travel Plan</li> <li>• Travel plan has been provided and includes provision for monitoring the effectiveness of measures.</li> <li>○ Conclusion</li> <li>• No objection subject to conditions to secure: <ul style="list-style-type: none"> <li>• Staggered timing of uses of pitches.</li> <li>• Car parking management plan.</li> </ul> </li> </ul>
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	<ul style="list-style-type: none"> <li>• Car parking provided in accordance with approved plans prior to the occupation.</li> <li>• Cycle parking provided in accordance with approved plans prior to occupation.</li> <li>• Construction Management Plan</li> <li>• Travel Plan</li> </ul>
WSSC Rights of Way	<ul style="list-style-type: none"> <li>• In principle no objection to proposals</li> <li>• Proposal for staggered barrier made from rock gabions will be for the landowner to maintain rather than WSSC PRoW Team.</li> <li>• Visibility of staggered gabion feature in low-light/dark should be considered through the inclusion of reflective element</li> <li>• For the route to be formally designated as a public Bridleway it will require the freehold landowner to dedicate the route under S.25 of the Highways Act and the proposed staggered barrier will need to be included in this legal process as a restriction to lawful users.</li> <li>• Ongoing discussions regarding a financial contribution towards the future maintenance of the new Green Circle</li> </ul>
WSSC Lead Local Flood Authority	<ul style="list-style-type: none"> <li>• Under local agreements, the statutory consultee role under surface water drainage is dealt with by Mid-Sussex Council's Flood Risk and Drainage Team.</li> </ul>
WSSC Fire Officer	<ul style="list-style-type: none"> <li>• Currently the nearest Hydrant to the proposed sports pavilion is 480 metres away, the supply of water for firefighting for a commercial premises should be within 90 metres.</li> <li>• Evidence will also be required that Fire Service vehicle access meets with the requirements identified in Approved Document B Volume 2 2019 Edition: B5 Section 15.</li> <li>• Conditions recommended requiring details of fire hydrant/stored water supply to be approved prior to commencement and installed prior to use.</li> </ul>
Southern Water	<ul style="list-style-type: none"> <li>• No discharge of foul sewerage from the site shall be discharged into the public system until offsite drainage works to provide sufficient capacity within foul network to cope with additional sewerage flows are complete. Southern Water is currently in process of designing and planning delivery of offsite sewerage network reinforcements.</li> <li>• The Council's technical staff and the relevant authority for land drainage should be consulted regarding surface water disposal.</li> </ul>
Active Travel England	Consider standing advice

<p>Sport England</p>	<p>Comments received dated 23/01/2024:</p> <ul style="list-style-type: none"> <li>• Objects to application as it is not considered to adequately meet Planning for Sport Guidance.</li> <li>• Cricket provision is not well designed or fit for purpose</li> <li>• Football Foundation comments: <ul style="list-style-type: none"> <li>• Supportive of application</li> <li>• Local Football Facility Plan (2019) identified the need for two more full size 3Gs and one more small sided 3G, identifying Northern Arc as a potential site</li> <li>• Number of teams in area has increased to 348</li> <li>• Changing rooms meet FA guidance</li> <li>• 3G pitches used for FA affiliated football must be on the FA 3G pitch register and teste and certified annually</li> <li>• Pricing policy must be affordable for community/grass roots and agreed with Sussex FA</li> <li>• Grass pitches need to be constructed to Football Foundation Guidance</li> </ul> </li> <li>• ECB comments: <ul style="list-style-type: none"> <li>• Represents bare minimum provision for cricket on site via provision of non-turf pitch</li> <li>• Non-turf pitch needs to be supplied by an ECB approved system</li> <li>• Local strategic need for additional play and practice facilities</li> <li>• Non-turf pitch meets minimum boundary compliance and the Labosport trajectory assessment has established no mitigation is required from a ball-strike perspective</li> <li>• Pavilion does not meet minimum changing area space (20m<sup>2</sup>) for any of the teams and do not have a view of the pitch</li> <li>• Officials changing does not include a shower cubicle</li> <li>• Concerns regarding access to changing rooms in cricket season given year round use of 3G pitches</li> <li>• Team shelter needs to be incorporated pitch site</li> <li>• No cricket practice facility included</li> </ul> </li> <li>• Sport England considers that the proposed ancillary facilities should meet the minimum design requirements of all of the sports to be provided for, specifically of cricket that appears to be accommodated rather as an afterthought within the scheme at present and request the following: <ul style="list-style-type: none"> <li>• Changing facilities to comply with ECB minimum space requirements and include shower cubicle in officials changing rooms</li> </ul> </li> </ul>
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	<ul style="list-style-type: none"> <li>• Means of securing a view from the changing rooms to the cricket pitch should be explored with the ECB</li> <li>• Viewing shelter provided</li> <li>• Explanation as to why separate cricket pavilion cannot be provided</li> <li>• Understand how change provision will be secured in cricket season</li> <li>• Indoor cricket practice facility or cricket nets</li> </ul> <ul style="list-style-type: none"> <li>• If LPA minded to grant planning permission against Sport England's objection, detailed condition wording should be requested from Sport England.</li> </ul> <p>Additional comments received dated 23/01/2024:</p> <ul style="list-style-type: none"> <li>• Recommends conditions in relation to: <ul style="list-style-type: none"> <li>• Artificial grass pitch to meet FIFA Quality Concept for Football Turf &amp; registration on Football Association of Football Turf pitches</li> <li>• Artificial grass pitch to meet Rugby Regulation 22 Standard</li> <li>• Cricket non turf pitch to be installed in accordance with a scheme to be agreed</li> <li>• Assessment of ground conditions for grass pitches &amp; scheme to address constraints</li> <li>• Management &amp; maintenance scheme</li> </ul> </li> </ul>
<p>Gatwick Airport Safeguarding</p>	<p>No objection</p>
<p>Sussex Police Designing Out Crime Officer</p>	<ul style="list-style-type: none"> <li>• No major concerns with the proposals at the location</li> <li>• Direct applicant/agent to the Secured by Design (SBD) Commercial Guide 2023 on the SBD website</li> <li>• Very pleased with the information submitted in support of this application and have no concerns at all from a crime prevention perspective.</li> <li>• Consideration should be given to secure lockers within the changing rooms and the changing rooms themselves are lockable when sporting activities are in place to protect the user's valuables and personal items and that reception has the facility to control access into these areas when required</li> </ul>

**6.0 Town/Parish Council Observations**

6.1 Hurstpierpoint & Sayers Common Parish Council have raised the following comments:

- Support the application in principle.
- Lack of diversity of activities, an insufficient number of different sporting activities will benefit from the facility and use of the pitches.



- Hurstpierpoint and Sayers Common Parish Council/Councillors have been excluded from the initial early phase of the planning/consultation.
- Provision should be made to ensure there is a safe cycle route to the facility from Hurstpierpoint.

## 7.0 **Introduction**

- 7.1 This application seeks Reserved Matters for the approval of the appearance, landscaping, layout and scale of:
- Pavilion building comprising reception, changing facilities and public toilets
  - Enclosed 3G rugby pitch and enclosed 3G football pitch
  - Grass football pitches
  - Green Circle (shared pedestrian/cycle/equestrian route)
  - Associated hard and soft landscaping for the use as a Centre for Outdoor Sports.

## 8.0 **Relevant Planning History**

- 8.1 Relevant planning history on the application site:

### Brookleigh Main Outline Permission

DM/18/5114	Comprehensive, phased, mixed-use development comprising approximately 3,040 dwellings including 60 units of extra care accommodation (Use Class C3) and 13 permanent gypsy and traveller pitches, including a Centre for Community Sport with ancillary facilities (Use Class D2), three local centres (comprising Use Classes A1-A5 and B1, and stand-alone community facilities within Use Class D1), healthcare facilities (Use Class D1), and employment development comprising a 4 hectare dedicated business park (Use Classes B1 and B2), two primary school campuses and a secondary school campus (Use Class D1), public open space, recreation areas, play areas, associated infrastructure including pedestrian and cycle routes, means of access, roads, car parking, bridges, landscaping, surface water attenuation, recycling centre and waste collection infrastructure with associated demolition of existing buildings and structures, earthworks, temporary and permanent utility infrastructure and associated works.	Approved 04/10/19
DM/20/4178	Modifications to Section 106 Agreement relating to DM/18/5114.	Approved 19/01/2021
DM/21/3279	Application under Section 73 of the Town and Country Planning Act 1990 (as amended) seeking alterations to conditions 5 (approved parameter plans), 6 (accordance with Design Guide) , 7 (requirement for a Design Principles Statement), 11 (archaeological investigation), 22 (sustainable	Approved 08/12/2022

	drainage) and 35 (restriction of development within 15m of ancient woodland) on planning permission DM/18/5114 to allow amendments to parameters of road layout, proposed land uses, right of way improvements & drainage outfalls, require general accordence with the Street Design and Adoption Manual and allow phased submission details for archaeology and drainage details.	
DM/23/2569	Non Material Amendment to application DM/21/3279 to amend condition 24 (foul drainage) to require details of foul drainage to be agreed prior to occupation of development in a reserved matters area, and to allow for agreement of any temporary foul drainage required.	Approved 20/12/2023
DM/23/0747	Planning application under Section 73 of the Town and Country Planning Act 1990 (as amended) seeking alterations to conditions 4 (approved plans) and 5 (approved parameter plans) of planning permission DM/21/3279 (itself a section 73 approval that permitted a variation of the conditions attached to planning permission DM/18/5114), to allow amendments to the planning application site boundary and the Access and Movement Parameter Plan (004) to clarify the approach to the Green Superhighway link over and in the vicinity of the western bridge on the Northern Arc Avenue.	Currently under consideration

#### Western Link Road

DM/20/0254	Reserved Matters application for DM/18/5114 – the first phase of the Western Link Road, comprising the construction of a new all-movements roundabout on the A273 Jane Murray Way, a single-carriageway 7.3-metre wide highway link with two 3-metre shared footways/cycleways and two 2.75-metre verges, connecting to the A2300 via a new all-movements roundabout, junction to the UKPN electricity substation, junction to future employment uses, zones for two minor junctions, signalised crossing points, earthworks, surface water and foul drainage infrastructure, utilities corridors, lighting, and landscaping. Amended plans and updated supported documents received 17 <sup>th</sup> March 2020 detailing amendments including the extension of the southern boundary of the site to accommodate increased drainage basins and inclusion of bridleway on north side of A2300. (Transport note received 30 <sup>th</sup> April, Amended plans received 12 <sup>th</sup> May showing minor increase in width of application site area either side of the proposed link road corridor and amended	Approved 10/07/2020
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	biodiversity report, planning statement and additional sections received 29 <sup>th</sup> May)	
DM/23/0023	Variation of condition 5 (Approved Plans) relating to Reserved Matters application DM/20/0254 – Updates to design of road network, road infrastructure and attenuation basins.	Currently under consideration

8.2 There is more history associated with Brookleigh, however only those applications which are directly relevant to this application have been listed. Full details of the full Brookleigh planning history is available on the MSDC website.

## **9.0 Site and Surroundings**

9.1 The site extends to approximately 9 hectares and forms part of Brookleigh. The site largely comprises agricultural land interspersed with hedgerows and scattered woodland. Two SUDS basins are in the south-eastern corner of the site, which have been recently constructed as part of the Western Link Road scheme.

9.2 To the west of the site lies the Western Link Road, which is currently under construction. This will provide a highway link between the A2300 and Jane Murray Way.

9.3 To the east of the site is The Priory Hospital and the associated grounds.

9.4 To the south of the site is Gatehouse Lane. Gatehouse Farm, a residential property with extensive land surrounding projects into the site from Gatehouse Lane at the south, the site therefore surrounds this property on 3 sides. There is a current planning application for the erection of an additional 5 dwellings on Gatehouse Farm (ref: DM/23/2794). This is currently under consideration. Two residential properties (Gainsborough House and Springfield) adjoin the site to the south-east, also accessed from Gatehouse Lane

9.5 To the north of the site is a temporary construction compound associated with the Western Link Road development. Parameter plans associated with the Brookleigh Outline Planning Permission indicate that this will be an employment site. The parameter plans also indicate that there will be a pedestrian/cycle route between the Western Link Road and the Green Circle, immediately to the north of the boundary.

## **10.0 Application Details**

10.1 This application seeks Reserved Matters for the approval of the appearance, landscaping, layout and scale of:

- Pavilion building
- Enclosed 3G rugby pitch and enclosed 3G football pitch
- Grass football pitches
- Green Circle (shared pedestrian/cycle/equestrian route)
- Associated hard and soft landscaping

10.2 As part of the Western Link Road application described above, an access has been provided into the site from this Link Road, an internal access road is proposed from the access point leading to a car park with space for 104 vehicles, including 5 parent and child spaces and 6 accessible spaces.

- 10.3 Pedestrian/cycle access is also provided from the Western Link Road, leading through the site to provide access to the pavilion, pitches and the Green Circle in the west.
- 10.4 The Green Circle (shared cycle, pedestrian and equestrian route) runs to the west of the site, entering the site from Gatehouse Lane and heading north around the group of trees, exiting the site in the north-west corner. This route would provide a link to the existing Burgess Hill Green Circle, which currently terminates to the east along Gatehouse Lane.
- 10.5 A further pedestrian/cycle access is provided into the site from the north in the centre of the site, between the two pitches.
- 10.6 Two 3G pitches would be provided in the northern section of the site, one for football to the west and one for rugby to the east. The football pitch would entirely enclosed by fencing, in line with FA requirements. The rugby pitch would be surrounded by 4.5m high level fencing to the north, east and south and 1.2m high fencing to the west. Levels alterations would take place to ensure the pitches would meet appropriate levels requirements and as a result, the rugby pitch would be set higher than the car park, this would be retained with a gabion wall.
- 10.7 Two storage containers would be provided, one immediately adjacent to the rugby pitch and one immediately adjacent to the football pitch. These would be clad with timber cladding.
- 10.8 A pavilion building would be positioned between the two pitches. This would provide an entrance lobby, reception area, two public toilets, 4 team changing rooms, 2 officials changing rooms and 1 accessible changing room, all with toilets and showers. The pavilion would also provide space for storage rooms and a plant room. The building would be partly enclosed by the fencing surrounding the football pitch and there would be an exit at the rear of the building to allow football players/officials to access the pitch. A spectator exit to the pitch would also be provided through the main reception.
- 10.9 The pavilion would be faced with timber cladding and would have a large, glazed entrance area. Roller shutters would be provided to secure the facility when it is closed.
- 10.10 Hardstanding will be positioned in the area surrounding the pavilion building.
- 10.11 Cycle parking would be provided both to the north and south of the building, as well as alongside the pedestrian/cycle access from the Western Link Road.
- 10.12 An area for a Locally Equipped Area of Play has been provided to the west of the hardstanding area.
- 10.13 A soil bund would be provided in the north western corner of the site, in order to prevent excess soil from having to be taken off site.
- 10.14 To the south of the site, 4 natural turf football pitches would be provided along with a grass cricket pitch with artificial wicket. The grass football pitches would overlap with the cricket pitch, but not the square. This area of the site would be levelled to ensure the pitches meet appropriate levels requirements and as a result the pitches would be surrounded by grassed slopes, timber steps and grass terraced seating areas.

- 10.15 A mown path would surround the grass pitches interspersed with timber benches and areas for informal play/sitting areas. A swale would be provided between the grass pitches and the access road.
- 10.16 At the entrance, a set back gabion wall feature would be provided extending out from the access road. A vehicle barrier will be extended across the access road. Logs from felled trees would extend out from the wall to provide additional security for the site.
- 10.17 The site would be open to pedestrian, equestrian users and cyclists at all times. Use of the pitches would be restricted to the opening hours of the pavilion.

## **11.0 Legal Framework and List of Policies**

- 11.1 Planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise.
- 11.2 Specifically Section 70 (2) of the Town and Country Planning Act 1990 states:  
*'In dealing with such an application the authority shall have regard to:*  
*a) The provisions of the development plan, so far as material to application,*  
*b) And local finance considerations, so far as material to the application, and*  
*c) Any other material considerations.'*
- 11.3 Section 38(6) Planning and Compulsory Purchase Act 2004 provides:  
*'If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'*
- 11.4 The requirement to determine applications "in accordance with the plan" does not mean applications must comply with each and every policy but is to be approached on the basis of the plan taken as a whole. This reflects the fact, acknowledged by the Courts, that development plans can have broad statements of policy, many of which may be mutually irreconcilable so that in a particular case one must give way to another.
- 11.5 Under section 38(5) of the Planning and Compulsory Purchase Act 2004 if a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published.
- 11.6 Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan, Hurstpierpoint and Sayers Common Neighbourhood Plan, the Site Allocations Development Plan Document, the West Sussex Joint Minerals Local Plan 2018 Partial Review (2021) and the West Sussex Waste Local Plan (2014).
- 11.7 **Mid Sussex District Plan 2014-2031 (2018) (District Plan)**  
The District Plan was adopted on 28th March 2018. The following relevant policies are considered to be consistent with the NPPF 2021 and should be afforded full weight. The relevant Policies include:
- DP6 Settlement Hierarchy
  - DP7 General Principles for Strategic Development at Burgess Hill

- DP9 Strategic allocation to the north and northwest of Burgess Hill
- DP20 Securing Infrastructure
- DP21 Transport
- DP22 Rights of Way and other Recreational Routes
- DP23 Communication Infrastructure
- DP24 Leisure and Cultural Facilities and Activities
- DP26 Character and Design
- DP28 Accessibility
- DP34 Listed Buildings and Other Heritage Assets
- DP35 Conservation Areas
- DP37 Trees, Woodland and Hedgerows
- DP38 Biodiversity
- DP39 Sustainable Design and Construction
- DP41 Flood Risk and Drainage
- DP42 Water Infrastructure & the Water Environment

The following Policy should be afforded full weight in relation to the noise and light pollution. However, in relation to air pollution, it should be afforded no weight as this has been superseded by Policy SA38 in the Site Allocations DPD.

- DP29 Noise, Air and Light Pollution

**11.8 Site Allocations Development Plan Document (2022)**

The Site Allocations DPD was adopted on 29th June 2022. The relevant Policy includes:

- SA38 Air Quality

**11.9 West Sussex Joint Minerals Local Plan 2018 Partial Review (2021)**

The West Sussex Joint Minerals Local Plan was adopted in July 2018 and subsequently reviewed in 2021. The relevant policy is considered to be consistent with the NPPF and should be afforded full weight. The relevant Policy is:

- M9 Safeguarding Minerals

**11.10 West Sussex Waste Local Plan (2014)**

The West Sussex Joint Minerals Local Plan was adopted in April 2014. The relevant policies are considered to be consistent with the NPPF and should be afforded full weight. The relevant Policies are:

- W23 Waste Management within Development

**11.11 Hurstpierpoint and Sayers Common Neighbourhood Plan**

The Hurstpierpoint & Sayers Common Neighbourhood Plan was made in February 2015. The relevant policies are considered to be consistent with the NPPF and should be afforded full weight. The relevant Policy is:

- HurstA3

**11.12 Mid Sussex District Plan 2021 - 2039 - Submission Draft (Regulation 19)**

The District Council is reviewing and updating the District Plan. Upon adoption, the new District Plan 2021 - 2039 will replace the current District Plan 2014-2031 and its policies will have full weight. In accordance with the NPPF, Local Planning Authorities may give weight to relevant policies of the emerging plan according to the stage of preparation; the extent to which there are unresolved objections to the relevant policies; and the degree of consistency of the relevant policies in the emerging plan to the NPPF. The draft District Plan 2021-2039 (Regulation 19) was published for public consultation on 12th January 2024 for six weeks. At this stage the Local Planning Authority does not know which Policies will be the subject of

unresolved objections and therefore only minimal weight can be given to the Plan. As such, this planning application has been assessed against the policies of the adopted District Plan.

11.13 The following material considerations are relevant in the determination of this application:

- **National Planning Policy Framework (NPPF) (December 2023)**  
The NPPF sets out the government's policy in order to ensure that the planning system contributes to the achievement of sustainable development. Paragraph 8 sets out the three objectives to sustainable development, such that the planning system needs to perform an economic role, a social role and an environmental role. This means ensuring sufficient land of the right type to support growth; providing a supply of housing and creating a high quality environment with accessible local services; and using natural resources prudently.
- **National Planning Policy Guidance (NPPG)**
- **National Design Guide**  
The National Design Guide provides guidance on what the Government considers to be good design and provides examples of good practice. It notes that social, economic and environmental change will influence the planning, design and construction of new homes and places.
- **Northern Arc Masterplan (2018)**  
The Northern Arc Masterplan (Masterplan) was approved at the Mid Sussex District Council Cabinet Meeting on 24<sup>th</sup> September 2018 as a material consideration for all forthcoming planning applications in relation to the Northern Arc. The Masterplan sets out a vision for the Northern Arc along with the following Strategic Development Principles:
  - SDP1 Access and Strategic Movement
  - SDP2 Northern Arc Avenue
  - SDP3 Strategic Green Connections
  - SDP4 Pedestrian and Cycle Links
  - SDP5 Centres and Walkable Neighbourhoods
  - SDP6 Housing Mix, Density and Capacity
  - SDP7 Place-making objectives
  - SDP8 Northern Arc Design Guide
  - SDP9 Built for Life
  - SDP10 Integration with Established Communities
  - SDP11 Education
  - SDP12 Mixed and Balanced Community
  - SDP13 Integrating Employment Opportunities
  - SDP14 Landscape and Green Infrastructure
  - SDP15 A rich variety of open space
  - SDP16 Ancient Woodland and Veteran Trees
  - SDP17 Sports Facilities
  - SDP18 Topography
  - SDP19 Visibility
  - SDP20 Existing Utility Infrastructure
  - SDP21 Climate resilient development
  - SDP22 Low carbon energy

- SDP23 Integrated Water Management
- SDP24 Construction and Material Use

- **Northern Arc Infrastructure Delivery Plan and Phasing Strategy (2018)**  
The Northern Arc Infrastructure Delivery Plan (IDP) was approved at the Mid Sussex District Council Cabinet Meeting on 24<sup>th</sup> September 2018 as a material consideration for all forthcoming planning applications in relation to the Northern Arc. The IDP identifies the infrastructure necessary to facilitate and support the development of Burgess Hill Northern Arc.
- **Burgess Hill Town Wide Strategy (2011)**  
The Burgess Hill Town Wide Strategy comprises the Town Council's proposed strategy for Burgess Hill for a 20 year period. The Strategy states that the Town Council was keen to develop a new but realistic and deliverable strategy in order to prevent the town from standing still and potentially going into decline. The Strategy identifies that in order to deliver the desired projects, then additional housing developments would be required and subsequently identified the requirement of around 4000 homes, including 500 on land east of Kings Way and 3500 on land to the north and north west of the town. The strategy identifies the need for a Centre for Community Sport in the Northern Sector of Burgess Hill.
- **Burgess Hill Public Transport Strategy (2016)**
- **Playing Pitch Study Final Study August 2019 & Final Indicative Implementation Plans August 2019**  
The Playing Pitch Study Final Study and the accompanying Indicative Implementation Plans, provide an assessment of open space and recreation areas enabling a coherent strategic approach to policy and development. This forms part of the evidence base for the emerging Mid Sussex District Plan 2021 - 2039 - Submission Draft which is currently at Regulation 19 stage.
- **West Sussex Transport Plan 2011-2026 (2011)**
- **West Sussex Walking and Cycling Strategy 2016-2026 (2016)**
- **West Sussex County Council Guidance on Parking at Developments (September 2020)**
- **Listed Building and Conservation Area (LBCA) Act 1990**
- **The Town and Country Planning (Environmental Impact Assessment) Regulations 2017**
- **The Institution of Lighting Professionals (ILP) – Guidance Notes for The Reduction of Obtrusive Light – Guidance Note 01/21**
- **Active Travel England Standing Advice Note: Active Travel and Sustainable Development (2023)**
- **Planning for Sport Guidance (2019)**



## **12.0 Assessment**

12.1 It is considered that the main issues that need to be considered in the determination of this application are as follows:

- Principle of development
- Sports Provision at Brookleigh
- Landscape & Trees
- Design & Visual Impact
- Heritage
- Residential Amenity
- Noise, Air & Light Pollution
- Accessibility & Equalities
- Transport, Highways and Movement
- Ecology and Biodiversity
- Flood Risk & Drainage
- Sustainability
- Contaminated Land
- EIA Regulations
- Planning Balance and Conclusion

### **Principle of Development**

12.2 The principle of the development has been established by the granting of the outline planning application DM/18/5114 which granted planning permission for:

*“Comprehensive, phased, mixed-use development comprising approximately 3,040 dwellings including 60 units of extra care accommodation (Use Class C3) and 13 permanent gypsy and traveller pitches, including a Centre for Community Sport with ancillary facilities (Use Class D2), three local centres (comprising Use Classes A1-A5 and B1, and stand-alone community facilities within Use Class D1), healthcare facilities (Use Class D1), and employment development comprising a 4 hectare dedicated business park (Use Classes B1 and B2), two primary school campuses and a secondary school campus (Use Class D1), public open space, recreation areas, play areas, associated infrastructure including pedestrian and cycle routes, means of access, roads, car parking, bridges, landscaping, surface water attenuation, recycling centre and waste collection infrastructure with associated demolition of existing buildings and structures, earthworks, temporary and permanent utility infrastructure and associated works.”*

12.3 Furthermore, it should be noted that the site is part of a strategic allocation in the District Plan to the north and north-west of Burgess Hill. Policy DP9 is the relevant policy which allocates the strategic development of which this application site forms a part of. Policy DP9 states:

*“Strategic mixed-use development (which will need to conform to the general principles in Policy DP7: General Principles for Strategic Development at Burgess Hill), as shown on the inset map, is allocated to the north and north-west of Burgess Hill for the phased development of:*

- *Approximately 3,500 additional homes and associated new neighbourhood centres, including retail, education, health, employment, leisure, recreation and community uses, sufficient to meet the day to day needs of the whole of the development and located as far as possible so at least one new neighbourhood centre is within 10 minutes’ walk of most new homes;*

- 25 hectares of land for use as a high quality business park south of the A2300 and served by public transport;
- Two new primary schools (including co-location of nursery provision and community use facilities as appropriate) and a new secondary school campus, in each case in locations well connected with residential development and neighbourhood centres;
- A Centre for Community Sport in the vicinity of the Triangle Leisure Centre and St Paul's Catholic College;
- Provision of permanent pitches for settled Gypsies and Travellers to contribute, towards the additional total identified need within the District commensurate with the overall scale of residential development proposed by the strategic development; or the provision of an equivalent financial contribution towards off-site provision of pitches towards the additional total identified need within the District (or part thereof if some on-site provision is made) commensurable with the overall scale of residential development proposed by the strategic development, if it can be demonstrated that a suitable, available and achievable site (or sites) can be provided and made operational within an appropriate timescale; unless alternative requirements are confirmed within any Traveller Sites Allocations Development Plan Document or such other evidence base as is available at the time the allocation-wide masterplan is approved (as appropriate); and
- A new Northern Link Road connecting through the Strategic Allocation Area from the A2300 to the A273 Isaacs Lane. New junctions will be provided on the A2300, B2036 Cuckfield Road and A273 Isaacs Lane. A road link across the river corridor will be required to facilitate a public transport route to Maple Drive."

12.4 Of particular relevance are the first and fourth bullet point, this reserved matters application proposes the Centre for Outdoor Sports. This is a key element in the provision of infrastructure to serve the new residents at Brookleigh, along with the existing community.

12.5 Policy DP9 further states:

*"Strategic mixed-use development in this location will:*

- *Progress in accordance with an allocation-wide masterplan, Infrastructure Delivery Strategy, Phasing Strategy and Financial Appraisal which will have been submitted to and approved by the local planning authority. Each planning application to be determined should accord with such approved documents unless otherwise agreed by the local planning authority."*

12.6 An allocation wide Masterplan and Infrastructure Delivery Plan and Phasing Strategy were approved as material planning considerations on the 24<sup>th</sup> September 2018 by Cabinet.

12.7 SDP3 of the Masterplan states, the Northern Arc provides two strategic pedestrian and cycle links: enhancing the existing Green Circle; and a new Green Super Highway through the Northern Arc.

12.8 This application provides a key part of the Green Circle in the west of the site. Subject to detail in future applications, this will link up with the existing Green Circle that currently terminates on Gatehouse Lane to the south and the employment site to the north, where the masterplan sets out that it should continue eastwards over the A2300.

12.9 SDP17 of the Masterplan states, “an area on the western edge of the Northern Arc (west of Jane Murray Way) will be a strategic location for the provision of sports facilities to serve the new and existing communities. This area would accommodate the Centre of Community Sports and include approximately 9ha of outdoor sports pitches, as well as supporting facilities, to complement existing and enhanced provision at the nearby Triangle Leisure Centre.”

12.10 The provision of the Centre for Outdoor Sports is a key element in the delivery of the masterplan.

12.11 Policy DP24 of the District Plan states:

*“Development that provides new and/or enhanced leisure and cultural activities and facilities, including allotments, in accordance with the strategic aims of the Leisure and Cultural Strategy for Mid Sussex will be supported. The on-site provision of new leisure and cultural facilities, including the provision of play areas and equipment will be required for all new residential developments, where appropriate in scale and impact, including making land available for this purpose. Planning conditions and/or planning obligations will be used to secure such facilities. Details about the provision, including standards, of new leisure and cultural facilities will be set out in a Supplementary Planning Document.”*

12.12 The proposal includes the provision of new leisure facilities which is supported by Policy DP24 of the District Plan.

12.13 Polich HurstA3 of the Hurstpierpoint and Sayers Common Neighbourhood Plan states:

*“an area for Outdoor Community Sports shall be provided as part of the Burgess Hill Northern Arc’ Development Plan, adjacent to the A2300. The land allocation shown on the Proposals Map at Burgess Hill Northern Arc is indicative.”*

12.14 The location of the proposal is in the broad location indicated on the indicative plan and is therefore considered to comply with the neighbourhood centre.

12.15 The parameter plans set out with the outline planning application set out some broad parameters for this site, including:

- Location of the built facility
- Provision of a LEAP
- Provision of Green Circle
- Located within Phase 1

All of these facilities are provided on site and the proposal is considered to be in accordance with the parameter plans. The detail of each of these elements are addressed below are dealt with in the various sections of the report below.

12.16 In light of the above considerations, the proposal is considered to be acceptable in principle subject to the detailed considerations discussed below.

## **Sports Provision at Brookleigh**

12.17 Policy DP24 of the District Plan states:

*“Development that provides new and/or enhanced leisure and cultural activities and facilities, including allotments, in accordance with the strategic aims of the Leisure and Cultural Strategy for Mid Sussex will be supported.”*

12.18 The Brookleigh outline planning application secured the use of the application site as a Centre for Outdoor Sports in the parameter plans approved as part of the application. The permission did not set out the exact sporting provision that would be made on the Centre for Outdoor Sports site, noting that the exact details of the facility will be agreed at reserved matters stage to ensure it meets the sporting needs of the community and to be informed by the Playing Pitch Study that was in the process of being drafted at that time.

12.19 The Mid Sussex Playing Pitch Study sets out that the Centre for Outdoor Sport comprises 8.6ha of land (note that this figure is different to that set out at the outline application due to the exclusion of an area of woodland on the site where development is not proposed for ecology/arboricultural reasons), along with 1 hectare of land at The Triangle Leisure Centre. It should be noted that this site is therefore only part of the Centre for Outdoor Sports facility, as set out in the Playing Pitch Study.

12.20 The Playing Pitch Study sets out that the requirements of the Brookleigh development for additional access to pitches for each sport, plus allowance or rest and recovery/rotation and growth are in the order of:

- 2 adult football
- 3 junior football
- 2 mini football
- 1 cricket
- 1 rugby
- 0.5 hockey artificial grass pitch

12.21 The Indicative Implementation Plans that accompany the Playing Pitch Study suggests the following pitches should be provided at the Centre for Outdoor Sports:

- 3G Football Turf Pitch, four changing rooms, floodlighting and viewing stand
- Regulation 22 World Rugby compliant artificial turf pitch, two changing rooms, floodlighting and viewing stand
- 3 grass youth football pitches
- Compact athletics facility
- Clubhouse comprising four changing rooms, indoor leisure (cricket facility and futsal), social/ancillary facilities, general bar/kitchen/meeting room facility, car parking

12.22 The Burgess Hill Town Wide Strategy identifies that new football, rugby and community facilities should be provided to the north of Burgess Hill, close to existing facilities.

12.23 The proposal includes provision for the following:

- 2 adult football pitches (one grass and one 3G)
- 1 junior football (grass) (note this is referred to as U13/14 on the plans)
- 2 mini football (grass) (note this is referred to as U9/10 on the plans)

- 1 adult rugby (3G)
- 1 cricket

12.24 It is acknowledged that the site does not meet the entire need set out for Brookleigh, specifically the site would not meet the need for 2 of the junior football pitches and the 0.5 hockey artificial grass pitch. Furthermore, it does not provide the indoor leisure facilities, as suggested in the Playing Pitch Study Indicative Implementation Plans. However it is acknowledged that this is only an indicative suggestion of the document. The proposal also does not meet all the facilities suggested in the Burgess Hill Town Wide Strategy. Given the constraints of the site, particularly in relation to ecology and woodland/trees, it would not be possible to meet the provisions for all the need generated by Brookleigh on this particular site or all the suggestions set out in the Playing Pitch Study Indicative Plans or the Burgess Hill Town Wide Strategy.

12.25 In addition to this site, the following sports facilities have already been granted as part of the Secondary School Planning Permission:

- 1 adult rugby pitch (or football/hockey)
- 2 adult football pitches (or hockey)
- 1 400m athletics track
- 2 junior football (note these are referred to as 7-a-side football pitches on the plans)
- 1 mini football (note this is referred to as 5-a-side football pitch on the plans)
- 1 artificial turf pitch (sport not specified in the planning application)

These pitches are all required to be available for community use outside of school hours in accordance with a Community Use Agreement that has been secured as part of the outline scheme. As such, it is considered that these pitches also contribute to the need generated by the Brookleigh development. In combination, these two developments contribute towards the need generated by the Brookleigh scheme.

12.26 It is also acknowledged that this site forms only part of the Centre for Outdoor Sport, the remainder of which is set out in the playing pitch strategy to be provided at The Triangle.

12.27 Sport England have objected to the proposal, specifically because they consider that cricket appears to have been considered as an afterthought within the scheme. They consider that the changing pavilion should comply with ECB minimum space requirements and the officials rooms should have a shower cubicle. A means of ensuring a view from the changing rooms to the cricket pitch should be explored and, given the remoteness of the pavilion to the pitch, a viewing shelter should also be provided adjacent to the pitch. They also wish to see a further explanation of why the previously proposed separate cricket pavilion is not to be provided and wish to understand how suitable change provision for cricket and cricket officials is to be secured within the change pavilion if the related 3G AGPs are in use throughout the summer season. If the indoor cricket practice facility, identified in the Playing Pitch Study cannot be met then the incorporation of cricket practice nets should be explored.

12.28 No objections have been raised by Sport England or the relevant Governing Bodies, in relation to the football and rugby provision.

12.29 The applicants have provided the following comments in response to Sport England's objection:

- Pavilion design to meet minimum ECB space and design standards:
  - Pavilion designed to be multi-purpose for Rugby, Cricket and Football. Contains four team changing rooms and additional kit bag storage to allow changing areas to be used while teams are playing, giving maximum flexibility of use for multiple teams to use the changing facilities concurrently
  - ECB's guidance state 20 sqm for changing space, benches and bag storage for each team changing room. Total area of four team changing rooms and kit bag stores total 83.9 sqm. Recognise that this is a compromise on the 20 sqm requirement for one area.
  - Changing rooms are compliant with Football Foundation and RFU size requirements, with football and rugby being the primary year round users of the facilities
- Official changing shower cubicle
  - No mention of this in ECB's guidance
- View of the Cricket Pitch
  - Location of clubhouse dictated by need to provide access, views, security and ease of management for the 3G pitches, which are the principal year round all weather facilities on the site
  - Additional, cricket specific clubhouse unaffordable within current project budget
- Social Space
  - Site layout allows for a future social space extension to include a kitchenette to support catering facilities. Recognised as a compromise.
  - Lack of provision could be mitigated, at busy times by the use of mobile external catering providers
- Dual sport use all year-round use of the pavilion
  - Pavilion designed to be multi-purpose for use by Rugby, Cricket and Football teams. Contains four team changing rooms and additional kit bag storage to allow the changing areas to be used while teams are playing, giving maximum flexibility of use for multiple teams to use the changing for different sports on the site concurrently
  - Could be potential overlaps by cricket and rugby/football for 3-4 weeks from mid-April to mid-May and 2–3 weeks in early September. Programming of fixtures and training will need to be carefully considered to minimise issues with use of changing areas in the pavilion. Not clear at this stage what the potential clashes in use will be and how best to manage these but this will be an issue of detailed programming. Measures that will be considered include:
    - Careful scheduling of home matches, in terms of dates and times, to minimise fixture clashes between sports
    - Considerations of the actual demand for changing rooms, particularly by junior teams
    - Maximising use of kit bag storage in the pavilion to free up changing space
    - Staggering timing of bookings, to allow teams to access the changing areas in good time for their fixtures and then vacate the changing areas moving kit bags to the kit bag storage areas
  - Sport England have suggested an appropriate Community Use Agreement could be put in place to protect access to the clubhouse for cricket at agreed times of the season. This can be worked up in partnership with the site operator, Sport England and the ECB

- Pitch side team shelter
  - Concern that shelter could become targets for vandalism or anti-social behaviour.
  - Temporary, portable shelters can be provided
- Net system
  - Space could be provided between the grass pitches, however this would need to be subject to future funding if there is demand
- General
  - Recognises that compromises have been made to some of the facilities provided at the site, while trying to maximise the provision of the playing facilities, driven principally by pressures on the project budget
  - Project team consulted with NGB representatives, from the main sports as well as local sports clubs. It has also referred to the relevant published strategy and technical guidance available at the time
  - Project is not intended to provide a 'home ground' for any specific local clubs (football, rugby or cricket). It is intended to be a site that is available to a wide range of user clubs to book and use. There is a particular focus on providing for junior sport, as well as adult teams. This approach will enable the site to complement the existing network of sports facilities, relieving pressure on those sites, by providing significantly more additional capacity in the district to meet identified needs.
  - Use of the site for junior use has the potential to free up capacity for more adult activity to take place at existing club sites. The majority of the clubs consulted suggested that this would be an approach they would take, while maintaining their home grounds. In the case of cricket, many existing club facilities do provide facilities that meet the requirements of the ECB
  - No objections have been raised by Sport England on behalf of the Football Association and Rugby Football Union.

12.30 It is acknowledged that there are aspirations from various sporting communities to achieve an optimum design for particular sports on this site. However, there are challenges, particularly around site constraints and budget that restrict the ability to accommodate the needs of all the sports using the site. The proposal does not provide all the sports facilities identified in the Playing Pitch study. However, the proposal will provide a valuable contribution towards sporting facilities in Burgess Hill, both for the new residents of Brookleigh and the existing community. This is considered to be a significant benefit of the proposal. The proposal is considered to be in accordance with Policy DP24 of the District Plan.

### **Landscape & Trees**

12.31 As previously referenced, DP7 of the District Plan requires strategic development at Burgess Hill to identify and respond to environmental, landscape and ecological constraints and deliver opportunities to enhance local biodiversity and contribute to the delivery of green infrastructure in and around the town in accordance with policies elsewhere in the Plan.

12.32 DP9 requires land uses and infrastructure delivery to identify and take account of environmental, landscape and ecological constraints appropriately responding to the landscape setting including retention of woodland, hedgerows and other

important natural features wherever possible.

12.33 Policy DP37 of the District Plan states that:

*“The District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected.*

*Development that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or character of an area, and/ or that have landscape, historic or wildlife importance, will not normally be permitted.*

*Proposals for new trees, woodland and hedgerows should be of suitable species, usually native, and where required for visual, noise or light screening purposes, trees, woodland and hedgerows should be of a size and species that will achieve this purpose.*

*Trees, woodland and hedgerows will be protected and enhanced by ensuring development:*

- *incorporates existing important trees, woodland and hedgerows into the design of new development and its landscape scheme; and*
- *prevents damage to root systems and takes account of expected future growth; and*
- *where possible, incorporates retained trees, woodland and hedgerows within public open space rather than private space to safeguard their long-term management; and*
- *has appropriate protection measures throughout the development process; and*
- *takes opportunities to plant new trees, woodland and hedgerows within the new*
- *development to enhance on-site green infrastructure and increase resilience to the effects of climate change; and*
- *does not sever ecological corridors created by these assets.*

*Proposals for works to trees will be considered taking into account:*

- *the condition and health of the trees; and*
- *the contribution of the trees to the character and visual amenity of the local area; and*
- *the amenity and nature conservation value of the trees; and*
- *the extent and impact of the works; and*
- *any replanting proposals.*

*The felling of protected trees will only be permitted if there is no appropriate alternative. Where a protected tree or group of trees is felled, a replacement tree or group of trees, on a minimum of a 1:1 basis and of an appropriate size and type, will normally be required. The replanting should take place as close to the felled tree or trees as possible having regard to the proximity of adjacent properties.*



*Development should be positioned as far as possible from ancient woodland with a minimum buffer of 15 metres maintained between ancient woodland and the development boundary.”*

- 12.34 Policy DP26, referenced in more detail in the Design section of this report, states in part that development:

*“creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*

*- protects open spaces, trees and gardens that contribute to the character of the area.”*

- 12.35 SDP14 in the Masterplan seeks to *“preserve the established framework of woodland, trees and hedgerows as part of the commitment to create a high quality and distinctive place. Together with the meandering water courses these will define the character of the new community and frame its development.”*
- 12.36 SDP15 of the Masterplan sets out that *“the Northern Arc will provide a rich variety of attractive open spaces. These will support wider biodiversity objectives and promote climate change, pest and disease resilience, as well as meeting community needs for recreation and supporting health and well-being.”*
- 12.37 SDP18 of the Masterplan sets out that *“the development will work with the Northern Arc’s undulating topography to respect and build on the existing sense of place, as well as reducing the amount of earthworks and levelling required.*
- 12.38 SDP21 of the Masterplan sets out that green infrastructure will be designed with species that are tolerant to the prevailing climatic conditions.
- 12.39 The IDP identifies woodlands and open space as green infrastructure and states that the network of woodland and natural open space throughout the site is intended to create strong green corridors.
- 12.40 Paragraph 180 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by, inter alia, *“recognising the intrinsic character and beauty of the countryside.”*
- 12.41 The proposal replaces open agricultural fields with built development, and therefore there would be a negative impact on the landscape as a result. However this impact was anticipated at outline planning application stage and the principle of this change is therefore considered to be acceptable.
- 12.42 There are a large number of trees and hedgerows on the site and some of these would be lost to facilitate the proposal. Some tree and hedgerow loss was anticipated on this site at outline stage, due to the amount of land required for large sports facilities and the difficulty in redesigning the pitches around established trees. Football and rugby pitches, by their nature are large rectangular areas that use a large amount of floor area. As such, some loss has already been established as being acceptable through the outline planning application.

- 12.43 Specifically, 22 individual category A (high quality) trees will be removed along with the removal or partial removal of 6 category A (high quality) groups. The loss of these trees is a negative aspect of the proposal that needs to be weighed up against the benefits that the proposal brings. It is acknowledged that whilst there is a significant loss, key high-quality trees have been retained to frame the entrance and access into the site and around the buildings. The retention of these trees gives structure and character to the proposal.
- 12.44 There is a wooded area in the south-western corner of the site. No development is proposed in this area in order to ensure that this landscape feature is retained. The Green Circle which runs north to south in the west of the site, routes around this feature.
- 12.45 In order to accommodate footpath construction, there will be some encroachment into the root protection areas of retained trees. An appropriate low impact construction solution is proposed and this will be secured by condition. Crown lifting pruning is also required to some of the retained trees in order to accommodate the footpath construction.
- 12.46 All retained trees would be protected by the implementation of a Construction Exclusion Zone (CEZ) using tree protection fencing. This will be secured by condition.
- 12.47 The proposal would also result in the loss of 10 Category C (low quality) individual trees, 10 Category U (dead or dying) individual trees and 1 Category U (dead or dying) group of trees. These are not considered to be a constraint to development and their loss is acceptable.
- 12.48 New landscape is proposed to compensate for the tree losses that are proposed, and this will include more than 140 new standard, semi-mature and multi-stemmed trees. The tree officer has commented that some of the replacement trees are not suitable native species, comprising ornamentals and species that are relatively short-lived. We would expect to see a significant number of native trees in line with Policy DP37, and in particular replacement oaks will be required to form part of the landscaping scheme to compensate for some of the loss. As such, notwithstanding the submitted plans, full details of the landscaping scheme will be secured by condition.
- 12.49 In addition, the proposed drainage interception barrier is not shown on the proposed landscaping plans and there appears to be some conflict with tree planting. This issue will need to be resolved as part of the landscape and drainage conditions.
- 12.50 Full details of the proposed landscaping will be secured by condition, this will include details of tree pits in hard standing areas to ensure there is sufficient soil volume.
- 12.51 In conclusion, whilst the loss of trees and hedgerows is a negative aspect of the scheme, this was anticipated at the time of the outline planning application, and it is considered that the loss has been restricted to what is necessary for the sports pitches to be provided. This loss needs to be weighed up against the benefits of the proposal.

## Design & Visual Impact

12.52 Policy DP26 of the District Plan states:

*“All development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development:*

- is of high quality design and layout and includes appropriate landscaping and greenspace;*
- contributes positively to, and clearly defines, public and private realms and should normally be designed with active building frontages facing streets and public open spaces to animate and provide natural surveillance;*
- creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- protects open spaces, trees and gardens that contribute to the character of the area;*
- protects valued townscapes and the separate identity and character of towns and villages;*
- does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP29);*
- creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- positively addresses sustainability considerations in the layout and the building design;*
- take the opportunity to encourage community interaction by creating layouts with a strong neighbourhood focus/centre; larger (300+ unit) schemes will also normally be expected to incorporate a mixed use element;*
- optimises the potential of the site to accommodate development.”*

12.53 The Masterplan sets out the following place-making objectives at SDP7:

- “Creating walkable neighbourhoods with vibrant centres that are accessible to all;*
- Co-locating schools, community centres and open spaces with the neighbourhood centres to support vitality and community identity;*
- Designing streets as places that encourage social interaction as well as walking, cycling and public transport;*
- Ensuring that streets, public realm and open spaces are well overlooked and designed to feel safe and secure;*
- Creating a place that is easy to find your way around with a clear hierarchy of streets and spaces, landmark features and views;*
- Setting development within an interconnected, easily accessible network of attractive streets, green infrastructure, green corridors and open spaces to act as wildlife corridors and sustainable transport links;*
- Incorporating trees, gardens and green spaces throughout the development to provide shade and cooling during extreme heat events and to increase its ability to adapt to climate change;*
- Supporting health and well-being through opportunities for active lifestyles and living in close contact with nature;*

- *Providing a variety of different character areas which reflect variations in landscape and topography, as well as the role and function of different parts of the community;*
- *Integrating business and employment uses to diversify day time activities;*
- *Accommodating car parking and servicing in ways that are convenient and safe but also unobtrusive.”*

12.54 The Masterplan sets out the following at SDP8:

- *“Design proposals for the Northern Arc will be assessed against the place-making objectives set out in Design Guide (SDP 8) and Building for Life 12*
- *Maximise integration with the existing communities of Burgess Hill and the established facilities and services of the town and the wider District.”*

12.55 The Northern Arc Design Guide sets out the following design principles for the Centre for Outdoor Sports:

- Cycle parking to be provided in a secure location
- Car parking to be provided
- Single storey Sports Pavilion facility to be provided up to 400sqm and 6m high.
- Design of the Sports Pavilion facility to include eight 32sqm changing rooms, toilets on the ground floor and small serving area for refreshment/ meeting rooms on the second floor
- Construction of Sports Pavilion facility to follow best practice guidance for sustainability and provide credits towards achieving biodiversity net gain across the Northern Arc
- Existing vegetation maintained to preserve habitats around pitches and play area

12.56 The layout of the site has been designed with the 2 3G pitches and the pavilion in the north of the site, the car park and access in the centre and the grass pitches in the south. This is appropriate and keeps the more built up uses adjacent to the more urban surroundings (adjacent to the future Brookeligh Employment site and the future Western Neighbourhood Centre) with the unlit grass pitches and footpaths adjacent to Gatehouse Lane which has a more rural character.

12.57 The pavilion is located immediately adjacent to the 3G football pitch in line with Football Association requirements. The pavilion is simple in form, the single storey building is clad in timber with a grey roof, fenestration and columns. Interest is added to the facades through the provision of an entrance canopy, glazed entrance, overhanging roof to the east and feature seating. Signage is proposed above the entrance canopy, however this is indicative at this stage and signage will be subject to a separate advertisement consent application once the site has been named. The Design Review Panel criticised the cluttered appearance of the various elements of the entrance. In response to this, amended plans have been received to simplify the entrance canopy, aligning it with column features on the structure and removing the bench seating from the front of the building, which was considered to draw attention away from the entrance. The pavilion is considered to have an acceptable design and appearance, appropriate to the site.

12.58 The pavilion would include provision for public toilets, 4 team changing rooms, two officials changing rooms, one accessible changing room and storage. There is a small entrance area in the pavilion where seats are proposed, but the proposal does not include any meaningful social space. This does not follow one of the

design principles in the Northern Arc Design Guide. However, indicative plans have been submitted with the application to demonstrate how the building could be extended in the future to provide social space to the south. Whilst the layout shown on the indicative drawings is unlikely to be acceptable as it does not allow for sufficient fenestration/interest on the southern elevation, the indicative plan is sufficient to demonstrate that this expansion could take place in a form that would need to be agreed at that time.

- 12.59 The entrance to the site has been framed by a gabion entrance feature, which in the absence of a building, close to the site entrance will help to provide a landmark and help to orientate visitors. The Brookleigh Design Review Panel criticised this element of the design because it did not aid in screening the sub-station which has been constructed adjacent to the entrance, however it is noted that the area in front of the sub-station is not within the control of the applicant. Officers are discussing this issue separately with Homes England.
- 12.60 Extensive levelling is proposed to take place on the site to ensure the playing pitches meet the appropriate standards. In the north of the site the level changes will be dealt with via a gabion retaining wall to match the entrance feature. In the south of the site the levels alterations have been dealt with via grass bank and stepped terrace areas. These would appear appropriate and full details would be secured by condition. A soil bund is proposed in the north-western corner of the site in order to deal with the excess soil from the site levelling. The exact dimensions of this are not known at this stage and in order to ensure this is an appropriate landscape feature, full details of this will be secured by condition.
- 12.61 There is a requirement for the 3G pitches to be fenced with in order to contain balls, these are black. They would appear quite utilitarian, however, are necessary in order to ensure the site can operate without impact on the surrounding land uses and can be screened with planting through the landscaping scheme. As such, the fencing is considered to be acceptable.
- 12.62 An area of hardstanding has been provided adjacent to the pavilion, with seating, space for food and beverage vans, cycle storage, this would slope gently down towards the pedestrian/cycle entrance and would also lead to steps towards the car park. The design review panel were concerned that the hardstanding and design features such as benches, cycle hoops, stainless steel handrails etc appeared too urban. Full details of all these features will be secured by condition to ensure that they respond appropriately to the site.
- 12.63 A Local Equipped Area of Play is provided to the south of the 3G football pitch, full details are not known at this stage and a condition has been recommended to secure details of this.
- 12.64 The Green Circle is shown on the plans running from north to south. In order to ensure that this is in an appropriate location to tie into future development in the north, which is proposed as an employment site in the permitted parameter plans, a condition is recommended to secure full details of this. It is noted that this has been provided as a 4m wide dust surface, in line with WSCC requirements for bridleways. This differs from that set out in the Design Guide/Street Design & Adoption Manual which sets out that this will be a part tarmacked/part grass route. In order to ensure that this is consistent with the remainder of Brookleigh whilst conversations continue with Homes England and WSCC about how this route should be provided,

the condition will also secure full details of the route, including the width and surfacing to ensure this is compatible with the remainder of Brookleigh.

12.65 The south of the site has a natural parkland character with mown paths and informal seating and areas for play. Full details of this would be secured by the landscaping condition. Whilst the proposal would not comply with all the requirements in the Northern Arc Design Guide, the proposal would be broad accordance, as required by a condition on the outline decision.

12.66 Overall the proposal is considered to represent a high-quality design that would be in accordance with DP26 of the District Plan and the Northern Arc Masterplan.

### **Heritage**

12.67 Policy DP34 of the District Plan states in relation to other heritage assets:

*“The Council will seek to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the character and quality of life of the District. Significance can be defined as the special interest of a heritage asset, which may be archaeological, architectural, artistic or historic. Proposals affecting such heritage assets will be considered in accordance with the policies in the National Planning Policy Framework (NPPF) and current Government guidance.”*

12.68 The supporting text to principle SDP14 (Landscape and Green Infrastructure) in the Masterplan states that the Masterplan will preserve landscape features and wherever possible respect the landscape setting of nearby listed buildings and non-designated heritage assets.

12.69 Paragraph 200 of the NPPF sets out that where a site on which development proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

12.70 There are no known heritage assets within close proximity to the application site. However, construction works have the potential to cause harm to unknown archaeological heritage assets. Basement excavations, foundations and the provision of services could result in the need to remove archaeological remains. Archaeology conditions are secured on the Outline Planning Permission to ensure that to accommodations are made for any Archaeological Assets worthy of preservation in situ that may be revealed.

12.71 As such, the proposal is considered acceptable in relation to heritage assets.

### **Residential Amenity**

12.72 Policy DP26 of the District Plan states:

*“All development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development...does not cause significant harm to the amenities of existing nearby residents and future*

*occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution."*

- 12.73 Paragraph 135 of the NPPF requires development to inter alia, *"create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users."*
- 12.74 The closest residential properties are located on Gatehouse Lane and include Priory Hospital to the west of the site, Gatehouse Farm to the south of the site, and Gainsborough House and Springfield to the east of the site.
- 12.75 The area opposite the site to the east is set out in the Brookleigh parameter plans as being new residential development. However, this does not have reserved matters consent and so the layout of this area is not currently known.
- 12.76 The pavilion building is located in the centre of the site, well-separated from the boundaries of the site. The 3G pitches are both surrounded by high level fencing, however, these are also separated from the boundaries of the site, with intervening landscaping. As such, the proposal is not considered to impact on the residential amenities of adjoining residential properties by reason of loss of light or outlook. Whilst the proposal itself would be visible from these properties, particularly in the winter months, this would not result in any unacceptable visual intrusion.
- 12.77 It is acknowledged that there will be some degree of disruption during construction work but these would be temporary in nature and are necessary to facilitate the development. The building works will in any event be mitigated as much as possible through working hours restrictions and the Construction Environmental Management Plan that will control various matters such as construction traffic routes, site set up, contractor parking and other mitigation measures. These mitigation issues have already been secured through the conditions attached to the outline planning consent.
- 12.78 A ball strike survey has been submitted with the application and this recommends 3m high fencing behind the goal on the pitch to be located in the southwestern corner of the site to assist with preventing balls being kicked into Gatehouse Farm. This would be secured by condition.
- 12.79 It is noted that there is a current planning application for new residential properties at Gatehouse Farm, however as this does not have planning permission, the impact on these potential future properties is not required to be assessed as part of this application.
- 12.80 Issues in relation to noise and lighting are addressed separately in the section below.

### **Noise, Air & Light Pollution**

- 12.81 Policy DP29 of the District Plan states that:

*"The environment, including nationally designated environmental sites, nationally protected landscapes, areas of nature conservation or geological interest, wildlife habitats, and the quality of people's life will be protected from unacceptable levels of noise, light and air pollution."*

12.82 Policy SA38 of the Site Allocations DPD states that:

*“The Council will require applicants to demonstrate that there is not unacceptable impact on air quality. The development should minimise any air quality impacts, including cumulative impacts from committed developments, both during the construction process and lifetime of the completed development, either through a redesign of the development proposal or, where this is not possible or sufficient, through appropriate mitigation.”*

12.83 Paragraph 180 of the NPPF states that Planning policies and decisions should contribute to and enhance the natural and local environment by, inter alia,

*“preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality.”*

12.84 The construction activity associated with the development will generate some short-term noise, air and light pollution, however this will be temporary and the effects of this will be controlled to an acceptable level through the CEMP, compliance with which has been secured by condition.

12.85 In relation to noise, the application is accompanied by a noise report. This recommends a noise management plan along with 2.5m high acoustic fencing along the western boundary of the 3G football pitch and part of the western boundary with Gatehouse Farm. The fencing and noise management plan will be secured by condition to ensure an acceptable impact on surrounding residents in terms of noise.

12.86 In relation to light the following would be provided:

- 12 LED's on 8 15m high masts (4 masts each side) on the 3G football pitch
- 16 LED's on 8 15m high masts (4 masts each side) on the 3G rugby pitch
- 17 LED's on 13 lamp posts
- 63 1m high bollard lights on pedestrian/cycle routes
- Recessed LED spot lights and entrance lights.

12.87 The site is currently unlit (previously there would have been some lighting associated with West End Farm and the construction compound for the Western Link Road). However, the site is surrounded by lighting associated with the surrounding highway network and residential properties. The site is located within an Environmental Zone E3 which is a suburban surrounding with medium district brightness.

12.88 The Lighting Assessment that accompanies the application, sets out the following:

- Upward wasted light is minimised with 0% upward light ratio (ULR) projected into the atmosphere
- No spill light or back light greater than 3 Lux escapes the boundaries of the sports ground, which prevents excessive light being projected onto current neighbouring properties
- A little glare would be projected onto current neighbouring properties. The impact of glare would be substantially less than the maximum permitted for an Environmental Zone E3 (which is 10,000 CD)



- Modern sports area lighting using LED technology is very different to old-fashioned sports floodlights (using sodium and / or HID), with much advanced light control to ensure is directed fully downwards towards the playing pitch surface; and does not over-illuminate the surrounding environment

12.89 The lighting report demonstrates that light spill from the development would be acceptable in relation to the surrounding environment and properties. A condition is recommended in order to ensure lighting is delivered in accordance with this document and to restrict the timing of the lights to ensure the impact is acceptable.

12.90 The proposal would generate air pollution as a result of the vehicular movements associated with the site. These have already been assessed as part of the outline planning application and impacts on air quality were found to be acceptable subject to the mitigation secured at that stage. This application does not alter those conclusions.

12.91 The proposal is considered to be in accordance with Policies DP29 of the District Plan and Policy SA38 of the Site Allocations DPD.

### **Accessibility & Equalities**

12.92 Policy DP28 of the District Plan states:

*“All development will be required to meet and maintain high standards of accessibility so that all users can use them safely and easily. This will apply to all development, including changes of use, refurbishments and extensions, open spaces, the public realm and transport infrastructure, and will be demonstrated by the applicant.”*

12.93 Level access is provided between the front of the site into the pavilion building. A disabled WC is provided in the pavilion entrance area, along with a disabled changing/room within the main pavilion area.

12.94 Six disabled car parking spaces are provided in the car parking area. Step-free access is provided between these spaces into the and the pavilion area. The Design review panel were concerned that the step free access to the disabled spaces required users to walk across the car park, the layout has been reconfigured via an amendment, to provide a footpath from disabled spaces to the step free route.

12.95 The Green Circle is designed as a mobility corridor. The route does not contain steps and is suitable for use by wheelchairs/mobility scooters etc.

12.96 The proposal is considered acceptable in relation to accessibility and would accord with the aims of Policy DP28 of the District Plan.

### **Transport, Highways and Movement**

12.97 Policy DP21 of the District Plan states:

*“Development will be required to support the objectives of the West Sussex Transport Plan 2011-2026, which are:*

- *A high quality transport network that promotes a competitive and prosperous economy;*

- *A resilient transport network that complements the built and natural environment whilst reducing carbon emissions over time;*
- *Access to services, employment and housing; and*
- *A transport network that feels, and is, safer and healthier to use.*

*To meet these objectives, decisions on development proposals will take account of whether:*

- *The scheme is sustainably located to minimise the need for travel noting there might be circumstances where development needs to be located in the countryside, such as rural economic uses (see policy DP14: Sustainable Rural Development and the Rural Economy);*
- *Appropriate opportunities to facilitate and promote the increased use of alternative means of transport to the private car, such as the provision of, and access to, safe and convenient routes for walking, cycling and public transport, including suitable facilities for secure and safe cycle parking, have been fully explored and taken up;*
- *The scheme is designed to adoptable standards, or other standards as agreed by the Local Planning Authority, including road widths and size of garages;*
- *The scheme provides adequate car parking for the proposed development taking into account the accessibility of the development, the type, mix and use of the development and the availability and opportunities for public transport; and with the relevant Neighbourhood Plan where applicable;*
- *Development which generates significant amounts of movement is supported by a Transport Assessment/ Statement and a Travel Plan that is effective and demonstrably deliverable including setting out how schemes will be funded;*
- *The scheme provides appropriate mitigation to support new development on the local and strategic road network, including the transport network outside of the district, secured where necessary through appropriate legal agreements;*
- *The scheme avoids severe additional traffic congestion, individually or cumulatively, taking account of any proposed mitigation;*
- *The scheme protects the safety of road users and pedestrians; and*
- *The scheme does not harm the special qualities of the South Downs National Park or the High Weald Area of Outstanding Natural Beauty through its transport impacts.*
- *Where practical and viable, developments should be located and designed to incorporate facilities for charging plug-in and other ultra-low emission vehicles."*

12.98 Policy DP22 of the District Plan states:

*"Rights of way, Sustrans national cycle routes and recreational routes will be protected by ensuring development does not result in the loss of or does not adversely affect a right of way or other recreational routes unless a new route is provided which is of at least an equivalent value and which does not sever important routes.*

*Access to the countryside will be encouraged by:*

- *Ensuring that (where appropriate) development provides safe and convenient links to rights of way and other recreational routes;*
- *Supporting the provision of additional routes within and between settlements that contribute to providing a joined up network of routes where possible;*

- *Where appropriate, encouraging making new or existing rights of way multi-functional to allow for benefits for a range of users. (Note: 'multi-functional will generally mean able to be used by walkers, cyclists and horse-riders).'*

12.99 Policy DP7 states that strategic development will, inter alia

*"Improve public transport, walking and cycling infrastructure and access to Burgess Hill and Wivelsfield railway stations and Burgess Hill Town Centre, including the provision of, or contributions to enhancing transport interchanges;*

- *Provide necessary transport improvements that take account of the wider impact of the development on the surrounding area;*
- *Provide highway improvements in and around Burgess Hill including addressing the limitations of the A2300 link road and its junction with the A23 and east-west traffic movements across Burgess Hill and, where necessary, improvements across the highway authority boundary in East Sussex;..*
- *Provide new and/or improved and well connected sports, recreation and open space in and around Burgess Hill, including the continuation of the existing 'Green Circle' of linked areas of informal open space around the town along with its associated network of multi-functional paths, the Green Circle network, and links into the town centre;*
- *Support the delivery of a multi-functional route between Burgess Hill and Haywards Heath;..."The vehicular access into the site has already been approved and constructed as part of the Western Link Road development.*

12.100 The Masterplan sets out the following at SDP1:

*"Permeable layout that integrates with the surrounding highway network*

- *Maximise sustainable patterns of movement*
- *Highway design will direct traffic to the A2300 via the A273 and the Northern Arc avenue and minimise movement through the villages to the north of the site Northern Arc avenue to provide a new through connection between A273 Jane Murray Way and A2300 in the west and A273 and Maple Drive in the east Priority junctions and traffic signals favoured over roundabouts to support permeability for pedestrians and cyclists*
- *Two strategic pedestrian and cycle links: enhancing the existing Green Circle; and a new Green Super Highway*
- *Network of secondary pedestrian and cycle links will be provided throughout the Northern Arc linking the area to the wider town to provide attractive, convenient and safe routes to facilitate sustainable movement*
- *Three neighbourhood centres, connected to each other by the Northern Arc avenue, located so people can walk to local facilities and services within 5 to 10 minutes of their home, as well as being accessible by cycle, public transport and car."*

12.101 SDP3 of the Masterplan states that the Northern Arc will provide two strategic pedestrian and cycle links - an enhancement of the Green Circle and a Green Super Highway.

12.102 SDP4 of the Masterplan requires that, alongside the strategic links of SDP3, a network of pedestrian and cycle links will be provided throughout the Northern Arc linking into the existing town.

- 12.103 The approved IDP also sets out the intent of the applicant to deliver appropriate road and sustainable travel infrastructure.
- 12.104 The Green Circle (pedestrian, equestrian and cycle route) that runs throughout the development is proposed through the site from north (proposed employment site) to south (Gatehouse Lane) in line with the masterplan. In addition, pedestrian and cycle connections are provided into and around the site from the Western Link Road to the east and in the centre of the northern boundary. The connections all converge at the pavilion in the centre of the site. The layout is considered to offer a high degree of permeability into and through it and provides appropriate connections onto the Green Circle.
- 12.105 Tracking for a fire tender and a refuse vehicle have been provided and is acceptable. It is noted that the refuse vehicle would need to service the site at quieter times as it would require turning across the parking area. It is considered that this can be effectively managed.
- 12.106 The West Sussex County Council Guidance on Parking at New Developments does not have specific parking standards for outdoor sports pitches and instead require a site-specific assessment. A parking capacity assessment has been provided within the preapplication documents and Transport Statement. The capacity assessment has been based on a schedule which provides a break between usage to ensure arrivals and departures overlap. The peak parking demand takes place on a Sunday with a total of 102 vehicles on site between 11am and 2pm. The site would provide 104 spaces and as such would be acceptable.
- 12.107 At present, in advance of the surrounding Brookleigh land parcels being developed there is limited off-site locations for car parking. In order to ensure overspill car parking on the Western Link Road is not an issue, a condition is recommended to require a car parking management plan to monitor the usage of the car park and any parking on the Western Link Road and to recommend any remedial measures to prevent parking on the Western Link Road.
- 12.108 A condition is also recommended to secure the timing of the pitches to ensure that the suggested break between usage of the pitches is adhered to.
- 12.109 The outline consent secured 1 EV charging point per 1000m<sup>2</sup> of commercial floor space. Of the 104 spaces, 2 would be provided with EV charging facilities and a further 19 spaces are provided with infrastructure to enable them to be updated. This is in excess of that secured at outline stage.
- 12.110 A total of 40 cycle parking spaces are to be provided across the site. This is in excess of WSCC standards.
- 12.111 A travel plan has been provided and includes monitoring the effectiveness of measures.
- 12.112 The Highways Officer at WSCC has recommended a condition to require a Construction Environmental Management Plan, however the outline planning application contains such a condition so it has not been considered necessary.
- 12.113 In relation to fire safety, currently the nearest Hydrant to the proposed sports pavilion is 480 metres away, the supply of water for firefighting for a commercial premises should be within 90 metres. The WSCC Fire Officer has recommended

Conditions recommended requiring details of fire hydrant/stored water supply to be approved prior to commencement and installed prior to use.

- 12.114 West Sussex County Highway Authority have assessed the proposal and have raised no objection on highways grounds. The proposal is considered to be in accordance with Policies DP7, DP21 and DP22 of the District Plan.

### **Ecology and Biodiversity**

- 12.115 Policy DP7 states in part that strategic development will:

*"Identify and respond to environmental, landscape and ecological constraints and deliver opportunities to enhance local biodiversity and contribute to the delivery of green infrastructure in and around the town in accordance with policies elsewhere in the Plan including DP38: Biodiversity;..."*

- 12.116 DP9 also makes clear that:

*"the relevant land uses and infrastructure delivery for each phase: Identify and take account of environmental, landscape and ecological constraints including where possible avoiding or minimising harm to sensitive receptors and appropriately responding to the landscape setting including retention of woodland, hedgerows and other important natural features wherever possible and appropriate landscaping and safe design of balancing ponds and water/drainage features; and deliver opportunities and requirements as set out in Policy DP7: General Principles for Strategic Development at Burgess Hill and DP38: Biodiversity..."*

- 12.117 Policy DP38 of the District Plan states:

*"Biodiversity will be protected and enhanced by ensuring development:*

- Contributes and takes opportunities to improve, enhance, manage and restore biodiversity and green infrastructure, so that there is a net gain in biodiversity, including through creating new designated sites and locally relevant habitats, and incorporating biodiversity features within developments; and*
- Protects existing biodiversity, so that there is no net loss of biodiversity. Appropriate measures should be taken to avoid and reduce disturbance to sensitive habitats and species. Unavoidable damage to biodiversity must be offset through ecological enhancements and mitigation measures (or compensation measures in exceptional circumstances); and*
- Minimises habitat and species fragmentation and maximises opportunities to enhance and restore ecological corridors to connect natural habitats and increase coherence and resilience; and*
- Promotes the restoration, management and expansion of priority habitats in the District; and*
- Avoids damage to, protects and enhances the special characteristics of internationally designated Special Protection Areas, Special Areas of Conservation; nationally designated Sites of Special Scientific Interest, Areas of Outstanding Natural Beauty; and locally designated Sites of Nature Conservation Importance, Local Nature Reserves and Ancient Woodland or to other areas identified as being of nature conservation or geological interest, including wildlife corridors, aged or veteran trees, Biodiversity Opportunity Areas, and Nature Improvement Areas.*

*Designated sites will be given protection and appropriate weight according to their importance and the contribution they make to wider ecological networks. Valued soils will be protected and enhanced, including the best and most versatile agricultural land, and development should not contribute to unacceptable levels of soil pollution.*

*Geodiversity will be protected by ensuring development prevents harm to geological conservation interests, and where possible, enhances such interests. Geological conservation interests include Regionally Important Geological and Geomorphological Sites."*

12.118 SDP14 (Landscape and Green Infrastructure) of the Masterplan states that:

*"The Masterplan will preserve landscape features and wherever possible respect the landscape setting of nearby listed buildings and non-designated heritage assets. It will also deliver a net gain in biodiversity. This will be achieved by delivering ecological enhancements within the green infrastructure areas, such as ecologically valuable SuDS systems, private and shared garden and amenity space, and passive measures elsewhere such as green and brown roofs and the creation of new habitats through measures to support wildlife such as, for example, bat boxes. The development provides an opportunity to increase the diversity and resilience of tree cover, particularly in relation to climate change, pests and disease, as well as delivering a range of amenity benefits."*

12.119 SDP15 of the Masterplan sets out that:

*"the Northern Arc will provide a rich variety of attractive open spaces. These will support wider biodiversity objectives and promote climate change, pest and disease resilience, as well as meeting community needs for recreation and supporting health and well-being."The lighting plans show the appropriate use and placement of flood lighting, to ensure the wider landscape is not illuminated above acceptable levels, including details relating to times of use."*

12.120 This application is supported by an updated Ecological Impact Assessment. The updated protected species surveys identified a small population of Slow Worm and Grass Snake around the peripheries of the site. The Assessment recommended suitable precautionary measures, which should be detailed within a reptile mitigation strategy. An appropriate condition is recommended.

12.121 MSDC's ecologist is satisfied that trees with bat roosting potential have been properly assessed and surveyed. No roosting bats were found and the ecologist is satisfied the proposed precautionary methods are appropriate and sufficient.

12.122 The ecologist is satisfied that the submitted documents provide certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable. A condition is recommended to secure the mitigation measures identified in the Ecological Impact Assessment (RPS, December 2023) in order to conserve and enhance protected and Priority species particularly bats, reptiles, Hedgehogs, Common Toad and breeding birds.

12.123 In relation to Biodiversity Net Gain, the Biodiversity Net Gain Assessment submitted with the application estimates that there would be a net loss in Biodiversity Units in both area and linear habitats for this reserved matter application of approximately - 10.03 (-21.26%) Habitat Units (HU) and -5.07 (-49.40%) for Linear Hedgerow Units (LU). The legal agreement on the Brookleigh Outline Planning secures a minimum

of 10% Biodiversity Net Gain across Brookleigh as a whole. The approved Brookleigh Biodiversity Scheme, acknowledges that there will be a loss of biodiversity on this particular site that will be made up elsewhere on Brookleigh. Monitoring of the overall gain is secured by the legal agreement.

- 12.124 MSDC's ecologist has recommended that a Landscape Ecological Management Plan is secured by condition. It is noted that a Landscape Ecological Management Plan is already secured as part of the legal agreement on the Outline Planning Permission and it is not considered necessary to replicate this in a condition.
- 12.125 The proposal is considered acceptable in relation to ecology and biodiversity and would comply with Policies DP7, DP9 and DP38.

### **Flood Risk & Drainage**

- 12.126 Policy DP9 requires the relevant land uses and infrastructure delivery for each phase, to, in part:

*"Take account of on-site flood plains and avoid areas of current and future flood risk through a sequential approach to site layout to comply with Policy DP41: Flood Risk and recommendations in the Strategic Flood Risk Assessment;*

- *Identify, avoid, mitigate and manage the risks posed to water quality associated with the historic land uses and support the delivery of 'Good' ecological status of the River Adur and Copyhold Stream in accordance with DP42: Water Infrastructure and the Water Environment;...*"

- 12.127 Policy DP41 of the District Plan states:

*"Proposals for development will need to follow a sequential risk-based approach, ensure development is safe across its lifetime and not increase the risk of flooding elsewhere. The District Council's Strategic Flood Risk Assessment (SFRA) should be used to identify areas at present and future flood risk from a range of sources including fluvial (rivers and streams), surface water (pluvial), groundwater, infrastructure and reservoirs.*

*Particular attention will be paid to those areas of the District that have experienced flooding in the past and proposals for development should seek to reduce the risk of flooding by achieving a reduction from existing run-off rates.*

*Sustainable Drainage Systems (SuDS) should be implemented in all new developments of 10 dwellings or more, or equivalent non-residential or mixed development unless demonstrated to be inappropriate, to avoid any increase in flood risk and protect surface and ground water quality. Arrangements for the long term maintenance and management of SuDS should also be identified.*

*For the redevelopment of brownfield sites, any surface water draining to the foul sewer must be disconnected and managed through SuDS following the remediation of any previously contaminated land.*

*SuDS should be sensitively designed and located to promote improved biodiversity, an enhanced landscape and good quality spaces that improve public amenities in the area, where possible.*

*The preferred hierarchy of managing surface water drainage from any development is:*

1. *Infiltration Measures*
2. *Attenuation and discharge to watercourses; and if these cannot be met,*
3. *Discharge to surface water only sewers.*

*Land that is considered to be required for current and future flood management will be safeguarded from development and proposals will have regard to relevant flood risk plans and strategies."*

12.128 Policy DP42 of the District Plan states:

*"New development proposals must be in accordance with the objectives of the Water Framework Directive, and accord with the findings of the Gatwick Sub Region Water Cycle Study with respect to water quality, water supply and wastewater treatment and consequently the optional requirement under Building Regulations - Part G applies to all new residential development in the district. Development must meet the following water consumption standards:*

- Residential units should meet a water consumption standard of 110 litres per person per day (including external water use);*
- Non-residential buildings should meet the equivalent of a 'Good' standard, as a minimum, with regard to the BREEAM water consumption targets for the development type.*

*Development proposals which increase the demand for off-site service infrastructure will be permitted where the applicant can demonstrate;*

- that sufficient capacity already exists off-site for foul and surface water provision. Where capacity off-site is not available, plans must set out how appropriate infrastructure improvements approved by the statutory undertaker will be completed ahead of the development's occupation; and*
- that there is adequate water supply to serve the development.*

*Planning conditions will be used to secure necessary infrastructure provision. Development should connect to a public sewage treatment works. If this is not feasible, proposals should be supported by sufficient information to understand the potential implications for the water environment.*

*The development or expansion of water supply or sewerage/sewage treatment facilities will normally be permitted, either where needed to serve existing or proposed new development, or in the interests of long term water supply and waste water management, provided that the need for such facilities outweighs any adverse land use or environmental impacts and that any such adverse impact is minimised."*

12.129 SDP20 of the Masterplan states that green infrastructure will help to reduce flood risk and manage storm water through an extensive network of SuDS.

12.130 The IDP identifies that the Northern Arc will deliver potable water, surface water and foul water projects to the development.

### Flood Risk

12.131 The site is located within Flood Zone 1 and is not at risk of flooding from rivers.

12.132 The majority of the site is within a very low risk of surface water flooding, with some small areas of the Green Circle in the west of the site an area of low risk of surface water flooding and an area to the east of the site being a high and medium risk of surface water flooding.

12.133 Notwithstanding this the proposed development is considered to be water compatible development.



### Sustainable Drainage

- 12.134 The outline planning permission secures full detail of sustainable drainage by condition. Notwithstanding this, the application includes details of drainage.
- 12.135 It should be noted that two of the drainage plans submitted within the Flood Risk Assessment conflict with each other and a drainage inception barrier conflicts with some planting on the landscaping plan. Notwithstanding this, the strategy generally appears acceptable.
- 12.136 Full details of the drainage will be secured by this outline permission and at this stage, officers will ensure that there is no conflict within the submitted drainage plans and with the proposed landscaping. The condition will ensure that the site drains at greenfield run off rate with an allowance to accommodate up to the 1 in 100 year storm events plus an allowance of 45% for climate change.

### Foul Drainage

- 12.137 The outline planning permission secures full detail of foul drainage by condition. Notwithstanding this, the application confirms that foul water will discharge to the sewer located in the Western Link Road to the east of the site.

### Flood Risk & Drainage Conclusion

- 12.138 Subject to the above conditions the proposal is considered to be acceptable in relation to flood risk and drainage issues in accordance with DP9, DP41 and DP42 of the District Plan, SDP20 of the Masterplan and the IDP.

### **Sustainability**

- 12.139 Policy DP39 of the District Plan states:  
"All development proposals must seek to improve the sustainability of development and should where appropriate and feasible according to the type and size of development and location, incorporate the following measures:
- Minimise energy use through the design and layout of the scheme including through the use of natural lighting and ventilation;
  - Explore opportunities for efficient energy supply through the use of communal heating networks where viable and feasible;
  - Use renewable sources of energy;
  - Maximise efficient use of resources, including minimising waste and maximising recycling/ re-use of materials through both construction and occupation;
  - Limit water use to 110 litres/person/day in accordance with Policy DP42: Water Infrastructure and the Water Environment;
  - Demonstrate how the risks associated with future climate change have been planned for as part of the layout of the scheme and design of its buildings to ensure its longer term resilience"
- 12.140 A Sustainability Statement accompanies the application and this confirms the sustainability strategy for the building will be delivered through:
- Choice of building fabric
  - Air Source Heat Pumps
  - Natural Ventilation
  - Mechanical Ventilation Heat Recovery
  - Ventilation Control

- Reduced Specific Fan Powers
- High Efficiency Lighting
- Lighting Controls
- Photovoltaic panels

12.141 The sustainability measures will be secured by condition.

12.142 The proposal is therefore considered to be in accordance with Policy DP39 of the District Plan, Principles SDP21, SDP22, SDP23 and SDP24 of the Masterplan, the IDP and paragraphs 150 and 153 of the NPPF.

### **Contaminated Land**

12.143 Paragraph 180 of the NPPF states in part that decisions should, *“contribute to and enhance the natural and local environment by...*

*f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.”*

12.144 Paragraph 178 of the NPPF states that decisions should, *“ensure that:*

*a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);*

*b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and*

*c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.”*

12.145 Records currently identify only one area on the site that may be potentially impacted by contamination, located to the South West where no development is currently proposed. Within this specific section, there exists a historical hole that has been infilled, with unknown contents, posing the potential for it to contain contaminated material.

12.146 The site is categorised as agricultural land, carrying a low risk of potential contamination. It is conceivable that agricultural practices, or related facilities, may have historically involved the storage of substances like biocides, fuels, or animal remains, which could potentially lead to localised contamination.

12.147 MSDC’s Land Quality Environmental Health Officer has recommended a discovery strategy to address any potential contamination issues that may surface during groundworks. Relevant contaminated land conditions are set out on the outline planning decision and as such it is not considered necessary to reapply this.

12.148 The proposal is considered to be acceptable in relation to contaminated land

### **EIA Regulations**

12.149 The proposal is part of a project that is EIA development. The outline planning application, DM/18/5114, was accompanied by an Environmental Statement.

- 12.150 This application is considered to be a subsequent application as it is part of an EIA project.
- 12.151 It is considered that the environmental information already before the Council is adequate to assess the significant effects of the development of the environment. It is considered that the development is in broad accordance with the outline planning permission and as such the conclusions of the Environmental Statement submitted under that application remain relevant. As such, an additional Environmental Statement is not required for this reserved matters application.
- 12.152 It is considered that the proposal would not result in significant environmental effects in relation to land contamination and would accord with the relevant paragraphs of the NPPF in this regard

### **13.0 Planning Balance and Conclusion**

- 13.1 The principle of the development has been established through the granting of the outline planning permission DM/18/5114 (& DM/21/3279). The site is also part of a strategic allocation in the District Plan. A Masterplan and Infrastructure Delivery Plan have been approved for the site.
- 13.2 The principle of the development has been established through the granting of the outline planning permission DM/18/5114 (& DM/21/3279). The site is also part of a strategic allocation in the District Plan. A Masterplan and Infrastructure Delivery Plan have been approved as material planning considerations for the site.
- 13.3 Planning legislation requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. It is therefore necessary for the planning application to be assessed against the policies in the development plan and then to take account of other material planning considerations including the NPPF.
- 13.4 The details of the reserved matters of the layout, scale, appearance and landscaping of the site need to be assessed against the relevant policies in the development plan. In making an assessment as to whether the proposal complies with the development plan, the Courts have confirmed that the development plan must be considered as a whole, not simply in relation to any one individual policy. It is therefore not the case that a proposal must accord with each and every policy within the development plan.
- 13.5 The proposal is in accordance with the Northern Arc Masterplan, providing the key elements of infrastructure required to be delivered as part of this site.
- 13.6 The outline planning permission and the Masterplan anticipated that the sports needs generated at Brookleigh would be met at the Brookleigh Secondary School, the Triangle Leisure Centre and at the Centre for Outdoor Sport. Given the size of the site for the Centre for Outdoor Sport, it was always acknowledged that this centre could not meet all the requirements alone. Although Sport England has objected to the proposal specifically in relation to cricket, no objections are raised by Sport England in relation to the football and rugby provisions on the site. Due to the constraints of the site, it has not been possible for all the aspirations set out in the Playing Pitch Study to be met on this site. Furthermore, it is recognised that compromises have been made to some of the facilities in order to maximise the provision of the playing facilities. The proposal is not intended to be a "home

ground” for a particular club/sport, instead being available to a wide range of clubs/users and is intended to complement existing provision in Burgess Hill and alternative provision elsewhere at Brookleigh. Overall, the proposal does provide a significant community benefit which weighs in favour of the proposal.

- 13.7 The proposal would provide a high-quality design, appropriate for the site and is considered acceptable in respect of visual impact. The proposal is supported by the Council's Urban Designer and the Design Review Panel. The proposal is in compliance with the Northern Arc Design Guide.
- 13.8 The proposal will not result in demonstrable significant harm to neighbouring residential amenity.
- 13.9 No objections are raised to the proposal by the local highway authority and in the absence of any technical objections there are not deemed to be any reasonable grounds to refuse the application on highways related matters. Adequate levels of car and cycle parking are provided.
- 13.10 Any unknown below ground heritage assets will be protected through the archaeology conditions on the outline consent.
- 13.11 The proposal is considered to be safe in relation to land contamination.
- 13.12 There are no technical reasons to object to the proposal in respect of water resources, flood risk and drainage.
- 13.13 The proposal would deliver a net loss in Biodiversity Net Gain. This, however, was anticipated in the approved Biodiversity Scheme and the Brookleigh development as a whole is required to deliver at least a 10% Biodiversity Net Gain. The Brookleigh scheme is currently predicting a Biodiversity Net Gain on the site of approximately 23%.
- 13.14 Subject to conditions, the proposal would not result in any unacceptable noise, air or light pollution.
- 13.15 The proposal would include appropriate accessibility provisions.
- 13.16 The proposal accords with the Council's sustainability policy requirements.
- 13.17 The proposal would not result in any additional significant environmental effects over and above those considered as part of the Environmental Statement submitted with the outline planning application.
- 13.18 The proposal would result in the loss of some high-quality mature trees on the site which is a negative aspect of the scheme. It is considered that tree losses have been kept to a minimum in order to facilitate the development. Furthermore, a comprehensive landscaping scheme has been secured to mitigate for their loss.
- 13.19 It is considered that the negative impacts of the proposal, specifically the loss of high-quality trees on the site, the inability of the proposal to meet some of the sporting aspirations for the site set out in the Playing Pitch Study and Sport England

objections to the proposal in relation to cricket provision, would be outweighed by the significant community sport and recreation benefits that the proposal would deliver. The high-quality design that is proposed and the lack of any other technical objections would further weigh in favour of the proposal. The application is considered to comply with the Development Plan when read as a whole. Furthermore, other material considerations indicate that the development should be supported.

- 13.20 The application is therefore recommended for approval, subject to the conditions listed in Appendix A and subject to the consideration of any new material representations received before 04/03/2024.

## APPENDIX A – RECOMMENDED CONDITIONS

Pre-commencement/above ground commencement:

1. Unless otherwise agreed in writing, the development shall be carried out in accordance with the submitted plans.

Reasons: To ensure an acceptable development in accordance with Policy DP9 of the District Plan.

2. Prior to the commencement of any above ground development (excluding site clearance and any below ground works) a phasing plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the agreed phasing plan.

Reason: To ensure an acceptable development in accordance with the Northern Arc Masterplan

3. No development shall take place until a Reptile Mitigation Strategy addressing the mitigation and translocation of reptiles has been submitted to and approved in writing by the local planning authority. The Reptile Mitigation Strategy shall include the following:
  - a) Purpose and conservation objectives for the proposed works.
  - b) Review of site potential and constraints.
  - c) Detailed design(s) and/or working method(s) to achieve stated objectives.
  - d) Extent and location/area of proposed works on appropriate scale maps and plans.
  - e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
  - f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
  - g) Persons responsible for implementing the works.
  - h) Details of initial aftercare and long-term maintenance of the Receptor area(s).
  - i) Details for monitoring and remedial measures.
  - j) Details for disposal of any wastes arising from works.

The Reptile Mitigation Strategy shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To allow the LPA to discharge its duties under the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species).

4. Prior to the commencement of the LEAP, full details shall be submitted to and approved in writing by the Local Planning Authority. The details shall include layout, play equipment, materials, surfacing and landscaping. The LEAP shall be completed in accordance with the agreed details and in accordance with the timescales agreed as part of Condition 1.

Reason: In the interests of visual amenity in accordance with DP9 and DP26 of the District Plan

5. Prior to the commencement of any above ground development (excluding site clearance and any below ground works) a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include the following:

- Method statement for tree protection
- Proposed planting
- Hard surfacing, including samples
- Boundary treatments, including gates
- Full details of the soil bunds
- Full details of the ancillary furniture, including but not limited to:
  - Informal pay structures
  - Seating areas/benches
  - Litter bins
  - Tree trunk/log barriers
  - Play on the way
  - Cycle stands
  - Bollards
  - Sleeper steps
  - Railings
  - Storage containers

The landscaping scheme shall be completed in accordance with the timescales agreed as part of condition 2. Any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity in accordance with DP9, DP26 and DP37 of the District Plan.

6. Prior to the commencement of any above ground development (excluding site clearance and any below ground works) detailed drawings of the following shall be submitted to and approved by the Local Planning Authority:
- all entrance zones to the site (at a scale of 1:100/1:50)
  - plaza and immediate landscape setting of the building (at a scale of 1:100/1:50)
  - external lighting to the building (at a scale of 1:100/1:50)
  - entrance zone to the building (at a scale of 1:50)
  - sections and elevations of roof/eaves detail (at a scale of 1:20)
  - sections and elevations of the windows (at a scale of 1:20)
  - sections and elevations of the doors (at a scale of 1:20)
  - sections and elevations of the rainwater downpipes (at a scale of 1:20)
  - solar panels within the roofslope (at a scale of 1:20)

The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity in accordance with DP9 and DP26 of the District Plan.

7. Prior to the commencement of any above ground development (excluding site clearance and any below ground works) full details and samples of the external facing materials shall be submitted to and approved in writing by the Local Planning Authority. the development shall only be carried out in accordance with the approved details.

Reason: In the interests of visual amenity in accordance with DP9 and DP26 of the District Plan.

8. Prior to the commencement of any above ground development (excluding site clearance and any below ground works) and notwithstanding the detail shown on the submitted plans, full details of the Green Circle route shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:
- Route
  - Surfacing materials
  - Reflective material on the Gabion entrance
  - Lighting
- The Green Circle shall be completed in accordance with the timescales agreed as part of condition 1.

Reason: In the interests of ensuring acceptable sustainable transport links in accordance with DP22 of the District Plan.

9. Prior to the commencement of any above ground development (excluding site clearance and any below ground works) details of the colour of the lighting columns shall be submitted to approved in writing by the Local Planning Authority. The colour of the lighting shall only be completed in accordance with the agreed details.

Reason: In the interests of visual amenity in accordance with DP9 and DP26 of the District Plan.

10. (a) No development associated with the grass pitches shall commence until the following documents have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England:
- (i) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could adversely affect playing field quality; and
- (ii) Where the results of the assessment to be carried out pursuant to (i) above identify constraints which could adversely affect playing field quality, a detailed scheme to address any such constraints. The scheme shall include a written specification of the proposed soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.
- (b) The approved scheme shall be carried out in full and in accordance with the approved programme of implementation. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose.

11. Prior to the commencement of any above ground development (excluding site clearance and any below ground works) details of the signage strategy for the site and buildings shall be submitted to approved in writing by the Local Planning Authority. Signage shall only be implemented in accordance with the approved strategy.

Reason: In the interests of visual amenity in accordance with DP9 and DP26 of the District Plan.



Prior to use of the site:

12. Prior to the use of the sports pitches, full details of how the timing of the pitch hire will be staggered, shall be submitted to and approved by the Local Planning Authority. The pitches shall only be hired out in accordance with the approved details.

Reason: In the interests of highway safety and to ensure sufficient parking provision in accordance with Policy DP21 of the District Plan.

13. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the beneficial use of the development. The content of the LEMP shall include the following:
- a) Description and evaluation of features to be managed.
  - b) Ecological trends and constraints on site that might influence management.
  - c) Aims and objectives of management.
  - d) Appropriate management options for achieving aims and objectives.
  - e) Prescriptions for management actions.
  - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
  - g) Details of the body or organisation responsible for implementation of the plan.
  - h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details for a minimum of 30 years to deliver the required condition of habitats created.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species).

14. Use of the development shall not commence until:
- (a) certification that the Artificial Grass Pitches hereby permitted have met FIFA Quality Concept for Football Turf - FIFA Quality or equivalent International Artificial Turf Standard (IMS); and
  - (b) confirmation that the facilities have been registered on the Football Association's Register of Football Turf Pitches have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is fit for purpose, sustainable and provides sporting benefits.

15. Use of the development shall not commence until:
- the Artificial Grass Pitch hereby permitted has been certified as meeting World Rugby Regulation 22 standard; and
  - confirmation that the facilities have been registered on the World Rugby Hermes System has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is fit for purpose, sustainable and provides sporting benefits.

16. The Cricket NTP shall be designed and installed only in accordance with a detailed scheme that has first been submitted to and approved in writing by the LPA in consultation with Sport England.

Reason: To ensure the development is fit for purpose, sustainable and provides sporting benefits.

17. Before the new Artificial Grass Pitches and natural grass pitches are brought into use, a Management and Maintenance Scheme for the facility including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. For the Artificial Grass Pitches the scheme shall include measures to ensure the replacement of the Artificial Grass Pitches within a specified period. The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the Artificial and natural grass pitches.

Reason: To ensure that the new facilities are capable of being managed and maintained to deliver facilities that are fit for purpose, sustainable and to ensure sufficient benefit of the development to sport.

18. Prior to the occupation of the development, a Car Park Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. This shall include:

- details of car park management to ensure the efficient use of parking spaces
- monitoring of usage of the car parking
- monitoring of parking on the Western Link Road

The measures to monitor the Parking shall be permanently managed in accordance with this Management Plan, (or any future variation or updated version which is first approved in writing by the Local Planning Authority).

Reason: To ensure an acceptable impact on the surrounding highway network.

19. Prior to the occupation of the development a noise management plan shall be submitted to and approved by the Local Planning Authority. the development shall only be operated in strict accordance with the noise management plan.

Reason: In the interests of residential amenity in accordance with DP29 of the District Plan.

20. Prior to the use of the sports pitches, the acoustic fencing shall be installed in accordance with the noise report and plan number (03)056 Rev A. The fencing shall be thereafter maintained in accordance with the approved plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity in accordance with DP29 of the District Plan.

Compliance:

21. No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: In the interests of highway safety and to ensure sufficient parking provision in accordance with Policy DP21 of the District Plan.

22. No part of the development shall be first occupied until covered and secure cycle parking has been constructed in accordance with the approved plans. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

23. With the exception of lighting for the Green Circle which shall be installed in accordance with the details agreed as part of Condition 7, all other lighting shall only be installed only in accordance with the technical details in the Burgess Hill Centre for Outdoor Sport Lighting Assessment Ref: D22-099 dated December 2023, the accompanying Design Report dated 12/12/2023 and drawings HLS6582 REV14. No alternative/additional lighting shall be installed without the prior written agreement of the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with DP9 and DP26 of the District Plan

24. No building is to be occupied, or brought into use, until a Verification Report pertaining to the surface water drainage system, carried out by a competent Engineer, has been submitted to the Local Planning Authority. The Verification Report shall demonstrate the suitable operation of the drainage system such that flood risk is appropriately managed, as approved by the Lead Local Flood Authority. The Report shall contain information and evidence (including photographs) of earthworks; details and locations of inlets, outlets, and control structures; extent of planting; details of materials utilised in construction including subsoil, topsoil, aggregate and membrane liners; full as built drawings; and topographical survey of 'as constructed' features. The Verification Report should also include an indication of the adopting or maintaining authority or organisation.

Reason: To ensure that the constructed surface water drainage system complies with the approved drainage design and is maintainable.

25. All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (RPS, December 2023) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

## INFORMATIVES

1. The applicant is advised that the erection of temporary directional signage should be agreed with the Local Traffic Engineer prior to any signage being installed. The applicant should be aware that a charge will be applied for this service. Further details of the process and how to apply are available here:  
<https://www.westsussex.gov.uk/roads-and-travel/information-for-developers/temporary-development-signs/#overview>
2. The applicant is advised that pitches to be used for Step 1 and Step 2 level football matches should be built in accordance with FIFA Quality Concept for Football Turf - FIFA Quality Pro and Steps 3 to 6 should be built in accordance with FIFA Quality as a minimum and tested annually as per league rules
3. The applicant is advised that WR22 requires the pitches to be tested every two years to maintain World Rugby accreditation.

## APPENDIX B – CONSULTATIONS

### Brookleigh Design Review Panel

#### NOTES OF BROOKLEIGH DESIGN REVIEW PANEL (15/01/2024)

Panel: Neil Way (Chair), Lap Chan (Vice Chair), Alice-Rose Hoile, James Rae, Andrew Cameron, Richard Partington

MSDC: Anna Kramarczyk (MSDC Urban Designer), Louise Yandell (Northern Arc Strategic Development Manager)

Homes England: Nicholas Milner, Rob Morley

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### Centre for Outdoor Sports

#### Description of Scheme

Reserved matters pursuant to outline application DM/21/3279, for the erection of a pavilion, sports pitches, footpaths, access road, car parking, lighting, fencing and associated landscaping and infrastructure to form a Centre for Outdoor Sports (Ref: DM/23/3182)

#### Presenters

Design: Mark Thomas (The Sports Consultancy)  
Ben Lowe (TG Escapes)

Landscape Architects: Neil Jones (RPS Landscape Architects)  
Keith Whitmore (RPS Landscape Architects)

Project Manager: Richard Thompson (Hadron Consulting)

Client: Robert Anderton (MSDC)

### The Panel's Comments

The panel commended the design team on the changes that had been made since the last Design Review Panel (DRP) meeting in September 2023. They particularly noted that the design feels more user friendly and community orientated.

There are some areas that the panel felt require more development to ensure the proposal is of a high quality. In particular, they felt that detail was lacking that would be critical to the success of the design.

#### Pavilion

The panel felt that the entrance to the pavilion was cluttered with a lack of coherence, leading to an awkward junction on the corner between the entrance canopy, the glazed entrance and the cantilevered overhang to the east. The panel suggested that the entrance

canopy should wrap around the eastern side of the building, to correspond with the glazed entrance area. The panel suggested that the covered seating area on the southern side of the building be removed, to ensure the entrance is clearly prominent when approaching the building from the south.

The panel felt that the sloping roof with the cantilevered overhang did not add to the quality of the building, that would benefit from a simpler, flat roof form. This would avoid the uncomfortable juxtaposition between the entrance canopy and the cantilevered overhang and would also allow a simpler design for the PV's to be achieved on the roof.

### Site Entrance

The panel considered that the entrance to the site had been improved since the previous DRP meeting. However, the panel was concerned that the utilitarian sub-station had been ignored and as a result the entrance would not have the desired prominence in the streetscene. The panel suggested that this issue should be confronted, and the gabion design feature extended to draw attention away from and enclose the sub-station.

The panel suggested that the use of sandstone with corten lettering would have a more natural appearance than that shown on the CGI's and precedent images.

### Landscape

The panel were pleased with the improvements that had been made to the landscape design since the previous DRP meeting and in particular the retention of high-quality existing trees that will provide structure to the site and contribute to the sense of place.

However, the panel were particularly concerned with the contrast between the more urban/formal areas in the north of the site and the more rural character in the south. They felt that the response in the north was too formal, for example the permeable tarmac surfacing, urban cycle hoops, black lights, stainless steel handrails etc. These details would benefit from more detailed consideration as to how these could respond to the site's more natural characteristics (e.g timber bollards, more natural looking cycle storage etc). The panel suggested that a comprehensive palette of materials needed to be pulled together for these elements and suggested that the materials be drawn from the building palette for consistency.

Particular concern was raised with regards to the use of tarmac and concrete to form the plaza which would feel incredibly hard and urban. A more natural response to this area is required. In addition, the positioning of the 'curve' in the tarmac was felt to clash with the entrance and should be reconsidered.

The panel requested that further consideration be given to how many people would enter the site from the north between the two pitches and questioned if the shared cycle/pedestrian path needed to be widened to 4m.

Concern was raised with the provision of an orchard on the site, given the management requirement for trees of this nature. The panel requested that careful consideration be given

to how this area would be maintained, to ensure that this would not result in a poorly managed area of the site.

With regards to the trees proposed within areas surrounded by hardstanding, details of tree pits were requested to ensure that the soil volume is sufficient to ensure their long-term retention.

Whilst it was recognised that the play area has not yet been designed, the indicative image on the CGI's contrasts sharply with its surroundings. The panel were keen to ensure that an appropriate design response was achieved for the play area, to ensure that its design, including the surfacing material, responds to the natural parkland character of the site.

The panel suggested that the soil bund should be seen as an opportunity to provide a creative landscape feature, such as providing a fitness trail. Breaks in the bund would also allow visibility to be provided from the Green Circle into the site itself.

It was suggested that some of the felled trees should be clustered in groups to aid the habitat value of the site.

#### Car parking and access

The panel commended the changes that had been made to the layout in order to avoid the 'dead ends' that were present at the previous DRP meeting. The panel did, however question whether the one-way route was necessary, consideration should be given to whether this route could be 'free-flowing.'

Concern was raised with the route from the wheelchair accessible spaces to the pavilion building, which is convoluted and involves crossing the vehicular areas of the car park. The panel suggested that the spaces be shifted eastwards to allow a path around the back of the current parent and child spaces (although acknowledged the reference to an existing easement). It was also recommended that the location of the parent and child spaces be swapped with the disabled spaces, to enable a more direct step-free route to the pavilion for users of these spaces.

A Copenhagen crossing was suggested as part of the entrance, for the benefit of pedestrians and cyclists.

The panel suggested that the lighting bollards be positioned at the back of the footway rather than alongside the vehicular access route to avoid damage from passing vehicles.

#### Sustainability

The panel were particularly concerned with the comment that suggested the amount of PV's provided had stopped at those required to achieve an A rating, because the high level of PV's required for an A+ rating could not be achieved. The site should aim to be as sustainable as possible and as such, the quantity of PV's should be maximised to achieve this.

The panel suggested that the energy strategy should be designed to intelligently meet the demands of the building and inform the design. The re-use of water should be investigated.

### Other Issues

The panel asked that consideration should be given to swapping the rugby and football pitches to bring the rowdier use adjacent to the road, away from the Green Circle and play area and avoid the likelihood of balls being kicked into the car park from the rugby pitch.

Concern was raised that balls could enter the attenuation basin at the south of the site and the panel recommended that the bund be increased to avoid this.

The panel were still concerned that the building does not cater to the demand likely to be generated by the pitches. The lack of opportunities for formal catering in the building frustrated the panel and it was requested that the provision of a small kitchenette is considered, such as through the repurposing of one of the showering areas.

A restriction on the quantum of vending machines was suggested, to ensure the communal space does not become unduly cluttered with them.

### Overall Assessment

The panel support the scheme subject to changes that address the above issues.



## MSDC Ecology Consultant



11<sup>th</sup> January 2024

Louise Yandell  
Mid Sussex District Council  
Oaklands Road  
Haywards Heath  
RH16 1SS

By email only

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*Thank you for requesting advice on this reserved matter application from Place Services' ecological advice service. This service provides advice to planning officers to inform Mid Sussex District Council planning decisions with regard to potential ecological impacts from development. Any additional information, queries or comments on this advice that the applicant or other interested parties may have, must be directed to the Planning Officer who will seek further advice from us where appropriate and necessary.*

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Dear Louise

**Application:** DM/23/3182  
**Location:** Burgess Hill Northern Arc, Land North And North West Of Burgess Hill, Between Bedelands Nature Reserve In The East And, Goddard's Green Waste Water Treatment Works In The West  
**Proposal:** Reserved matters application pursuant to outline application DM/21/3279, to consider access, appearance, landscaping, layout and scale with respect to the the provision of a Centre for Community Sport with ancillary facilities at land west of Burgess Hill between the A273 and Gatehouse Lane, Burgess Hill, West Sussex designated for the Centre for Outdoor Sport.

Thank you for consulting Place Services on the above reserved matters application.

Temporary Holding Objection	
No ecological objections	
Recommended Approval subject to attached conditions	Yes
Recommended Discharge of condition	

### Summary

We have reviewed the following documents relating to the likely impacts of development on designated sites, protected & Priority species and habitats and identification of proportionate mitigation:

- Proposed Site Plan (The Sports Consultancy, February 2023);
- Tree Removal and Protection Plan (RPS, March 2023);
- Location Plan (The Sports Consultancy, November 2023);
- Tree and Shrub Palette (RPS, November 2023);



- Landscape Strategy (RPS, November 2023);
- Arboricultural Impact Assessment (RPS, December 2023);
- Biodiversity Net Gain Assessment (RPS, December 2023);
- Ecological Impact Assessment (RPS, December 2023);
- Lighting Assessment (S & C Slater, December 2023);
- Flood Lighting Equipment (Halliday- Lighting, December 2023);
- Proposed Floodlighting (Halliday- lighting, December 2023); and
- Soft Landscape Proposals and Enclosure Plan (RPS, December 2023).

This Reserved Matter application relates only to the provision of a centre for outdoor sport. The site forms part of the Northern Arc (NA) wider application.

The site is in close proximity to ancient woodland (a Priority habitat and an Irreplaceable habitat). Conditions were secured at outline to ensure the nearby ancient woodland was protected from development, with work to be carried out in accordance with mitigation measures secured at outline and no development permitted to take place within 25 metres of any ancient woodland, except for soft landscaping, ecological mitigation and surface water attenuation. We have reviewed the submitted plans and we are satisfied no hard landscaping/ lighting are proposed to occur within 25 metres of the ancient woodland.

In terms of the site as a whole, we are satisfied the lighting plans show the appropriate use and placement of flood lighting, to ensure the wider landscape is not illuminated above acceptable levels, including details relating to times of use.

Condition 20 states each reserved matters application should be submitted with an updated Ecological Impact Assessment (EclA), including the results of any recommended updated protected species survey. We are satisfied this application is supported by an updated Ecological Impact Assessment (RPS, December 2023).

The updated protected species surveys identified a small population of Slow Worm and Grass Snake around the peripheries of the site. The Ecological Impact Assessment (RPS, December 2023) has recommended suitable precautionary measures, which should be detailed within a reptile mitigation strategy. We recommend the Reptile Mitigation Strategy is secured by a condition of any consent. This could be incorporated as part of the Construction Environmental Management Plan (CEMP): Biodiversity, which is yet to be discharged.

Additionally, we are satisfied trees with bat roosting potential have been properly assessed and surveyed. No roosting bats were found and we are satisfied the proposed precautionary methods are appropriate and sufficient.

We are satisfied that there is sufficient ecological information available for determination. We have no objections on ecological matters excluding Great Crested Newt. We have been instructed to leave comments on this European Protected Species to the [NatureSpace Partnership](#).

This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

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The mitigation measures identified in the Ecological Impact Assessment (RPS, December 2023) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species particularly bats, reptiles, Hedgehogs, Common Toad and breeding birds.

The Ecological Impact Assessment (RPS, December 2023) has recommended ecological enhancements, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 180d of the National Planning Policy Framework (December 2023). The document recommends the biodiversity enhancement measures should be outlined within a Landscape Ecological Management Plan (LEMP). We have reviewed the outline decision notice and can not see that a LEMP or equivalent, such as a Biodiversity Enhancement Strategy have been secured by a condition of any consent. Additionally, we have reviewed the Biodiversity Net Gain Assessment (RPS, December 2023) which estimates the a net loss in Biodiversity Units in both area and linear habitats for this reserved matter application. The document estimates a net loss of approximately -10.03 (-21.26%) Habitat Units (HU) and -5.07 (-49.40%) for Linear Hedgerow Units (LU). We note the trading summaries have also not been satisfied due to the loss of habitats which are not being replaced with the same distinctiveness or greater. However, we note the LPA case officer has advised that Biodiversity Net Gain has been secured by legal agreement (10% secured across the scheme as a whole). Therefore, whilst we are satisfied net gain will be achieved for the scheme as a whole. The habitat proposals for this site, which include the creation of attenuation basins, planted with a wetland grass mix, scrub planting and tree/ orchard planting will need to be secured, to ensure the habitat proposals are achieved. We recommend the biodiversity enhancements and habitat creation/ management measures are detailed within a LEMP and secured by a condition of any consent. The LEMP should cover a minimum of a 30 year period.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

Impacts will be minimised such that the proposal is acceptable, subject to the conditions below based on BS42020:2013.

We recommend that submission for approval and implementation of the details below should be a condition of any planning consent.

#### **Recommended conditions**

##### **1. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS**

*All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (RPS, December 2023) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.*

*This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details."*



**Reason:** To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

## **2. PRIOR TO COMMENCEMENT: REPTILE MITIGATION STRATEGY**

*"No development shall take place until a Reptile Mitigation Strategy addressing the mitigation and translocation of reptiles has been submitted to and approved in writing by the local planning authority.*

*The Reptile Mitigation Strategy shall include the following.*

- a) Purpose and conservation objectives for the proposed works.*
- b) Review of site potential and constraints.*
- c) Detailed design(s) and/or working method(s) to achieve stated objectives.*
- d) Extent and location/area of proposed works on appropriate scale maps and plans.*
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.*
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.*
- g) Persons responsible for implementing the works.*
- h) Details of initial aftercare and long-term maintenance of the Receptor area(s).*
- i) Details for monitoring and remedial measures.*
- j) Details for disposal of any wastes arising from works.*

*The Reptile Mitigation Strategy shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter."*

**Reason:** To allow the LPA to discharge its duties under the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species)

## **3. PRIOR TO BENEFICIAL USE: LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN**

*"A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the beneficial use of the development [for specified phase of development].*

*The content of the LEMP shall include the following:*

- a) Description and evaluation of features to be managed.*
- b) Ecological trends and constraints on site that might influence management.*
- c) Aims and objectives of management.*
- d) Appropriate management options for achieving aims and objectives.*
- e) Prescriptions for management actions.*
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).*
- g) Details of the body or organisation responsible for implementation of the plan.*
- h) Ongoing monitoring and remedial measures.*

*The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from*



*monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details for a minimum of 30 years to deliver the required condition of habitats created."*

**Reason:** To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species)

Please contact us with any queries.

Yours sincerely,

**Hayley Dean ACIEEM MSc BSc (Hons)**  
Ecological Consultant  
[placeservicesecology@essex.gov.uk](mailto:placeservicesecology@essex.gov.uk)

**Place Services provide ecological advice on behalf of Mid Sussex District Council**  
Please note: This letter is advisory and should only be considered as the opinion formed by specialist staff in relation to this particular matter.

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**MSDC Newt District Licencing Consultant (NatureSpace Partnership)**

**From:** Jennie Shea <jennie.shea@naturespaceuk.com>

**Sent:** Wednesday, January 10, 2024 9:41 AM

**To:** Louise Yandell <louise.yandell@midsussex.gov.uk>

**Cc:** planninginfo <planninginfo@midsussex.gov.uk>

**Subject:** Planning application consultation - DM/23/3182 - Burgess Hill Northern Arc, Land North And North West Of Burgess Hill, Between Bedelands

Good morning Louise,

Planning reference: DM/23/3182 - Burgess Hill Northern Arc, Land North And North West Of Burgess Hill, Between Bedelands

Thank you for consulting me on the above planning application. The type of application is not considered to be relevant to the District Licensing Scheme in this case and we consider there would be no likely impact on great crested newts or their habitats. I therefore have no comments to make at this time. If the proposal changes, then please seek further advice from me if necessary.

Kind regards,

Jennie Shea

District Licensing Officer (Great Crested Newts) - West Sussex

**NatureSpace Partnership**

**e:** [jennie.shea@naturespaceuk.com](mailto:jennie.shea@naturespaceuk.com)

**m:** 07529 902079

**o:** 01865 688307

**w:** [www.naturespaceuk.com](http://www.naturespaceuk.com)

**Company operating hours: Monday to Thursday 09:00 - 17:00**



## WSCC Highways

### WEST SUSSEX COUNTY COUNCIL CONSULTATION

<b>TO:</b>	Mid Sussex District Council FAO: Louise Yandell
<b>FROM:</b>	Stephen Gee WSCC - Highways Authority
<b>DATE:</b>	15 January 2024
<b>LOCATION:</b>	Burgess Hill Northern Arc, Land North And North West Of Burgess Hill, Between Bedelands Nature Reserve In The East And, Goddard's Green Waste Water Treatment Works In The West
<b>SUBJECT:</b>	DM/23/3182 Reserved matters application pursuant to outline application DM/21/3279, to consider access, appearance, landscaping, layout and scale with respect to the the provision of a Centre for Community Sport with ancillary facilities at land west of Burgess Hill between the A273 and Gatehouse Lane, Burgess Hill, West Sussex designated for the Centre for Outdoor Sport.
<b>DATE OF SITE VISIT:</b>	n/a
<b>RECOMMENDATION:</b>	No Objection
<b>S106 CONTRIBUTION TOTAL:</b>	n/a

The application is for the reserve matters for the provision of a Centre for Outdoor Sport to be provided as part of the Brookleigh development at Burgess Hill.

Pre application discussions took place in June/July 2023

#### Matters already approved

Vehicular Access is via a priority junction onto the new Western Link Road.

A shared use facility is provided along the western link road and the Green Circle link (access for peds/cycles/equestrian) travels through the site with access onto Gatehouse Lane at the south.

The anticipated trip generation of the site in the weekday peak period has already been considered as part of the outline application.

#### Items to consider as part of the RM application

##### Layout

The site provides internal connections for sustainable modes across the site, linking the shared use facility at the site access and the Green Circle that bisects the site as well as providing access to the artificial grass pitches.

Tracking has been provided for a fire tender and is acceptable, Tracking has also been provided for a refuse vehicle and due to vehicle tracking would need to serve the site during quitter times at it would require turning across the parking area.

##### Parking

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WSSC main concern would be any overspill parking on the Western Link Road and as such it is important that the parking levels provided are sufficient to ensure that this does not take place. At present there are not any suitable off-site locations where additional vehicles are likely to park if they cannot find a space.

It is suggested that a car parking management plan is secured via condition to monitor the usage of the car park and any parking on the Western Link Road and identifies any remedial measures to ensure no vehicles park on the link road.

A parking capacity assessment has been provided within the preapplication documents and Transport Statement. The capacity assessment has been based on a schedule which provides a break between usage to ensure arrivals and departures overlap. The peak parking demand takes place on a Sunday with a total of 102 vehicles on site between 11am and 2pm.

The site would provide 104 spaces and as such would be acceptable subject to the provision of a car parking management plan. 6 of the spaces are accessible spaces, 2 with EV charging and a further 19 spaces have the potential to be upgraded.

In the future once the adjoining plots are developed there is the potential to revisit the schedule as more trips are likely to be undertaken by sustainable means as the wider development is built out and additional sustainable infrastructure is provided or adjoining development plots could provide additional parking.

#### Cycle Parking

A total of 40 cycle parking spaces are to be provided in excess of WSSC standards and are spread across the site providing for the ranges of uses.

#### Travel Plan

A travel plan has been provided and includes provision for monitoring the effectiveness of measures.

#### Conclusion

No objection is raised subject to the following conditions:

A condition relating to stagger of use of the pitches (wording to be agreed)

Reason: In the interest of Road Safety and to ensure sufficient parking provision

Car Parking management Plan

Reason: In the interest of Road Safety and to ensure sufficient parking provision

#### *Car parking space (details approved)*

No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use



### *Cycle parking*

No part of the development shall be first occupied until covered and secure cycle parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

### *Construction Management Plan*

No development shall take place, including any works of demolition, until a Construction 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.

Reason: In the interests of highway safety and the amenities of the area.

### *Travel Plan (approved document)*

Upon the first occupation/commencement of use, the Applicant shall implement the measures incorporated within the approved travel plan. The Applicant shall thereafter monitor, report and subsequently revise the travel plan as specified within the approved document.

Reason: To encourage and promote sustainable transport.

## **INFORMATIVES**

### *Temporary Developer Signage*

The applicant is advised that the erection of temporary directional signage should be agreed with the Local Traffic Engineer prior to any signage being installed. The applicant should be aware that a charge will be applied for this service. Further details of the process and how to apply are available here

<https://www.westsussex.gov.uk/roads-and-travel/information-for-developers/temporary-development-signs/#overview>

**Stephen Gee**  
**West Sussex County Council – Planning Services**

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## WSSC Public Rights of Way

### WEST SUSSEX COUNTY COUNCIL CONSULTATION

<b>TO:</b>	Mid Sussex District Council FAO: Louise Yandell
<b>FROM:</b>	WSSC Highways - Public Rights of Way
<b>DATE:</b>	3 January 2024
<b>LOCATION:</b>	Burgess Hill Northern Arc, Land North And North West Of Burgess Hill, Between Bedelands Nature Reserve In The East And, Goddard's Green Waste Water Treatment Works In The West
<b>SUBJECT:</b>	DM/23/3182 Reserved matters application pursuant to outline application DM/21/3279, to consider access, appearance, landscaping, layout and scale with respect to the the provision of a Centre for Community Sport with ancillary facilities at land west of Burgess Hill between the A273 and Gatehouse Lane, Burgess Hill, West Sussex designated for the Centre for Outdoor Sport.
<b>DATE OF SITE VISIT:</b>	n/a
<b>RELEVANT PUBLIC RIGHTS OF WAY NUMBER(S):</b>	Newly created Green Circle
<b>RECOMMENDATION:</b>	No Objection
<b>S106 CONTRIBUTION TOTAL:</b>	n/a

Thank you for the opportunity to comment on the above numbered planning application. This proposal has been considered by means of a desktop study, using the information and plans submitted with this application, in conjunction with other available WSSC map information. In respect to the above planning application I would provide the following comments.

Having consulted the online documents I can confirm that in principle WSSC's PRoW team have no objection to the proposals. The proposed surfacing of the new Green Circle extension is in line with WSSC's PRoW team standard design and is acceptable. I did notice however that there is a proposal for a staggered barrier made from rock gabions at the southern end of the newly proposed route. The existence of this staggered barrier is appreciated to stop vehicles using the route and improving safety and amenity for non-motorised users of this proposed route however it should be noted that this will not be the responsibility of WSSC's PRoW team to maintain and it will be the responsibility of the landowner to manage and maintain in the future. It should also be considered as to visibility of said structure in the dark. Including some sort of reflective element should be considered to reduce the risk of anyone walking, riding or cycling into this in low light or the dark.

For this newly proposed route to be formally designated as a public Bridleway it will require the freehold landowner to dedicate the route under S.25 of the Highways Act and the proposed staggered barrier will need to be included in this legal process as a restriction to lawful users.

Finally it should be noted that there are still on-going discussions between WSSC's PRoW team, Homes England and the local Planning Authority for a financial contribution toward

the future maintenance of the newly created Green Circle in its entirety which includes this section.

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**Nick Scott**  
**Principal Rights of Way Officer**  
**Public Rights of Way**  
**West Sussex County Council**

## WSSC Lead Local Flood Authority

Ground Floor  
Northleigh  
County Hall  
Chichester  
West Sussex  
PO19 1RH



**Lead Local Flood Authority**

Date 05 January 2024

Planning Officer  
Development Control  
Mid Sussex District Council  
Oaklands Road  
Haywards Heath  
West Sussex  
RH16 1SS

Dear Planning Officer,

**RE: DM/23/3182 - Burgess Hill Northern Arc, Land North And North West Of  
burgess Hill, Between Bedelands Nature Reserve In The East And, Goddard's  
Green Waste Water Treatment Works In The West**

Thank you for consulting West Sussex County Council as the Lead Local Flood Authority on the above Full Planning Application. This applications surface water drainage strategy and Flood Risk Assessment should be assessed against the requirements under NPPF, its accompanying PPG and Technical Standards.

Under local agreements, the statutory consultee role under surface water drainage is dealt with by Mid-Sussex Council's Flood Risk and Drainage Team.

Should you wish West Sussex County Council as Lead Local Flood Authority to comment further please do not hesitate to contact us.

Yours sincerely

**Flood Risk Management Team**

## Active Travel England

**From:** Active Travel England Planning <planning-consultations@activetravelengland.gov.uk>  
**Sent:** Thursday, December 21, 2023 12:00 PM  
**To:** Louise Yandell <louise.yandell@midsussex.gov.uk>  
**Subject:** LPA Reference: DM/23/3182 Standing Advice Response

You don't often get email from [planning-consultations@activetravelengland.gov.uk](mailto:planning-consultations@activetravelengland.gov.uk).  
[Learn why this is important](#)

**LPA Reference:** DM/23/3182

**ATE Reference:** ATE/23/01113/RM

**Site Address:** Burgess Hill Northern Arc, Land North And North West Of Burgess Hill, Between Bedelands Nature Reserve In The East And, Goddard's Green Waste Water Treatment Works In The West, Mid Sussex

**Proposal:** Reserved matters application pursuant to outline application DM/21/3279, to consider access, appearance, landscaping, layout and scale with respect to the the provision of a Centre for Community Sport with ancillary facilities at land west of Burgess Hill between the A273 and Gatehouse Lane, Burgess Hill, West Sussex designated for the Centre for Outdoor Sport.

### Standing Advice

Dear Sir/Madam,

Following a high-level review of the above planning consultation, Active Travel England has determined that standing advice should be issued and would encourage the local planning authority to consider this as part of its assessment of the application. Our standing advice can be found here:

<https://www.gov.uk/government/publications/active-travel-england-sustainable-development-advice-notes>

*ATE would like to be notified of the outcome of the application through the receipt of a copy of the decision notice, in addition to being notified of committee dates for this application.*

Kind regards



### Development Management Team

Active Travel England

West Offices Station Rise, York, YO1 6GA

Follow us on Twitter [@activetraveleng](#)

Instagram [@activetravelengland](#) and

**Gatwick Airport Safeguarding**



02 January 2024

Louise Yandell  
Planning Services Division  
Mid Sussex District Council  
Oaklands, Oaklands Road  
Haywards Heath  
West Sussex RH16 1UQ

Dear Louise

**Re: Planning Application No: DM/23/3182 – Reserved matters relating to the construction of a centre for community sports with associated facilities & works at Burgess Hill Northern Arc, Land North of Burgess Hill**

**Our Ref: LGW5394**

Thank you for your letter/email dated 21 December 2023, regarding the above-mentioned consultation.

The proposed development has been examined from an aerodrome safeguarding perspective and it does not conflict with safeguarding criteria. We therefore have no objection to this proposal.

If you have any queries, please do not hesitate to contact me.

Yours sincerely

Amanda Purdye, Aerodrome Safeguarding Officer  
For and on behalf of London Gatwick  
Email: [gal.safeguarding@gatwickairport.com](mailto:gal.safeguarding@gatwickairport.com)

# Sussex Police Designing Out Crime Officer



## Local Policing Support Team

Your Ref: DM/23/3182      Our Ref: PE/MID/24/01/A      Date: 11<sup>th</sup> January 2024  
Contact Name: Phill Edwards      Tel:      Mobile No: 07780987871

L Yandell

**RE: Burgess Hill Northern Arc, Land North And North West Of Burgess Hill, Between Bedelands Nature Reserve In The East And, Goddard's Green Waste Water Treatment Works In The West.**

Location: Burgess Hill Northern Arc, Land North And North West Of Burgess Hill, Between Bedelands Nature Reserve In The East And, Goddard's Green Waste Water Treatment Works In The West

I have had the opportunity to examine the detail within the application and in an attempt to reduce the opportunity for crime and the fear of crime I offer the following comments using Crime Prevention Through Environmental Design (CPTED) principles and from a Secured by Design (SBD) perspective. SBD is owned by the UK Police service and supported by the Home Office and Building Control Departments in England (Part Q Security – Dwellings), that recommends a minimum standard of security using proven, tested, and accredited products. Further details can be found at [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 – for example through the use of attractive, well-designed, clear, and legible pedestrian and cycle routes, and high-quality public space, which encourage the active and continual use of public areas.

The level of crime and anti-social behaviour in the Mid Sussex district is below average when compared with the rest of Sussex, as indicated within Police.uk. I have no major concerns with the proposals at the location. However, additional measures to mitigate against any identified local crime trends and site-specific requirements should always be considered and I would like to raise the following observations.

I would like to direct the applicant or their agent to the SBD website where the Secured by Design (SBD) Commercial Guide 2023 document can be found. This edition of the Commercial Guide became effective

L Yandell  
Planning Officer  
Planning Services Division  
Mid Sussex District Council

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Sussex Police Headquarters  
Malling House, Malling, Lewes, East Sussex, BN7 2DZ

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from 1st August 2023. It applies to all types of commercial premises from small storage units to multi-use business parks and since the crime risks associated with commercial premises can range from lower value crime in corner shops to higher value crime in shopping centres there can be no 'one size fits all' solution applicable to all development.

SBD Commercial ranges from new schemes to refurbishments of existing buildings and encompasses both commercial developments where the public have no formal access as in a factory or an office building and those where public access is integral to the commercial use such as in retail premises, leisure centres and public service buildings. Such developments may range in size from a single unit with a defined use to a group of buildings with multiple uses.

The way Secured by Design works is to deter criminal and anti-social behaviour through the design, layout and specification of buildings and the spaces around and between them, that serve to reduce easy opportunities for crime. It is argued that more crimes are committed where a criminal feels more comfortable committing them, for instance where a physical environment offers easy unrestricted or at least uncontrolled access, where clear messages of ownership are absent, where either natural and formal surveillance are absent or where wrong doers feel free to move within an area assured of their anonymity. Commercial Guide 2023 Preface page 2

This reserved application is for the development of the Burgess Hill Centre for Outdoor Sport (CfOS) comprising of a new 3G football pitch, 3G rugby pitch, pavilion building, natural turf football pitches, non-turf cricket pitch, Green Circle link, locally equipped play area (LEAP), and associated vehicle parking. Outline planning permission for the CfOS land use has already been granted.

I am very pleased with the information submitted in support of this application and have no concerns at all from a crime prevention perspective.

My only observation would be to ask that consideration is given to secure lockers within the changing rooms and that the changing rooms themselves are lockable when sporting activities are in place to protect the user's valuables and personal items and that reception has the facility to control access into these areas when required.

I thank you for allowing me the opportunity to comment.

Sussex Police would have no objection to the proposed application as submitted from a crime prevention perspective subject to my above observations, concerns and recommendations having been given due consideration.

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.

Yours sincerely



**Phill Edwards**  
Designing Out Crime Officer  
Sussex Police Headquarters

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Sussex Police Headquarters  
Malling House, Malling, Lewes, East Sussex,  
BN7 2DZ

## **MSDC Leisure Officer (Play Areas)**

From: Nicole Batten-Evatt <nicole.batten-evatt@midsussex.gov.uk>  
Sent: Wednesday, January 3, 2024 3:43 PM  
To: Louise Yandell <louise.yandell@midsussex.gov.uk>  
Cc: Mark Hayler <Mark.Hayler@midsussex.gov.uk>  
Subject: FW: Planning application consultation for application - DM/23/3182 - Burgess Hill Northern Arc, Land North And North West Of Burgess Hill, Between Bedelands Nature Reserve In The East And, Goddard's Green Waste Water Treatment Works In The West

Louise,

Many thanks for the opportunity to comment on play provision within the reserved matters application for Land Between Bedelands Nature Reserve And, Goddard's Green Waste Water Treatment Works (Centre for Outdoor Sport). Having reviewed the Proposed Site Plans and Landscape Strategy Document, I note a proposed LEAP in the northern half of the site. No detail is provided about how the play area relates to the wider site including the clubhouse, car park, path network. No detail is provided about the play area layout, materials and boundary treatment.

The Landscape Strategy plan shows indicative locations for informal play features around the southern and western parts of the site. No detail is provided.

We will need more detail to be able to provide comments.

Kind regards,

Nicole Batten-Evatt CMLI  
Landscape Architect  
Estate Services & Building Control  
Mid Sussex District Council, Oaklands Road, Haywards Heath, West Sussex RH16 1SS  
Switchboard: 01444 458166  
[nicole.batten-evatt@midsussex.gov.uk](mailto:nicole.batten-evatt@midsussex.gov.uk)



## **MSDC Tree officer**

**From:** Irene Fletcher <Irene.Fletcher@midsussex.gov.uk>  
**Sent:** Monday, January 29, 2024 11:20 AM  
**To:** Louise Yandell <louise.yandell@midsussex.gov.uk>  
**Subject:** DM/23/3128

Louise,

The application involves the loss of 22 Cat A trees, oaks, and the removal of other Cat A groups, again, predominantly oaks. This is extremely regrettable.

Unfortunately, this is not reflected in the replacement planting scheme proposed which predominantly proposes ornamentals. Apart from the huge biodiversity loss, oaks provide the highest biodiversity of any British native tree, there is a loss of substantial trees, or trees capable of becoming substantial trees.

Very few oak replacements are proposed and these seem to be either *Quercus petraea* or the Spanish oak, *Quercus palustris*. In view of the large number of oak removals, I would expect to see large numbers of *Quercus robur* replacing these.

Whilst I am not averse to the use of some ornamentals, there is a wide palate of substantial trees which predominate in this part of the district, *Quercus robur*, *Pinus sylvestris*, *Fagus sylvatica*, *Carpinus betulus* and *Populus tremulus*, as well as alders. ( I note a sprinkling of some of these are proposed ). *Prunus avium* is also a common feature and I consider that the proposed ornamental cherries, *P serrula*, *P serrulata* and *P Pandora* should be replaced with these. Grafted cherries are often disease prone and short lived. *Prunus avium* ' plena' should not be used. Where multi stemmed specimens are proposed, alternatives may be considered.

Similarly, grafted apples and pears are unacceptable landscaping plants for the same reason.

Whilst I note a few native birches, predominantly *Betula albosinensis* and *Betula utilis Jacquemontii* are shown, again, these are relatively short lived.

Adopted policy DP37 favours British native replacement trees, much greater use should be made of native acers and other native trees.

Hedging plants and screening ' blocks' are mainly appropriate and I note the use of ornamental shrubs in more internal, central areas. Whilst I do not object to this municipal type planting in areas next to car parks, areas of meadow and grassland could benefit from the use of British native bulbs, such as *Narcissus pseudonarcissus*, instead of cultivated varieties.

Detailed method statement required for all encroachments within RPAs and the plant list requires to be updated.

Please condition the requirement for fresh landscaping plans.

Irene

Irene Fletcher

Tree Officer

Development Management

Mid Sussex District Council

(Mon – Thurs)

[www.midsussex.gov.uk](http://www.midsussex.gov.uk)

**MSDC Drainage Officer**

**Original comments dated 30/01/2024:**

## Reserve Matters Application Consultation Response

### Application Details

Application Number	DM/23/3182
Response Date	2024-01-30
Site Location	Centre for Outdoor Sports, Land West of Burgess Hill
Development Description	Application for Reserved Matters for the Centre for Outdoor Sport related to Planning Permission Reference DM/21/3279
Recommendation <sup>4</sup>	<b>No objection subject to conditions Modification necessary</b>

The application form for this reserve matters application proposes to address access, appearance, landscaping, layout, and scale associated with the proposed development on site. However, it is the Flood Risk and Drainage Teams understanding that landscaping is to be addressed via a discharge of conditions application. The following comments are based on this understanding. Should landscaping be fixed under this reserve matters application then we should be reconsulted.

### Flood Risk

The application is supported by a flood risk assessment report which meets the national and local flood risk policies and guidance. All development is shown to be located outside the modelled 1:1,000 flood extent (Proposed site plan, The Sports Consultancy, 1003-(03)021-L).

The team have no objection to the proposed development on flood risk grounds.

### Sewers and Watercourses on Site

There are several existing and approved surface water drainage elements located within the site's redline boundary. These include:

- A surface water drainage easement located along the eastern boundary of the site which is proposed to serve future development located to the north of the site.
- Two attenuation basins (known as north and south respectively) which serve the adjacent new highway.
- Drain connections associated with the attenuation basins and their outfall into the watercourse on site.

There are two watercourses located on the site:

- A 'cut off' ditch constructed as part of the highway development located along the eastern boundary of the site. This ditch is open along the northern section of the site and culverted between the access road and the other watercourse on site into which it discharges.

<sup>4</sup> In line with guidance from the Planning Department the Flood Risk and Drainage Team, where considered appropriate, utilise conditions to address detailed drainage design and detailed design of flood mitigation measures.

- A watercourse which flows north to south which dissects the southern section of the site. This watercourse predates all development associated with the wider Brookleigh development (formally known as Northern Arc).

The development layout has taken into consideration the necessary standoff distances associated with these watercourses, as open channels and as culverts.

We would advise the applicant that the maintenance and management plan of the development should include details of how these watercourses shall be maintained to ensure adherence with the Land Drainage Act 1991.

## **Surface Water Drainage**

### *Southern Section – Natural Sports Pitches*

The applicant proposes to provide pitch drainage to all the proposed natural surfaced sports pitches located within the southern section of the development. Pitch drainage is proposed to discharge via two swales and form overland flow towards the existing bisecting watercourse on site.

The principle of this drainage is considered acceptable, subject to detailed design at discharge of conditions stage.

### *Northern Section – 3G Pitches, Clubhouse and Carpark*

The applicant proposed to utilise multiple drainage features to manage surface water on site, with water attenuated across the site before discharging into the newly constructed 'cutoff ditch' watercourse.

Surface water is proposed to be stored above ground within the 3G pitches during the 1:30 and 1:100 plus climate change rainfall events. Surface water is also proposed to be stored above ground in an attenuation basin/ swale and an attenuation tank below the carpark.

The landscaping plan and the proposed drainage plan are currently in conflict, with planting shown over proposed drainage features in several areas. No planting (except for shallow rooted ground cover) should be located within 5m of any drainage feature, including pipework.

Following communication with the Planning Officer it is understood that a landscaping condition is proposed for this development. Based on this understanding, the principle of attenuating surface water drainage across the site before discharging it into a watercourse is considered acceptable, subject to detailed design in collaboration with landscaping at discharge of conditions stage.

We would also advise that the existing drainage features and approved drainage easements are considered during the detailed design stage.

Due to the proposed use of the 3G pitches as surface water storage areas the maintenance and management plan will need to include details of how pitch use cancellations shall be determined and communicated.



### **Foul Water Drainage**

Details of how the site shall manage foul water drainage will need to be provided as part of the detailed drainage design at discharge of conditions stage.

### **Condition Recommendations**

It is advised that the **foul and surface water drainage conditions associated with the outline planning permission are utilised** for this reserve matters application. In addition to the existing drainage design conditions, we advise that the following additional condition is placed on this reserve matters.

#### *Surface water drainage verification report*

No building is to be occupied, or brought into use, until a Verification Report pertaining to the surface water drainage system, carried out by a competent Engineer, has been submitted to the Local Planning Authority. The Verification Report shall demonstrate the suitable operation of the drainage system such that flood risk is appropriately managed, as approved by the Lead Local Flood Authority. The Report shall contain information and evidence (including photographs) of earthworks; details and locations of inlets, outlets, and control structures; extent of planting; details of materials utilised in construction including subsoil, topsoil, aggregate and membrane liners; full as built drawings; and topographical survey of 'as constructed' features. The Verification Report should also include an indication of the adopting or maintaining authority or organisation.

Reason: To ensure that the constructed surface water drainage system complies with the approved drainage design and is maintainable.

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*For and on behalf of the Flood Risk and Drainage Team  
Mid Sussex District Council  
Telephone: 01444 477577 Option 3  
[drainage@midsussex.gov.uk](mailto:drainage@midsussex.gov.uk)*

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**Additional comments dated 20/02/2021:**

**From:** Natalie James <Natalie.James@midsussex.gov.uk>

**Sent:** Tuesday, February 20, 2024 11:28 AM

**To:** Louise Yandell <louise.yandell@midsussex.gov.uk>

**Cc:** drainage <drainage@midsussex.gov.uk>

**Subject:** 2024-02-20 - DM/23/3182 - Land At Grid Reference 530664 120764, Isaacs Lane, Burgess Hill (also known as CfOS, Brookleigh)

Hi Louise,

Thank you for highlighting the updated information submitted in support of this application. I've reviewed the drainage relevant information and have the following comments to make.

- A series of updated plans were received as separate files on 9<sup>th</sup> February, all of these plans have revision dates of 8<sup>th</sup> February. An amended flood risk assessment report (FRA) was then received on 19<sup>th</sup> February, this document includes information into the foul and surface water drainage strategy for the development and has a revision date of 14<sup>th</sup> February.
- There are two proposed drainage strategy plans submitted within the appendices of the FRA; Appendix B and Appendix F. The two plans are different from each other, with the Appendix A plan matching the drainage plan submitted on the 9<sup>th</sup> February and the Appendix F plan (dated 14<sup>th</sup> February) aligning with the drainage strategy outlined within the FRA report.
- The FRA also includes an overland flows plan (Appendix Q) which correlates with the FRA text but includes an interception barrier/ditch which does not appear to be shown on any of the 8<sup>th</sup> February plans of the site.
- The proposed surface water drainage strategy described within the FRA dated 14<sup>th</sup> February may be considered acceptable, subject to finalised designs. However, we will require clarification with regards to the differing plans submitted in support of this application before we are able to provide final comment.

Kind regards,

Natalie

Natalie James, MSc, FGS

Drainage Engineer (Flood Risk)

Estate Services & Building Control

Mid Sussex District Council, Oaklands Road, Haywards Heath, West Sussex RH16 1SS

Switchboard: 01444 458166

DD: 01444 477201

[natalie.james@midsussex.gov.uk](mailto:natalie.james@midsussex.gov.uk)

[www.midsussex.gov.uk](http://www.midsussex.gov.uk)



Mid Sussex District Council

FAO: Louise Yandell

By email only

23 January 2024

**Planning Practice Guidance Paragraph: 003 Reference ID: 37-003-20140306**

**Application Reference:** DM/23/3182

**Site:** Burgess Hill, Northern Arc

**Proposal:** Reserved Matters application pursuant to outline application DM/21/3279, to consider access, appearance, landscaping, layout and scale with respect to the provision of a Centre for Community Sport with ancillary facilities

**Sport England Reference:** PA/23/SE/MX/66504

Thank you for consulting Sport England on the above application.

#### Summary

Sport England currently **objects** to this application as it is not considered to adequately meet the PROVIDE objective of our Planning for Sport Guidance. In particular, the proposals as they relate to cricket provision, for the reasons set out in the body of our response are not well designed or fit for purpose.

We would be happy to reconsider this position should amended details be provided to address the following points.

- Amendment to the pavilion design to meet minimum ECB space and design standards
- Clarification as to how the dual sport use all year-round use of the pavilion will be managed to include cricket requirements
- The addition of a pitch side team shelter to provide weather protection and a viewing area for the batting side.
- Consideration of the inclusion of a minimum 2-lane ECB approved net system in the scheme.

Should the Local Planning Authority be minded to approve the application without these amendments being incorporated, please contact the undersigned so that Sport England can recommend appropriate conditions to ensure that the other aspects of the proposal are fit for purpose in terms of quality and design to relevant NGB specification.



Sport England provided comments on outline planning application DM/18/5114 by formal consultation response dated 5<sup>th</sup> February 2018 with further comments made on 20<sup>th</sup> August 2019. In summary at that time, we identified that additional facilities to meet the demands on the Northern Arc development would be required for the main pitch sports of football, rugby, cricket and hockey. We initially objected to the outline, recommending that a detailed specification of the facilities should be agreed at outline stage however, following further information and discussion with the LPA, we accepted that subject to a very detailed specification being included within the s.106 agreement to secure appropriate sport provision, that we would be able to withdraw our objection. It was also accepted that the detail of the scheme for the Centre for Community Sports should be informed principally by the District's Playing Pitch Strategy (PPS) that was at the time emerging. It is noted that there is not a detailed specification for the CFCS within the s.106 agreement.

The PPS Main Strategy Document identifies that the predicted population of the Northern Arc development using the Sport England Playing Pitch Calculator suggests will give rise to the following number of teams (this includes allowing for other elements including: predicted increases in participation, allowances for deferred, latent and aspirational demand etc, under the relevant sport):

3-4 adult football teams; 5-6 junior football teams; 3-4 mini football teams; 4-5 adult cricket; 4-5 junior cricket; 1 senior rugby; 1 youth rugby and 1 – 2 mini rugby; 1-2 senior hockey and 1 junior hockey.

Minimum requirements for additional access to pitches for each sport, plus allowance for rest & recovery/rotation and growth are in the order of: 2 adult football; 3 junior football, 2 mini football, 1 cricket, 1 rugby, 0.5 hockey AGP.

The PPS Action Plan identifies the following sports provision should be secured on the CFCS site.

- 3G Football Turf Pitch, four changing rooms, floodlighting and viewing stand
- Regulation 22 World Rugby compliant artificial turf pitch, two changing rooms, floodlighting and viewing stand
- 3 grass youth football pitches
- Compact athletics facility
- Clubhouse comprising four changing rooms, indoor leisure (cricket facility and futsal), social/ancillary facilities, general bar/kitchen/meeting room facility,
- car parking



In terms of the submitted reserved matters, Sport England would like to make the following representations:

I have consulted with the relevant NGBs and have received responses from the Football Foundation and the ECB on behalf of cricket.

In summary, the **Football Foundation** has responded,

This project has been developed over many years. Sussex FA and Football Foundation have been involved at each stage, so are supportive of the application.

The Local Football Facility Plan (2019) identified the need for two more full size 3Gs and one more small sided 3G. It goes on to identify Northern Arc as a potential site for both a 3G, changing facility and new grass pitch.

In 2019 Mid-Sussex District Council projected the number of football teams in the area to increase to 297 by 2031. However, the success of women's game, influenced by England Women, has seen the number of teams hit 348 this season. There has been significant increase in Youth Female 7 to 31 teams, Youth Male 70 to 130 teams and mixed Mini Soccer 85 to 120 teams.

The changing rooms proposed plans meet the FA guidance. In terms of the design of the 3G pitch the design meets FA guidance too. However, measures should be taken to manage and minimise the loss of infill from the playing surface.

All 3G pitches to be used for FA affiliated football in England must be on the FA 3G pitch register. Teams hosting matches on a pitch that is not on the register are at risk of the league or competition imposing sanctions. If the pitch is to be used for matches at steps 1 to 6 of the National League System, it must be tested and certified annually to the FIFA Quality Programme for Football Turf. 3G pitches to be used in steps 3 to 6 must be accredited to the FIFA Quality mark and those in steps 1 and 2 the FIFA Quality Pro mark.

The Pricing policy must be affordable for community/grass roots football clubs and should be agreed with Sussex FA. This should include match-rates at weekends equivalent to the Local Authorities price for natural turf pitches. In addition to this, Sussex FA would want to have sight of the programme of use before the site opens to ensure equal opportunity for women and girls is being provided.

The Grass Pitches will need to be constructed following the below guidance;

- Design – A qualified and suitably experienced sports turf consultant, agronomist, soil scientist or land drainage engineer must be employed to carry out a feasibility study, design and specification of the Natural Turf Pitches.
- Construction –The construction of Natural Turf Pitches should be project managed and/or signed off by the same registered agronomist or sports turf consultant that produced the design. The pitches should be constructed by a specialist pitch contractor and not a general civil engineering contractor.
- Quality – Pitches should pass a PQS assessment to a 'Good' standard for football as defined by the Grounds Management Association (GMA) Pitch Grading Framework before they are used. The assessment should be carried out, by the site owner/operator/maintainer via the Football Foundation's PitchPower app. The on-going quality of the pitch/es should then be tracked using the PitchPower app twice a year. Please follow this link to PitchPower <https://footballfoundation.org.uk/pitchpower/how-it-works>
- Maintenance – In order to keep the quality of the pitches, an appropriate maintenance programme is agreed in-line with the design consultant recommendations. A 12-month defect period which includes contractor led/priced maintenance should be included within the construction contract.

The **ECB** has commented,

The scheme as proposed represents the bare minimum provision for cricket on-site, via the installation of a non-turf pitch (NTP). This needs to be supplied by a company with an ECB-approved system (of which there are currently seven).

There is an identified local strategic need for additional play and practice facilities, and this is also reflected in Sussex Cricket Foundation's new 10-year Facility Strategy (Theme 2. Cricket has strong participation levels across all markets in Sussex and is continuing to grow; Theme 6. In Mid-Sussex, several large clubs are essentially already at capacity and have limited capacity to grow due to no spare grounds available in their locality; Theme 8. Improved facility provision is required to service the growth of the W&G game; Recommendation 1. Provide more and better-quality facility provision in Urban Areas).

Officers from Sussex Cricket met with The Sports Consultancy in June 2023 and design concerns were raised then (see below).

The NTP meets minimum boundary compliance and the Labosport trajectory assessment has established no mitigation is required from a ball-strike risk perspective.

However, as shared with The Sports Consultancy last summer, a FF-compliant pavilion is not the same as one meeting our technical specification (TS5: Pavilions & Clubhouses). The proposed building does not meet our absolute minimum changing area space (20m<sup>2</sup>) for any of the teams, and these changing rooms do not have a view of the pitch. Furthermore, officials changing does not include a shower cubicle. Social provision appears to be extremely limited for all sports, not just cricket, with no kitchen or bar and indicative tables and chairs placed in an "Entrance Area."

We are also concerned with potential year-round use of the 3G pitches, how access to two team changing rooms and at least one official's changing room will be secured during the cricket season.

Finally, with the pavilion not offering adjacency to the cricket pitch, an appropriate team shelter (10-person) would need to be incorporated pitch-side to provide shelter and a viewing area for the batting side as an absolute minimum mitigation.

No cricket practice facility has been included, and the ECB believes the inclusion of a 2-lane (minimum) ECB-approved net system placed between the Adult Football Pitch and the U9/10 Football Pitch to be appropriate.

The ECB requests that design amendments are made to the scheme to meet its minimum requirements. It says, It is hoped that it is recognised the ECB is already providing significant compromise in relation to the level of facilities included within this mix.

#### **Sport England Position:**

In light of the above, Sport England considers that the proposed ancillary facilities should meet the minimum design requirements of all of the sports to be provided for within the CFCS, specifically of cricket that appears to be accommodated rather as an afterthought within the scheme at present. Sport England considers that the changing pavilion should comply with ECB minimum space requirements and the officials rooms should have a shower cubicle. A means of ensuring a view from the changing rooms to the cricket pitch should be explored with the ECB and, given the remoteness of the pavilion to the NTP, a viewing shelter should also be provided adjacent to the pitch. In that respect also, further explanation of why the

previously proposed separate cricket pavilion is not to be provided would be appropriate. We would wish to understand how suitable change provision for cricket and cricket officials is to be secured within the change pavilion if the related 3G AGPs are in use throughout the summer season. Finally, the PPS identified a requirement for an indoor cricket practice facility at this location. If that is not possible then the ECBs recommendation for the incorporation of cricket practice nets should be explored.

Pending consideration of these design amendments and points of clarification, Sport England **objects** to the proposal.

We would request that subject to any amendment / clarification of the above, or should the LPA be minded to grant permission against Sport England's objection, that you first request detailed condition wording from the undersigned to meet the detailed design requirements of the Football Foundation as set out in their comments above and to secure WR22 certification in respect to the rugby 3G.

If you would like any further information or advice, please contact me.

Yours sincerely,

Jo Edwards  
**Planning Manager**

She/her

E: [jo.edwards@sportengland.org](mailto:jo.edwards@sportengland.org)

T: 07826 354343



**Additional Sport England Comments received 6/2/2024:**

**From:** Jo Edwards <[Jo.Edwards@sportengland.org](mailto:Jo.Edwards@sportengland.org)>

**Sent:** Tuesday, February 6, 2024 5:41 PM

**To:** Louise Yandell <[Louise.Yandell@midsussex.gov.uk](mailto:Louise.Yandell@midsussex.gov.uk)>

**Subject:** DM/23/3182 - BURGESS HILL NORTHERN ARC - Sport England Ref: PA/23/SE/MX/66504

You don't often get email from [jo.edwards@sportengland.org](mailto:jo.edwards@sportengland.org). [Learn why this is important](#)

Dear Louise,

Further to our discussion last week and notwithstanding the outstanding objection relating to cricket provision on the site to which we would seek a formal response and the opportunity to comment further, Sport England recommends that the following conditions are attached to the Reserved matters consent if it is approved.

***Football 3G AGP***

Condition 1

Use of the development shall not commence until:

(a) certification that the Artificial Grass Pitches hereby permitted have met FIFA Quality Concept for Football Turf – FIFA Quality or equivalent International Artificial Turf Standard (IMS); and

(b) confirmation that the facilities have been registered on the Football Association's Register of Football Turf Pitches have been submitted to and approved in writing by the Local Planning Authority.

*Reason: To ensure the development is fit for purpose and sustainable, provides sporting benefits and to accord with Development Plan Policy \*\*.*

*Informative: The applicant is advised that pitches to be used for Step 1 and Step 2 level football matches should be built in accordance with FIFA Quality Concept for Football Turf - FIFA Quality Pro and Steps 3 to 6 should be built in accordance with FIFA Quality as a minimum and tested annually as per league rules.*

## **Rugby 3G AGP**

### Condition 2

Use of the development shall not commence until:

- a. the Artificial Grass Pitch hereby permitted has been certified as meeting World Rugby Regulation 22 standard; and
- b. confirmation that the facilities have been registered on the World Rugby Hermes System has been submitted to and approved in writing by the Local Planning Authority.

*Reason: To ensure the development is fit for purpose and sustainable, provides sporting benefits and to accord with Development Plan Policy \*\*.*

*Informative: The applicant is advised that WR22 requires the pitches to be tested every two years to maintain World Rugby accreditation.*

It is recommended that the LPA seeks to manage and minimise the loss of rubber crumb infill from the playing surfaces of the AGPs. BSI Standards, working with the European Committee for Standardisation (CEN), have developed a Technical Report describing the procedures that should be used to control infill migration. Design measures and procedures to control infill migration include:

- Fitting containment barriers on a pitch's perimeter fencing.
- Installing decontamination grates and boot cleaning brushes at all player and vehicle entrance gates.
- Ensuring all stormwater drains around a pitch have suitable microfilters to capture any infill being carried by surface run-off, etc.
- Keeping a dedicated maintenance brush within the boundaries of the pitch, so it cannot carry infill into the surrounding environment.
- Thoroughly removing any infill from maintenance tractors, etc. before they leave the pitch.

FIFA, World Rugby and the International Hockey Federation (FIH) have all included the recommendations of CEN into their certification programmes for artificial grass pitches. Contractors building fields that require certification should therefore include the measures within their designs. The LPA may wish to consider specific condition(s) to address this.

## **Cricket NTP**

### Condition 3

The Cricket NTP shall be designed and installed only in accordance with a detailed scheme that has first been submitted to and approved in writing by the LPA in consultation with Sport England

*Reason: To ensure the development is fit for purpose and sustainable, provides sporting benefits and to accord with Development Plan Policy \*\*.*

*Informative: The application is advised that the ECB has an approved list of suppliers that it can provided*

## **The grass pitches**

### Condition 4

- (a) No development shall commence until the following documents have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England:
  - (i) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could adversely affect playing field quality; and
  - (ii) Where the results of the assessment to be carried out pursuant to (i) above identify constraints which could adversely affect playing field quality, a detailed scheme to address any such constraints. The scheme shall include a written specification of the proposed soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.
- (b) The approved scheme shall be carried out in full and in accordance with the approved programme of implementation. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

*Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to accord with Development Plan Policy \*\*.*

*Informative: The applicant is advised that the scheme should comply with the relevant industry Technical Guidance, including guidance published by Sport England, National Governing Bodies for Sport. Particular attention is drawn to 'Natural Turf for Sport', (Sport England, 2011)*

## **The AGPs and the Grass Pitches**

### Condition 5

Before the new Artificial Grass Pitches and natural grass pitches are brought into use, a Management and Maintenance Scheme for the facility including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. For the Artificial Grass Pitches the scheme shall include measures to ensure the replacement of the Artificial Grass Pitches within a specified period. The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the Artificial and natural grass pitches.

*Reason: To ensure that the new facilities are capable of being managed and maintained to deliver facilities that are fit for purpose, sustainable and to ensure sufficient benefit of the development to sport and to accord with Development Plan Policy \*\*.*

Yours Sincerely,

Jo

**Jo Edwards MRTPI**

Planning Manager

She/her

Please note, I don't work Fridays

**T:** 020 7273 1616

**M:** 07826 354343

**F:** 020 7273 1704

**E:** [Jo.Edwards@sportengland.org](mailto:Jo.Edwards@sportengland.org)



## MSDC Urban Design Officer

### Urban Design Observations

**To:** Development Management

**From:** Anna Kramarczyk-Dillon, Architect/Urban Designer, Mid Sussex DC

**Application ref:** DM/23/3182

**Date:** 21/02/24

**Address:** Land West of Burgess Hill between the A273 and Gatehouse Lane, Burgess Hill, West Sussex designated for the Centre for Outdoor Sport.

**Description:** Reserved matters to outline application DM/21/3279, for the erection of a pavilion, sports pitches, footpaths, access road, car parking, lighting, fencing and associated landscaping and infrastructure to form a Centre for Outdoor Sports (Ref: DM/23/3182)

**Stage:** Planning

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The proposed scheme has addressed most of the concerns raised in the previous consultations.

The scheme sufficiently addresses the principles set out in the Council's Design Guides and accords with policy DP26 of the District Plan; I therefore raise no objection to this planning application. To secure the quality of the design, I would nevertheless recommend conditions requiring the approval of the following details/information:

- Detailed landscape drawings: hard and soft landscaping details including images and drawings of elements used throughout the landscape (gabion benches, timber benches, play on the way, future play zone, lighting solutions for the site and for the pitches, cycle stands, bins, bollards, sleeper steps, stairs railing, storage containers etc)
- 1:100/50 Detailed design drawings and images of all Entrance zones to the site.
- Detailed design drawings and images of all boundary treatments solutions (including boundary treatment of sports pitches).
- 1:100/50 Detailed design drawings and images of the Plaza and the immediate landscape setting of the Pavilion Building including all external lighting solutions to the building.
- Detailed design of the signage strategy for the site and the building (images and drawings).
- Details and samples of the facing materials.
- Details and samples of the landscape finishes and materials.
- 1:50 scale plans, elevation, and sections of entrance zones to the building
- 1:20 sections and front elevations of the typical features (shown in context) of the roof/eaves details, windows, doors, rainwater downpipes.
- Sustainability strategy details need to be submitted in full, followed by any relevant 1:20 scale sections showing the solar panels within the roof slope.