

MID SUSSEX DISTRICT COUNCIL

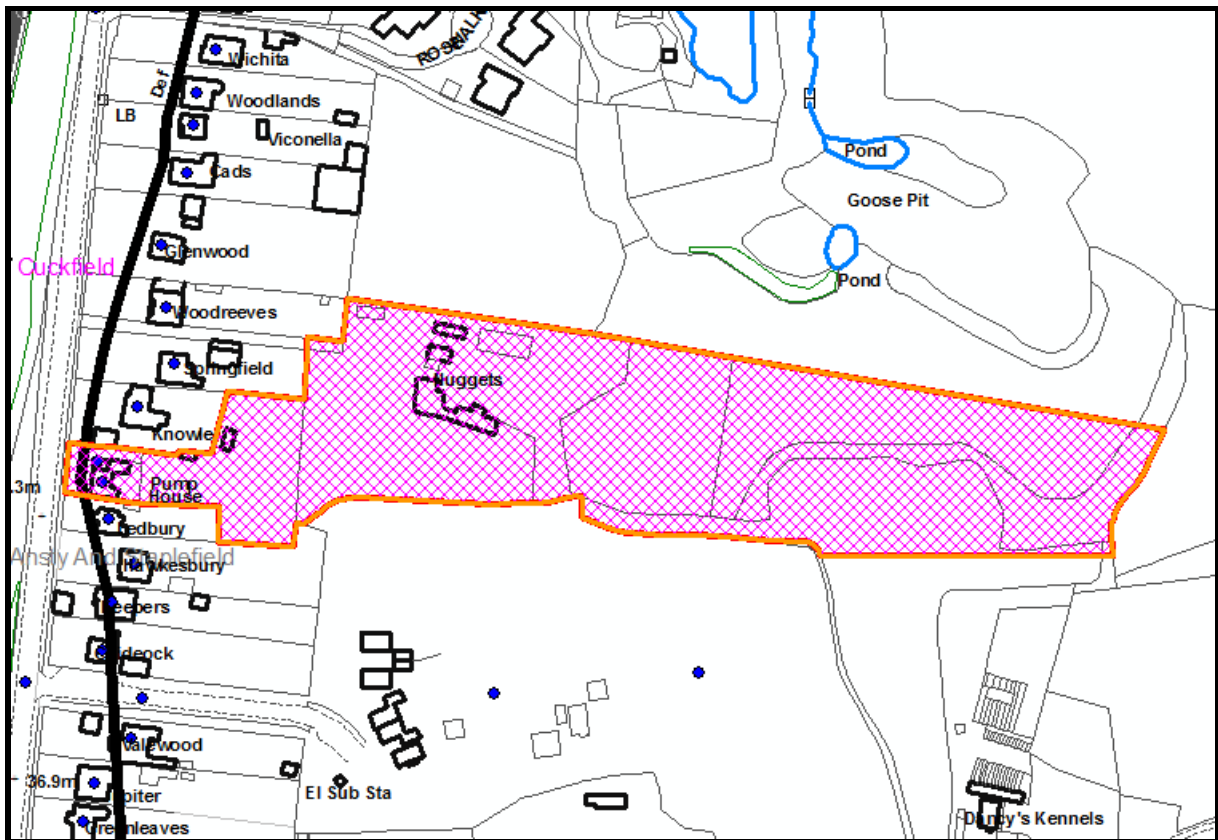
Planning Committee B

28 MAR 2019

RECOMMENDED FOR PERMISSION

Ansty And Staplefield

DM/18/4132



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**PUMP HOUSE VALEBRIDGE ROAD BURGESS HILL WEST SUSSEX
PROPOSED DEVELOPMENT OF 25 RESIDENTIAL DWELLINGS ON LAND
EAST OF VALEBRIDGE ROAD WITH THE DEMOLITION OF PUMP
HOUSE AND NUGGETS.
MR JULIAN WALKER**

POLICY: Ancient Woodland / Areas of Special Control for Adverts /
Countryside Area of Dev. Restraint / Classified Roads - 20m buffer /
Aerodrome Safeguarding (CAA) / SWT Bat Survey /

ODPM CODE: Smallscale Major Dwellings

13 WEEK DATE: 16th January 2019

WARD MEMBERS: Cllr Robert Salisbury / Cllr Pete Bradbury /

CASE OFFICER: Andrew Morrison

PURPOSE OF REPORT

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

EXECUTIVE SUMMARY

This application seeks full planning permission for the erection of 25 residential dwellings on land east of Valebridge Road, Burgess Hill following the demolition of Pump House and Nuggets dwellings.

The application site is located within the administrative areas of both Lewes District Council (within East Sussex) and Mid Sussex District Council (within West Sussex). The vast majority of the site however, including all proposed dwellings, falls within the administrative area of Lewes District Council. A duplicate planning application has been submitted to the Lewes District Council and remains pending consideration. It is for Lewes District Council only to consider the principle of development, together with all other planning issues except for the suitability of the access in highway safety and capacity terms. It is only the access into the site that is within the administrative area of Mid Sussex District Council and accordingly this is the only aspect of the proposal that requires planning permission from Mid Sussex District Council.

It is considered that a satisfactory access can be achieved into the site. The Local Highway Authority has raised no objection to the proposal, either in relation to matters of highway safety or in respect of capacity issues on the local highway network. Whilst it is undoubtedly the case that there will be an increase in vehicular movements along Valebridge Road, it is not considered that this will result in a significant loss of residential amenity to existing occupiers along the road.

In conclusion it is considered that the proposal is satisfactory in relation to access arrangements and complies with the requirements of Policies DP21 and DP26 of the Mid Sussex District Plan. The application is therefore recommended for approval.

RECOMMENDATION

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

SUMMARY OF REPRESENTATIONS

6 letters received raising the following issues:

- Unrestricted roadside parking would interfere with proposed visibility sight lines
- Boundary treatments need to be considered following demolition
- Rainfall runoff needs to be considered due to existing problems with blocked drains
- Impact upon existing water pressure
- Impact upon broadband infrastructure
- Impact upon the environment
- Impact upon already busy road
- Pavements along road in poor condition
- Lack of existing street lighting
- Speed limited should be reduced
- Inadequate infrastructure

SUMMARY OF CONSULTATIONS (full comments in Appendix B)

West Sussex County Council Highways:

No objection; recommended condition.

ANSTY AND STAPLEFIELD PARISH COUNCIL COMMENTS

The Parish Council object to this application because the site was not allocated in the Neighbourhood Plan. If the application were to get permission, they request that s106 money is allocated to the Ansty Village Centre project.

INTRODUCTION

The application seeks full planning permission for the erection of 25 residential dwellings on land east of Valebridge Road, Burgess Hill following the demolition of Pump House and Nuggets dwellings.

The vast majority of the application site falls outside the district and within the administrative boundaries of Lewes District Council, who have the same application to determine.

RELEVANT PLANNING HISTORY

There is a pending application with Lewes District Council reference LW/18/0566 for the same proposed development.

Two applications have been permitted in recent years for similar developments nearby to the south along Valebridge Road. In both these cases the vast majority of the sites were within the boundaries of Lewes District Council.

DM/16/5511 Demolition of The Rosery and the erection of 55 residential homes, with associated access, car parking, cycle parking, refuse/recycling storage and landscaping.

14/01673/FUL Demolition of Sunnybrae and Medway Gardens and erection of 29 residential homes, with associated amenity space, access, car parking, cycle parking, refuse/recycling facilities and landscaping

SITE AND SURROUNDINGS

The site is located east of Valebridge Road to the north of Burgess Hill, outside of the built up area boundary of the town as defined by the development plan.

The large majority of the application site falls within Lewes District, with a very small area at the western edge of the site adjacent to Valebridge Road falling within Mid Sussex District.

The application site is an irregular shape and extends to approximately 2 hectares. The site includes the entire property known as Pump House fronting onto Valebridge Road together with the entire property known as Nuggets which sits to the north east, tucked behind front fronting development and is accessed separately by a private drive to the north. The site area within Mid Sussex consists of the access only onto Valebridge Road.

To the north and south of Pump House are dwellings lining the eastern side of Valebridge Road. To the north of Nuggets is an area of Ancient Woodland. There is also an area of Ancient Woodland within the eastern part of the site which is to be undeveloped. To the south of the main part of the site is a new residential development 'The Millrose' currently under construction. On the opposite western side of the road is a narrow area of woodland, beyond which lies the main London-Brighton railway line.

APPLICATION DETAILS

The element of application within Mid Sussex District Council's administrative area is simply the formation of a new vehicular access onto Valebridge Road to serve the proposed development to the east.

LIST OF POLICIES

Mid Sussex District Plan 2014-2031

Adopted as part of the development plan.

Relevant policies:

DP21 Transport

DP26 Character and Design

Neighbourhood Plan

The site is not within a Neighbourhood Plan area.

National Policy and Legislation

National Planning Policy Framework (NPPF) (February 2019)

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 objective, a social objective and an environmental objective. 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. An overall aim of national policy is to 'boost significantly the supply of housing.'

Paragraph 12 of the NPPF states that the NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. It is highly desirable that local planning authorities should have an up-to-date plan in place.

Paragraph 38 of the NPPF states that Local Planning Authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

With specific reference to decision-taking paragraph 47 states that planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise.

National Planning Policy Guidance

ASSESSMENT

Given that the majority of the site falls within Lewes District Council administrative boundaries, consideration by Mid Sussex District Council is limited to the matters that fall within its administrative area, which in this case expressly relate to the repositioned/improved access onto Valebridge Road which would serve the proposed dwellings.

Highways

MSDP Policy DP21 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.

Neighbourhood Plans can set local standards for car parking provision provided that it is based upon evidence that provides clear and compelling justification for doing so.'

The reference to development not causing a severe cumulative impact reflects the advice in paragraph 109 of the NPPF, which states:

'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

The application is supported by a Transport Statement which includes trip generation data and proposed visibility splay plans. The splays show 2.4m x 160m sightlines to the north and south which do not rely on third party land. The applicant has provided West Sussex County Council Highways with additional information on request, including an access dimension plan and Stage 1 Road Safety Audit.

The proposed development would be served by an access in the form of a T-junction. The new access would be flanked by a 2m wide footway on its southern side.

In the location of the access the posted speed limit is 60mph. A 7 day speed survey has been undertaken to determine the actual 85th percentile traffic speeds. The recorded 85th percentile speeds are 49.5mph northbound and 46.8mph southbound. The proposed visibility splays take into the account these speeds.

West Sussex County Council as the Local Highway Authority for Valebridge Road has been consulted on the application and is satisfied that the design of the access and visibility from this is satisfactory. They are also of the view that the forecast additional trips generated from the development will be unlikely to have a significant and noticeable effect on traffic flows on Valebridge Road.

In light of the above it is considered that there is no conflict with the requirements of Policy DP19 of the Mid Sussex District Plan or the National Planning Policy Framework as concerns highway safety and congestion.

Other Issues

Impact on neighbouring residential amenity

Policy DP26 of the Mid Sussex District Plan seeks to protect residential amenity from significant harm.

Whilst there will be an increase in the number of vehicles using Valebridge Road, it is not considered that it could reasonably be argued that this would cause a significant loss of amenity that would conflict this policy.

Infrastructure provision

It is considered that the proposal is likely to increase demand on infrastructure within Mid Sussex because prospective residents are likely to be using facilities within Mid Sussex. Normally, with applications of this scale for residential developments, applicants would be required to mitigate the impacts of their proposals by making contributions towards infrastructure provision.

In this case, the entire development, with the exception of the access point is within Lewes District. Lewes has an adopted community infrastructure levy (CIL) charge

and this will be paid by the developer to Lewes District Council. The CIL is essentially a tariff that requires monies to be paid by developers to go towards the costs of providing infrastructure to mitigate the impacts of their developments.

In order for Mid Sussex District Council to secure infrastructure monies to go towards the costs of providing infrastructure within Mid Sussex, it will be necessary for Mid Sussex District Council to put forward a case and to bid for those monies from Lewes District Council. It would therefore not be appropriate for Mid Sussex District Council to try and seek to obtain further infrastructure monies in addition to that secured through the CIL in this case, as there is no housing development that is being constructed within Mid Sussex.

Ashdown Forest

Given that the residential development element of the application sits solely within the administrative area of Lewes District Council, it is the responsibility of this neighbouring authority and not Mid Sussex District Council to satisfy itself in relation to the Conservation of Habitats and Species Regulations 2017, and specifically the issue of atmospheric pollution on the Ashdown Forest Special Area of Conservation in relation to traffic emissions.

All the other issues raised during the consultation period have been taken into account and these other issues are either considered not to warrant a refusal of permission in relation to the matters under assessment for this authority, are items that could be dealt with effectively by planning conditions or other legislation or are not material planning considerations.

PLANNING BALANCE AND CONCLUSION

This application seeks full planning permission for the erection of 25 residential dwellings on land east of Valebridge Road, Burgess Hill following the demolition of Pump House and Nuggets dwellings.

The application site is located within the administrative areas of both Lewes District Council (within East Sussex) and Mid Sussex District Council (within West Sussex). The vast majority of the site however, including all proposed dwellings, falls within the administrative area of Lewes District Council. A duplicate planning application has been submitted to the Lewes District Council and remains pending consideration. It is for Lewes District Council only to consider the principle of development, together with all other planning issues except for the suitability of the access in highway safety and capacity terms. It is only the access into the site that is within the administrative area of Mid Sussex District Council and accordingly this is the only aspect of the proposal that requires planning permission from Mid Sussex District Council.

It is considered that a satisfactory access can be achieved into the site. The Local Highway Authority has raised no objection to the proposal, either in relation to matters of highway safety or in respect of capacity issues on the local highway network. Whilst it is undoubtedly the case that there will be an increase in vehicular

movements along Valebridge Road, it is not considered that this will result in a significant loss of residential amenity to existing occupiers along the road.

In conclusion it is considered that the proposal is satisfactory in relation to access arrangements and complies with the requirements of Policies DP21 and DP26 of the Mid Sussex District Plan. The application is therefore recommended for approval.

APPENDIX A – RECOMMENDED CONDITIONS

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

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

Approved plans

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 Application".

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

3. Before the development is occupied the proposed vehicular access to Valebridge Road shall be designed and constructed and provided with visibility zones in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The access shall be permanently maintained to a specification to be agreed with the Local Planning Authority and the visibility zones shall be kept permanently clear of any obstruction to a height of 600mm above the level of the road surface.

Reason: In the interests of road safety and to comply with Policy DP21 of the Mid Sussex District Plan.

INFORMATIVES

1. In accordance with Article 35 of the 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. The applicant will require a Section 278 minor works agreement and/or crossover licence in order to put the access in place.

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
Location Plan	17027-S101	A	22.10.2018
Proposed Site Plan	17027-P101	M	04.02.2019
Street Scene	17027-P105	A	09.10.2018
Proposed Floor and Elevations Plan	17027-P110	C	04.02.2019
Proposed Floor and Elevations Plan	17027-P111	C	09.10.2018
Proposed Floor and Elevations Plan	17027-P112	A	09.10.2018
Proposed Floor and Elevations Plan	17027-P113	A	09.10.2018
Proposed Floor and Elevations Plan	17027-P117	B	09.10.2018
Proposed Floor and Elevations Plan	17027-P118	B	09.10.2018
Proposed Floor and Elevations Plan	17027-P119	A	09.10.2018
Proposed Floor and Elevations Plan	17027-P121	-	09.10.2018
Proposed Floor and Elevations Plan	17027-P122	-	09.10.2018
Proposed Floor and Elevations Plan	17027-P123	a	04.02.2019
Highways Plans	17007-SK03		02.01.2019
Landscaping Details	BRO21295 11E	SHEET 1	02.01.2019
Landscaping Details	BRO21295 11E	SHEET 2	02.01.2019
Planning Layout	BRO21295 11E	SHEET 3	02.01.2019
Highways Plans	17007-SK01		09.10.2018
Highways Plans	17007-SK02		09.10.2018

APPENDIX B – CONSULTATIONS

Parish Consultation

The Parish Council object to this application because the site was not allocated in the Neighbourhood Plan. If the application were to get permission, they request that s106 money is allocated to the Ansty Village Centre project.

Local Highway Authority – WSCC Highways

Initial comments:

The applicant's consultant has made detailed estimates of the likely trip attraction of the proposal shown in the extract from the transport statement below:

Mode of Travel	Weekday AM Peak (08:00-09:00)		Weekday PM Peak (17:00-18:00)		Weekday Daily Movements	
	Arr	Dep	Arr	Dep	Arr	Dep
Total Person Trip Rates	0.243	0.779	0.592	0.261	4.228	4.315
Total Person Trips	6	19	15	7	106	108
Vehicular Trip Rates	0.140	0.377	0.340	0.154	2.322	2.422
Vehicular Trips	4	9	9	4	58	61

Table 5.1: Residential Trip Rates and Associated Proposed Trips

The method used to derive the trip numbers is sound and is accepted by the highway authority. It is unlikely that the additional trips will have a significant and noticeable effect on traffic flows on Valebridge Road.

The transport statement noted a cluster of road traffic collisions near the junction with Jesters well north of the site. A further, later accident was recorded in November 2017 just north of the site. This seems to have been due to factors that are not related to the road and its alignment.

An hourly bus service runs past the site and bus stops are 340 metres south of the site entrance. Further bus stops are available about 1 kilometre south of the site, together with trains at Wivelsfield Station. There are several shops at the same location. Burgess Hill's main shopping area is approximately 3 kilometres to the south, which is beyond an acceptable walking distance. There are no special facilities for cycling. Pavements provide for journeys on foot. Taking all these factors into account, the site has to be described as "sustainable" in transport terms.

The north and south visibility achievable from the proposed site entrance is adequate given the road alignment and measured vehicle speeds. However, it would be helpful if a detailed and dimensioned drawing could be provided to show the site entrance so that the junction's measurements can be checked, etc. That drawing should also be put to a road safety auditor, along with all the other necessary information, and a Road Safety Audit (RSA) and RSA response report provided via the planning system.

Further comments

Having examined in detail the road safety audit, access plan and revised site plan, the highway authority has no objection to the application. The safety audit raised no issues with any aspect of the proposal with the proviso that full details of road signs, carriageway markings and lighting should be prepared for the purposes of a Stage 2 audit. Please see our previous response for details of traffic demand, etc.

The following condition is recommended:

NEW ACCESS

Before the development is occupied the proposed vehicular access to Valebridge Road shall be designed and constructed and provided with visibility zones in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The access shall be permanently maintained to a specification to be agreed with the Local Planning Authority and the visibility zones shall be kept permanently clear of any obstruction to a height of 600mm above the level of the road surface.

The applicant will require a Section 278 minor works agreement and/or crossover licence in order to put the access in place.