

MID SUSSEX DISTRICT COUNCIL

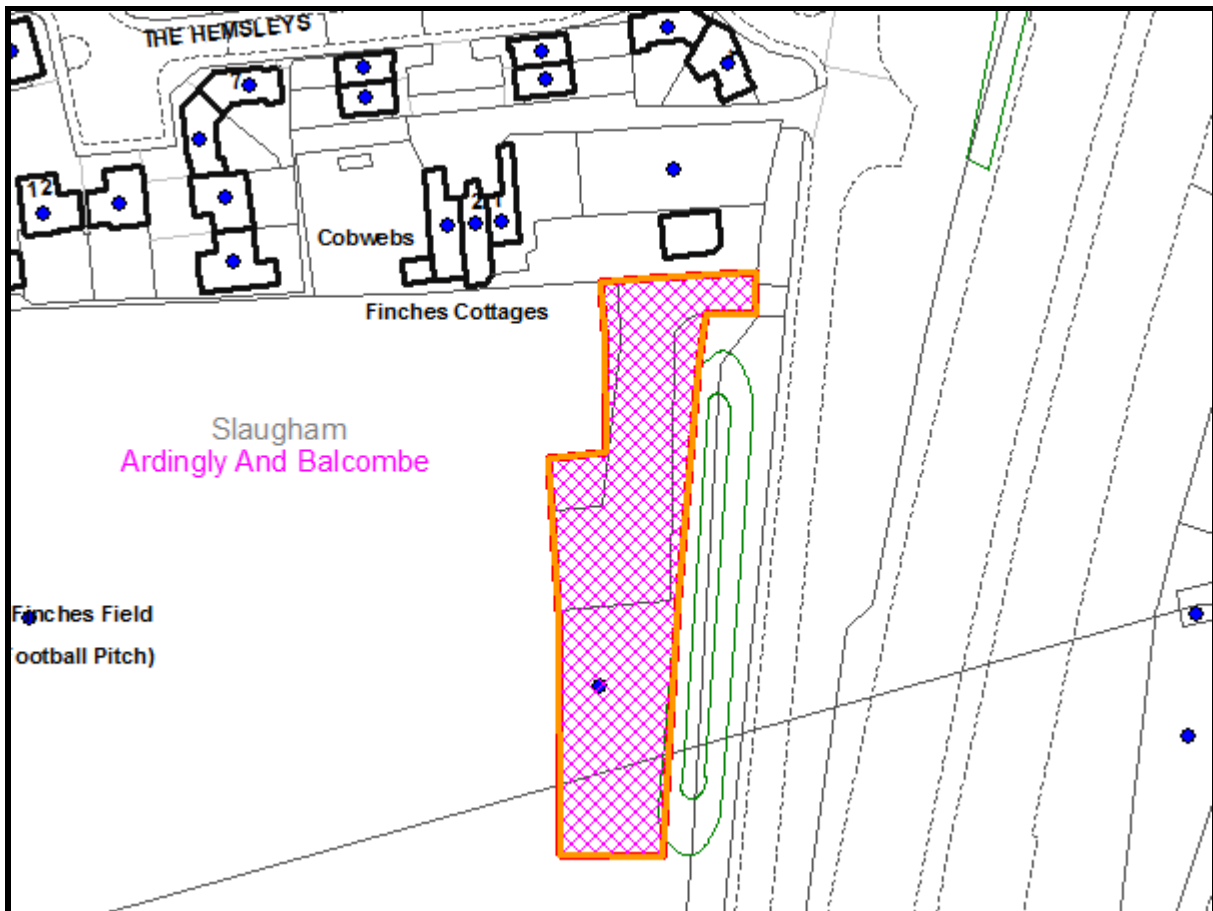
Planning Committee A

17 JAN 2019

RECOMMENDED FOR PERMISSION

Slaugham

DM/18/4567



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**PEASE POTTAGE VILLAGE SPORTS AND SOCIAL CLUB PAVILION
FINCHES FIELD RECREATION GROUND OLD BRIGHTON ROAD SOUTH
VARIATION OF CONDITION 6 OF PLANNING APPLICATION DM/17/4027
IN RESPECT OF CAR PARKING TO BE PROVIDED. ADDITIONAL
DETAILS OF MATERIALS AND FINISHES OF PROPOSED PARKING
AREA (CONDITION 4).
MISS SALLY MCLEAN**

POLICY: Ancient Woodland / Areas of Outstanding Natural Beauty / Areas of Special Control for Adverts / Countryside Area of Dev. Restraint / High Pressure Gas Pipeline / Land Compensation Act Notice / Major Hazard Site / Planning Agreement / Planning Obligation / Aerodrome Safeguarding (CAA) / Radar Safeguarding (NATS) /

ODPM CODE: Minor Other

8 WEEK DATE: 21st January 2019

WARD MEMBERS: Cllr Gary Marsh / Cllr Andrew MacNaughton /

CASE OFFICER: Deborah Lynn

Purpose of Report

To consider the recommendation of the Divisional Lead, Planning and Economy on the application for planning permission as detailed above.

Executive Summary

This application seeks consent to vary condition no. 6 of planning permission DM/17/4027 which relates to the provision of car parking in association with the new community building that has been erected on land at Finches Field, Old Brighton Road South, Pease Pottage. Details have also been submitted in respect of the proposed surfacing, drainage and lighting of the parking area.

This application is before committee as the application site is located on land owned by Mid Sussex District Council.

Condition no. 6 of planning consent DM/17/4027 requires the construction of 44 parking spaces in accordance with approved plans, prior to the community building being brought into use. Due to funding issues, a reduction in the provision of parking spaces is now sought, with 26 parking spaces initially proposed and remaining parking spaces to be constructed at a later date.

The Highways Authority has been consulted on the proposal and has advised that a reduction in parking provision is deemed acceptable for a temporary period, with the request that a planning condition is imposed to ensure remaining parking spaces are provided at a later date.

Whilst County comments are noted, policy DP21 of the District Plan allows for reductions in parking provision, taking into account factors such as accessibility of the development, the type, mix and use of the development and the availability and opportunities for public transport. In this instance, the development is not considered to result in a significant increase in traffic to and from the site and there is plenty of on-street parking available on Old Brighton Road South that is not considered to be hazardous to highway users. As such the local planning authority does not consider

that it is necessary to impose a condition to the effect that remaining parking spaces are constructed at a later date. Additional parking, in accordance with the original planning permission, could be implemented by the Parish Council if lack of parking becomes an issue locally.

The proposed surfacing, lighting and drainage for the car park is deemed acceptable and should not detract from the character of the area. The wider landscape of the High Weald Area of Outstanding Natural Beauty should be conserved.

The proposal is therefore deemed to comply with policies DP16, DP21 and DP26 of the Mid Sussex District Plan 2014-2031 and policy 1 of the Slaugham Neighbourhood Plan, as well as the broader requirements of the NPPF.

It is therefore recommended that planning permission be granted.

Recommendation

Recommend permission be granted subject to the conditions outlined at Appendix A.

Summary of Consultations

(Full responses from Consultees are included at the end of this report as Appendix B)

WSCC Highways

The proposal is acceptable in principle as a temporary measure. The proposed surfacing is deemed acceptable.

Summary of Representations

No representations have been received.

Parish Council Observations

No comments have been received.

Introduction

This application seeks permission to vary condition no. 6 of planning permission DM/17/4027. The planning permission concerns a new community building on land at Finches Field in Pease Pottage and the condition in question relates to associated car parking to be provided.

Details have also been submitted in respect of the proposed surfacing, drainage and lighting of the car park.

This application has been brought to committee to be determined as the site is located on land owned by Mid Sussex District Council.

Relevant Planning History

DM/17/0412 - New replacement single storey community building on land at Finches Field. Approved 27.03.2017.

DM/17/4027 - Resubmission of approved application DM/17/0412 to amend the location of the new community building (to maintain minimum safety distance to UK power lines). Approved 30.11.2017.

Site and Surroundings

The application site consists of an informal parking area off from Old Brighton Road South which serves Finches Field recreation ground situated to the west of the site. The recreation ground is home to the Pease Pottage Football Club.

The community building approved under planning permission DM/17/4027 has been recently constructed together with associated hardstanding around the building; the building site is currently enclosed with Heras fencing. The access and parking spaces serving the building are yet to be formalised although ground works consisting of plastic parking grids and shingle have been carried out to the south of the building.

A temporary steel building (which served as a shower block for people using the football pitch) is still located on the eastern side of the site.

The application site is located directly off Old Brighton Road South, to the west of the A23. The site is well screened from the adjacent road by established trees and vegetation on its eastern boundary. A modern housing development at The Hemsleys lies to the north of the site. Finches Shaw, an area designated as ancient woodland, lies to the south of the site.

In terms of planning policy, the site is located within a countryside area as defined by the Mid Sussex District Plan. The site also falls within the High Weald Area of Outstanding Natural Beauty.

Application Details

The application is made under S.73 of the Town and Country Planning Act and seeks to vary the wording of condition 6 of the planning permission.

When planning permission was granted for the new community building under planning permission DM/17/4027, approved plans showed that 44 parking spaces would be provided on site; 34 spaces were proposed to the south of the building with 6 parking spaces and 4 disabled spaces proposed to the north. The following planning condition (no. 6) was imposed to ensure that parking was provided in accordance with approved plans:

'The use of the building hereby permitted shall not commence until the car parking spaces have been constructed in accordance with drawing no. CTG-SK-020 rev C7. These spaces shall thereafter be retained at all times for their designated use.

Reason: To provide car-parking space for the use and to accord with Policy T6 of the Mid Sussex Local Plan and Policy DP19 of the Submission Draft District Plan 2014 - 2031.'

The Planning Statement submitted with this application states that due to a current lack of funding, it is not possible to provide all 44 parking spaces as previously approved. Permission is therefore sought to vary the above condition to allow for a reduced number of parking spaces to be initially provided. Plans submitted show that a total of 26 parking spaces will be provided, consisting of 6 spaces and 4 disabled spaces to the north of the building and 16 spaces to the south of the building. The Planning Statement states that the previously approved parking area to the south of the site will be retained as an overspill parking area that can be developed in the future when the necessary funding is in place.

In addition to the above, details have been submitted in respect of the proposed materials and finishes, surface water drainage and lighting for the car park, as this information, which had been requested under condition no. 4 of planning permission DM/17/4027, has not been previously submitted. The car park will be constructed from a 'Bodpave 85' 100% recycled cellular porous plastic paving grid system, on aggregate, with a permeable finish of MOT Type 3. 6 no. illuminated bollards are proposed around the perimeter of the site.

List of POLICIES

The following policies are deemed relevant when considering this application:

Mid Sussex District Plan 2014-2031

The District Plan was formerly adopted on the 28th March 2018.

DP16	High Weald Area of Outstanding Natural Beauty
DP21	transport
DP26	character and design
DP41	flood risk and drainage

Slaugham Neighbourhood Plan

The Regulation 16 Plan has been submitted. Consultation on the plan finishes on the 14th January 2019. The plan is a material planning consideration with some weight.

Policy 1	protecting the Area of Outstanding Natural Beauty
Aim 9	parking

National Policy

National Planning Policy Framework (NPPF - 2018)

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 overarching objectives economic, social and environmental. This means ensuring sufficient land of the right types is available in the right places and at the right time to support growth; supporting strong, vibrant and healthy communities by ensuring a sufficient number and range of homes can be provided; fostering a well-designed and safe built environment; and contributing to protecting and enhancing the natural, built and historic environment; and using natural resources prudently.

Paragraph 47 states: 'Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.'

National Planning Policy Guidance

The High Weald Area of Outstanding Natural Beauty Management Plan 2014-2019

Assessment (Consideration of Key Issues)

Planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Given that planning permission has been granted for the development, the main issues considered relevant to this application are whether the reduced parking provision is deemed acceptable from a highways perspective and whether the proposed finishing, drainage and lighting details for the car park are acceptable in terms of impact on the character of the area and from a drainage perspective. It is not necessary to reconsider the principle of erecting the new building on the site.

Parking and impact on highways

Policy DP21 of the District Plan relates to transport and states in part that development schemes should provide '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.'

The Mid Sussex Development Infrastructure and Contributions supplementary planning document adopted in July 2018 sets out minimum indicative standards of the level of parking provision generally expected in new developments. The proposed parking area will serve both the community building and playing fields at

Finches field. For indoor multi-purpose facilities and places of assembly, a minimum indicative standard of 1 space per 22 square metres is recommended. As the building has an area of 289 square metres, this would equate to 13 car parking spaces. For playing fields, a minimum indicative standard of 12 spaces per hectare of pitch is recommended. The Council's computer mapping system indicates that the playing fields have an area just over 3 hectares, which would equate to 36 spaces being provided. Parking standards therefore indicate a recommended number of 49 spaces, albeit policy DP21 allows for account to be taken in respect of 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.

The Highways Authority at West Sussex County Council has been consulted on the scheme and has advised that the reduction in parking provision is acceptable in principle as a temporary measure, with a view to the remaining spaces being implemented at a later date, to be controlled via a planning condition. No objection has been raised in respect of the proposed surfacing or drainage.

Whilst County comments are noted, as per policy DP21 of the District Plan, allowances can be made for a reduction in parking provision taking into account factors such as accessibility of the development, the type, mix and use of the development and the availability and opportunities for public transport. In this instance, the application site lies parallel to Old Brighton Road South which is essentially a no through road serving properties further to the south. There are no parking restrictions on the road, allowing for on- street parking that is unlikely to cause congestion or hinder other highway users. Furthermore, a bus stop is also situated approximately 280 metres to the north of the application site on Old Brighton Road South.

In addition to the above, the new community building is commensurate in size with the previous temporary building that was on the site for many years, which benefitted from an informal parking area. Whilst the proposed uses of the new building may slightly differ from the previous use of the building as a sports and social pavilion, the local planning authority does not consider that the proposal will result in a significant increase in traffic to and from the site.

With the above in mind it is not considered necessary to impose a condition regarding the construction of the remaining parking spaces at a later date, as the proposed reduction in parking provision is not considered to be hazardous to highway safety.

The proposed plans still show a total of 44 parking spaces, and therefore if the Parish Council wish to construct the remaining spaces at a later date as intended, they would be able to do this provided the spaces are constructed in accordance with approved details.

In light of the above, the proposed reduction in parking provision is not considered to be detrimental to highway safety, thereby according with policy DP21 of the Mid Sussex District Plan.

Impact on character of the area and the High Weald Area of Outstanding Natural Beauty

The recently revised NPPF makes reference to the importance of good design at para 127 which states in part that:

'Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.'*

At District Plan level, policy DP26 relates to character and design and in part states that:

'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;*
- incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;'*

As the site lies within the High Weald Area of Outstanding Natural Beauty, the legal framework for AONBs in England and Wales is provided by the Countryside and Rights of Way Act (CRoW) 2000 which at Section 82 reaffirms the primary purpose of AONBs: to conserve and enhance natural beauty. Section 84 of the CRoW requires Local Planning Authorities to 'take all such action as appears to them expedient for accomplishment of the purpose of conserving and enhancing the natural beauty of the AONB'. This stance is re-iterated under paragraph 172 of the NPPF, policy DP16 of the District Plan and policy 1 of the Slaughtam Neighbourhood Plan.

The proposed gravel finishing is considered suitable in this semi-rural location and is not considered to detract from the appearance and character of the area. The proposed lighting for the car park area will consist of 6 no. bollards placed around the perimeter of the parking area. The bollards will be cylindrical in shape and will measure 0.12 m in diameter by 0.65 m high with a lumen output of 400. The proposed lighting is considered to be discreet in nature and appropriate in this semi-rural location and should not be harmful to the character of the area. The wider

landscape and scenic beauty of the High Weald AONB should also be conserved. The car park surfacing and lighting details are therefore considered to accord with policies DP16 and DP26 of the Mid Sussex District Plan and policy 1 of the Slaugham Neighbourhood Plan.

Drainage

Policy DP41 of the District Plan relates to flood risk and drainage and in part states that '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.'

The proposed car park surface will be permeable, allowing water to drain down into the ground and lessening potential for surface water run-off during periods of heavy rainfall. As such, the proposal is considered acceptable in terms of drainage and impact upon flood risk, thereby according with policy DP41 of the Mid Sussex District Plan.

Planning balance and conclusions

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.

The proposed reduction in parking provision from 44 spaces to 26 is deemed acceptable as the proposal is not considered to be detrimental to highway safety. The development should not result in a significant increase in traffic to and from the site and the reduction in parking provision can be mitigated by on-street parking on Old Brighton Road South which is not considered to be hazardous to highway users.

The proposed surfacing, lighting and drainage for the car park is deemed acceptable and should not detract from the character of the area. The wider landscape of the High Weald Area of Outstanding Natural Beauty should also be conserved.

The proposal is therefore deemed to comply with policies DP16, DP21, DP26 and DP41 of the Mid Sussex District Plan 2014-2031 and policy 1 of the Slaugham Neighbourhood Plan, as well as the broader requirements of the NPPF.

It is therefore recommended that planning permission be granted.

APPENDIX A – RECOMMENDED CONDITIONS

Time limit

1. The development hereby permitted shall be begun before the expiration of 3 years from the 30th November 2017.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Applications".

Reason: For the avoidance of doubt and in the interest of proper planning.

Construction phase

3. No development shall be carried out in respect of the proposed car park unless and until tree protection measures have been implemented in accordance with details approved under planning reference DM/18/0434 and such measures shall remain in place for the duration of construction works.

Reason: To ensure the protection and retention of trees and vegetation which are an important feature of the locality and to accord with policy DP37 of the Mid Sussex District Plan 2014 - 2031.

4. No development shall be carried out in respect of the proposed car park unless and until the construction site has been set up in accordance with details approved under planning reference DM/18/0434. Once implemented, such provision shall be retained for the duration of construction works.

Reason: To avoid undue congestion of the site and consequent obstruction to access and to accord with Policy DP21 of the Mid Sussex District Plan 2014 - 2031.

5. Drainage, surfacing and lighting works for the proposed car park shall be carried out in accordance with approved details.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of the visual amenity of the area and to accord with policies DP26 and DP41 of the Mid Sussex District Plan 2014 - 2031.

6. No work for the implementation of the development hereby permitted shall be undertaken on the site on Bank or Public Holidays or at any time other than between the hours 8 a m and 6 pm on Mondays to Fridays and between 9 am and 1 pm Saturdays.

Reason: To safeguard the amenities of nearby residents and to accord with policy DP26 of the Mid Sussex District Plan 2014 - 2031.

Pre-occupation conditions

7. The use of the building hereby permitted shall not commence until the car parking spaces have been constructed in accordance with drawing no. CTG-SK-023 rev C4. These spaces shall thereafter be retained at all times for their designated use.

Reason: To provide car-parking space for the use and to accord with Policy DP21 of the Mid Sussex District Plan 2014 - 2031.

8. The use of the building hereby permitted shall not commence until visibility splays of 2.4m by 70m have been provided in accordance with plans that have been approved in writing by the Local Planning Authority. The approved sight lines and splay areas shall be kept free from any obstruction to visibility in excess of 0.6 m above the level of the adjoining carriageway.

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

Post-occupation monitoring/management conditions

9. The building hereby permitted shall be not be used at any other time otherwise than between the hours of 07:00 to 23:00 Mondays to Sundays.

Reason: To safeguard the amenities of nearby residents and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

INFORMATIVES

1. In accordance with Article 35 Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. Your attention is drawn to the requirements of the Environmental Protection Act 1990 with regard to your duty of care not to cause the neighbours of the site a nuisance.

Accordingly, you are requested that:

- Measures shall be implemented to prevent dust generated on site from crossing the site boundary during the demolition/construction phase of the development.
- No burning of materials shall take place on site at any time.

If you require any further information on these issues, please contact Environmental Protection on 01444 477292.

Plans Referred to in Consideration of this Application

The following plans and documents were considered when making the above decision:

Plan Type	Reference	Version	Submitted Date
Proposed Site Plan	CTG-SK-020	C7	09.11.2018
Planning Layout	CTG-SK-023	C4	09.11.2018
Other	surfacing details		09.11.2018
Other	bollard details		03.01.2019

APPENDIX B – CONSULTATIONS

WSCC Highways

The application relates to Conditions 6 - allowing a temporary reduction in parking from 41 to 21 spaces and Condition 4 - allowing for the use of Type 3 sub-base for the parking area.

Condition 6 - acceptable in principle as a temporary measure. Can the LPA alter the condition to include a limit to the temporary period?

Condition 4 - approximately 5m of bonded material appears to remain between the proposed on-site surface finish and the public highway. Therefore the SUDS compliant surface within the site is acceptable to the Highway Authority.