

MID SUSSEX DISTRICT COUNCIL

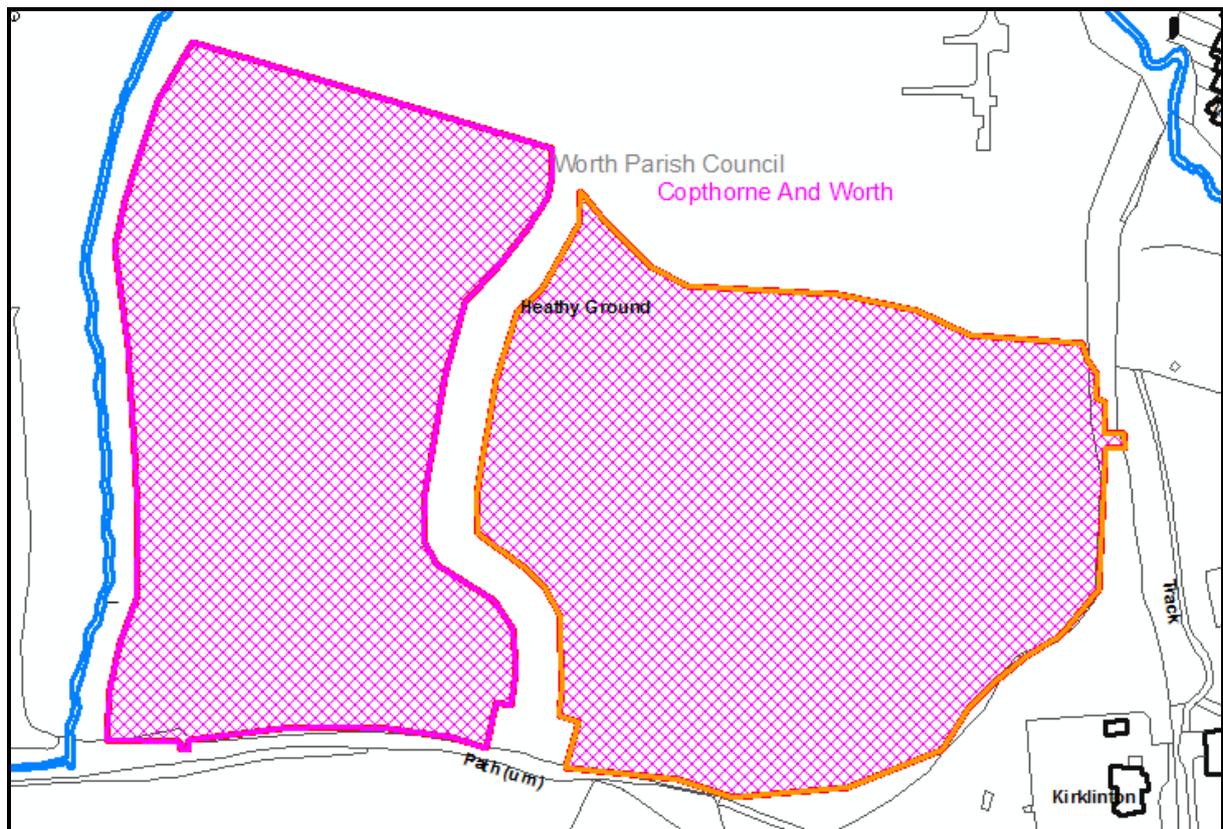
District Wide Committee

**30 MAY 2019**

RECOMMENDED FOR PERMISSION

**Worth Parish Council**

**DM/18/4321**



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**LAND WEST OF COPTHORNE COPTHORNE WAY COPTHORNE WEST SUSSEX**

**RESERVED MATTERS APPLICATION FOR THE APPROVAL OF THE LAYOUT, SCALE, APPEARANCE, LANDSCAPING, AND INTERNAL ACCESS FOR RESIDENTIAL PHASES 1 AND 2 PURSUANT TO CONDITION 1 (RESERVED MATTERS) OF OUTLINE PLANNING PERMISSION 13/04127/OUTES, COMPRISING 303 RESIDENTIAL DWELLINGS, PUBLIC OPEN SPACE, CAR PARKING, AND ASSOCIATED INFRASTRUCTURE WORKS. AMENDED PLANS RECEIVED 22/03/2019 SHOWING REVISIONS TO THE ELEVATIONAL DESIGN OF DWELLINGS WITHIN PHASE 1.**

**ST MODWEN HOMES**

POLICY: Ancient Woodland / Areas of Special Control for Adverts / Countryside Area of Dev. Restraint / Methane Gas Safeguarding / Planning Agreement / Planning Obligation / Aerodrome Safeguarding (CAA) / Radar Safeguarding (NATS) / Highways Agreement (WSCC) /

ODPM CODE: Largescale Major Dwellings

13 WEEK DATE: 23rd January 2019

WARD MEMBERS: Cllr Paul Budgen / Cllr Christopher Phillips /

CASE OFFICER: Stephen Ashdown

### **PURPOSE OF REPORT**

To consider the recommendation of the Head of Economic Promotion and Planning on the application for planning permission as detailed above.

### **EXECUTIVE SUMMARY**

This application seeks Reserved Matters consent for the layout, appearance, scale and landscaping, of the first two residential phases pursuant to the outline planning permission (13/04127/OUTES) that was granted consent by the Council under a notice dated 25th May 2016. It makes provision for 303no. dwellings, of which 91no. units will be affordable in line with the requirements of the S106 Legal Agreement.

The outline planning permission (13/04127/OUTES) granted consent for up to 500 dwellings across the wider site, commercial units, a site for a school and a site for a doctor's surgery, amongst other things. Reserved matters have already been consented for the spine road that runs through the site and the first phase of the commercial units and work has commenced on site to deliver the already consented matters, along with the associated infrastructure.

Planning legislation requires the application to be determined in accordance with the Development Plan unless material circumstances 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.

It is considered that the overall layout of the scheme can be commended, as it organised in a series of perimeter blocks with building frontages that define the street and spaces, including the attractive woodland backdrop.

The contemporary architectural approach is supported by the Council's Urban Designer and Design Review Panel and helps contribute to providing the scheme with a sense of place and an individuality that is sometimes missing from other developments, and this is aided by the sites setting and its limited wider visibility.

The scheme provides appropriate affordable housing and is acceptable in parking and highways terms.

Overall it is considered that the proposals represent a high quality design both in terms of the layout and elevational treatment of the proposed buildings. The approach shown towards landscaping is considered acceptable in principle and further details will be submitted via conditions.

In light of the above it is recommended that reserved matters consent can be granted for this proposal and that the application complies with policies DP21, DP26, DP27, DP30, DP31, DP37, and DP41 of the District Plan.

### **RECOMMENDATION**

It is recommended that permission be granted subject to the conditions suggested in Appendix A.

### **SUMMARY OF REPRESENTATIONS**

One letter of objection received making the following points;

- Proposed house are bland and unimaginative.
- Character of housing does not reflect that within Copthorne Village and east of M23.
- Should incorporate some of the attributes that contribute to the cohesiveness and sense of place of Copthorne - i.e. twittens.
- Plans should show footpath closed during construction.
- Development must be future proofed - electric car charging points.
- If parking in private lanes cannot be used by all, then overall visitor parking is inadequate.

### **SUMMARY OF CONSULTATIONS**

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

#### **MSDC Urban Designer**

The layout has unfortunately lost the strong and organic form of the outline scheme's illustrative masterplan; in particular the series of concentrically curved streets have been replaced with a less holistic layout with angles replacing the curves. This has been determined by the approved parameter plans that set out the alignment of the primary street and, to some extent, the secondary streets.

The layout nevertheless can be commended for being organised as a series of perimeter blocks encircled by connecting routes and characterised by building frontages that define the streets and spaces including the attractive woodland boundary that surrounds the site. The revised drawings have taken the opportunity to

reduce the dominance of the parking and employ more consistent building lines that define the streets better.

The contemporary architectural language is supported by the Design Review Panel (DRP) and contributes to give the scheme some individuality and sense of place; while on the other hand the woodland boundaries ensure there is limited inter-visibility with the wider surrounds that allows some architectural flexibility. Overall the revised drawings have responded positively to my previous comments and resulted in improvements to the building design as well as the layout, and I therefore raise no objections to the planning application.

While the DRP liked the consistent architectural approach adopted across the site, the significant size of the scheme warrants a little more variety; for this reason and to secure the quality of the finish, I would like the facing materials to be subject to a condition. I also recommend conditions.

#### Additional comments

The revised drawings introduce changes to the articulation of the building facades in phase 1 of the scheme, west of the spine road. This change is welcomed in principle as it introduces some diversity to the development which is particularly needed given its size. Some detailed issues raised, conditions requested.

#### **MSDC Design Review Panel**

The panel support the scheme subject to suggested changes and considerations.

#### **MSDC Housing**

No objection.

#### **MSDC Drainage**

To be reported.

#### **MSDC Waste Services**

The site appears to be accessible for refuse collection vehicles used by MSDC. Some points of clarification raised.

#### **MSDC Leisure**

No objection.

#### **WSCC Highways**

The Highway Authority has no objections to the approval of planning application DM/18/4321 subject to the inclusion of conditions on the following matters on any permission granted.

## **Thames Water**

Following initial investigations, Thames Water has identified an inability of the existing foul water network infrastructure to accommodate the needs of this development proposal. Thames Water request that the following condition be added to any planning permission. No properties shall be occupied until confirmation has been provided that either:

- all wastewater network upgrades required to accommodate the additional flows from the development have been completed; or
- a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied

## **Environmental Agency**

We have no comments to make as long as the works do not impact within 8m of the stream (8m buffer zone. This included building materials within 8m during construction and damage to tree roots that are within 8m). We'd also ask that lighting doesn't impact the buffer zone (wildlife friendly lighting which is directed away from the watercourse).

## **Sussex Police**

I was very pleased to note that the amended site masterplan P18, dated 10/12/2018, allayed the majority of my previous concerns conveyed within my letter of PE/MID/18/20/A by implementing the enclosure of the LEAP with railings and gate along with gated parking courts behind the primary streets to control access into them. However, I recommend that these gates are automated. If not these will be opened initially and left in the open position permanently, thus negating the purpose of the secure gate parking court.

My concerns over the potential congestion that may occur due the proposed school access point are extant.

## **Environment Agency**

No objection.

## **NATS Safeguarding**

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company (NERL) has no safeguarding objection to the proposal.

## **Gatwick Airport**

No objection.

## **WORTH PARISH COUNCIL**

This application was reconsidered by the Planning and Highways Committee on 15 April 2019.

With reference to our letters dated 28 November 2018 and 11 January 2019, we still have issues with the following, which refer to the Assessment (Consideration of Key Issues) , with the Officers report.

### *Basic Design*

We have no particular problems with layout but do not consider that the design of the dwellings meet the "reflect the distinctive character of the towns and villages" brief specified within DP26. In our view what is proposed is bland, limited type repetitive structures which represent a completely missed opportunity given the setting.

### *Highways and Parking*

We are still of the view that total parking capacity is inadequate and that this development will quickly be over run with vehicles due to short sighted policy. The mix of housing and location suggests that there will be a significant requirement for the parking of light commercial vehicles associated with work; where do these fit into the 761 places and what happens to visitor parking when this has been absorbed. It does not make sense to under-provide parking or tune parking to the minimum requirement at this stage of the development.

### *Landscape*

An overall landscaping scheme has been submitted but this would only appear to reflect what happens within the developed areas. We need to see a scheme which shows how the developed areas connect with the undeveloped areas of land and woodland, to enable their use for recreation and pleasure and to add to the sense of place. We have persistently asked where the "free run" play areas are , how do the informal and formal areas connect to footpaths and cycles way , has the detail and route of the proposed access to the village been agreed . We so far have had very few answers.

### *Sustainability*

This development by its very location and single point access will be very car dependent and will continue to be so throughout its foreseeable life. We asked that the development be future proofed for the use of electric cars by providing charging points for electric cars. From bullet point five under sustainability it would appear that 158 owners of garages will be accommodated but the remainder of the 303 properties will not. This in our view cannot be considered future proofing or sustainable. We do not consider that DP39 has been fully complied with.

The parish Council is of the view that there are still areas of outstanding concern which need to be addresses before approval.

Comments from the 28th November can be found in appendix B.

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## **INTRODUCTION**

This application seeks Reserved Matters for the approval of the appearance, landscaping, layout and scale for residential phases one and two of outline planning permission 13/04127/OUTES, consisting of a total of 303no. dwellings. Accordingly the principle of the development has been established.

The application was withdrawn from the agenda for the District Committee in March 2019 by officers as the applicant wished to submit amended plans for phase 1 of the scheme (west of the spine road) to introduce a different product type. These plans have been re-advertised and your Urban Designer has provided additional comments especially in relation to these amended plans. It should be noted that his previous comments (both of which are summarised and set out in Appendix B) are relevant in the determination of the application.

It is the amended scheme that is presented to committee for determination.

## **RELEVANT PLANNING HISTORY**

13/04127/OUTES; Outline planning application for up to 500 dwellings, a primary school and doctors surgery, a primary school, up to 15,000sqm employment floorspace (B1c light industry/B8 storage and distribution), public open space, allotments and associated infrastructure - Approved 25th May 2016.

DM/17/4875; Reserved matters application for access road to the employment area (phase A4), cycle footpath (phase A5ii), strategic landscaping and land forming for phase L1 - Approved 19th April 2018.

DM/18/2120; Reserved matters application for spine road and associated infrastructure and landscaping - Approved 22nd October 2018.

DM/18/3874; Reserved matters application for B8 warehouse building, service yard, parking area and associated infrastructure - Approved 18th January 2019.

## **SITE AND ITS SURROUNDINGS**

The site forms part of the wider development site that is located to the west of the Copthorne Village, and east of the M23. The A264 (Copthorne Way) lies to the south and provides access to the wider site via a newly constructed roundabout.

The application site lies to the north of the strategic landscape area that is adjacent to the A264 and is bounded by the Burstow stream to the west and retained woodland to the east. A belt of retained trees forms the southern boundary and separates the site from strategic landscaped area/access road to A264.

The site covers approximately 8 hectares in area and is mainly flat and cleared of vegetation. The redline is drawn tightly around the two proposed residential phases

and does not include the spine road, that separates them, as this already has consent and is to be delivered by the overall master developer.

## **APPLICATION DETAILS**

The application seeks approval of the details associated with the layout and design of 303 dwellings, which represents residential phases one and two of the wider development.

The submitted details show a total of 303n. dwellings, of which 91no. dwellings will be affordable. It is proposed that a range of dwelling types will be provided including one and two bedroom apartments and two, three, four and five bedroom dwellings. A mix of flats, terraced, semi-detached and detached dwellings are proposed, along with two bungalows.

The proposed buildings are a mix of two and two and half storeys, with three storey buildings limited to the apartment buildings proposed at the northern end of the site.

Parking is to be provided as mix of garages, on-plot, rear parking courts and off street parking areas. In order to break up the area of some of the larger off street parking areas, pergolas are proposed. Visitor parking is also proposed in various areas across the application site.

The applicants are proposing a contemporary approach to design that borrows from 'the local aesthetic', with simple rectangular forms and large openings. It is proposed that the dwellings will be finished in a mix of brick, tile hanging and boarding. The applicants have introduced a further product type to phase 1 of the development (west of the spine road), which changes the articulation of the dwelling facades from that to phase 2. The applicants are proposing four different character approaches centred on the primary streets, secondary streets, minor streets and mews streets.

As part of the application the applicants are seeking the discharge of a number of planning conditions associated with this phase of development that are attached to the outline planning permission, these include Condition 8 (Construction Management Plan), Condition 9 (Construction Environmental Management Plan), Condition 10 (Ecological Enhancement Scheme), Condition 11 (Bat Sensitive Lighting) and condition 14 (Surface Water).

## **LIST OF POLICIES**

### **Mid Sussex District Plan**

The District Plan was adopted at Full Council on the 28th March 2018

Relevant policies include;

DP21: Transport  
DP26: Character and Design  
DP27: Dwellings Space Standards  
DP30: Housing Mix

DP31: Affordable Housing  
DP37: Trees, Woodland and Hedgerows  
DP41: Flood Risk and Drainage

## **Worth Neighbourhood Plan - Copthorne**

Regulation 14 Draft Plan published. Consultation finished 30th April 2017.

Material planning consideration but little weight.

## **National Policy and Legislation**

*National Planning Policy Framework (NPPF) (Feb 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 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. An overall objective of national policy is "significantly boosting the supply of homes"

Paragraphs 10 and 11 apply a presumption in favour of sustainable development. Paragraph 11 states:

*"For decision-taking this means:*

*c) approving development proposals that accord with an up-to-date development plan without delay; or*

*d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."*

However, paragraph 12 makes clear that:

*"The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take*

*decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed."*

Paragraph 15 states:

*"The planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings."*

With specific reference to decision-taking, the document provides the following advice:

Paragraph 38 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."*

Section 12 of the NPPF concerns design and para 121 states in part:

*'The creation of high quality buildings and places is fundamental to what the planning and development process should achieve.'*

Para. 130 states in part:

*Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.'*

Planning Practice Guidance

Technical Housing Standards: Nationally Described Space Standard (Mar 2015)

### **Assessment (Consideration of Key Issues)**

In determining this reserved matters application the key issues to consider are as follows;

- Layout and Design
- Housing Mix
- Affordable Housing
- Highways and Parking
- Dwelling Space Standards
- Drainage

- Landscape
- Sustainability
- Other Matters
- Conditions

## **Layout and Design**

The application has been assessed by your Urban Designer and the MSDC Design Review Panel (DRP) and as a result of comments made the application has been amended in order to try and address concerns raised. Furthermore the applicants have introduced a revised dwelling product to phase 1 of the scheme in order create greater diversity within the proposed development. It is the scheme as amended that is before members.

In respect of the policy position, DP26 of the District Plan requires development to be well designed and reflect the distinctive character of the towns and villages and 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 DP27);*
- *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*

Section 12 of the NPPF sets out the Government's position on 'achieving well-designed places' and more specifically paragraph 129 states that '*local authorities should ensure that they have access to, and make appropriate use of, tools and processes for accessing and improving the design of development' and 'in assessing applications, local planning authorities should have regard to the outcome from these processes, including any recommendations made by design review panels'*. Paragraph 130 states that '*where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to the development'*.

In respect of the layout, your Urban Designer has stated;

*"The layout has unfortunately lost the strong and organic form of the outline scheme's illustrative masterplan; in particular the series of concentrically curved streets have been replaced with a less holistic layout with angles replacing the curves. This has been determined by the approved parameter plans that set out the alignment of the primary street and, to some extent, the secondary streets.*

*The layout nevertheless can be commended for being organised as a series of perimeter blocks encircled by connecting routes and characterised by building frontages that define the streets and spaces including the attractive woodland boundary that surrounds the site. The revised drawings have taken the opportunity to reduce the dominance of the parking and employ more consistent building lines that define the streets better".*

Officers agree with your Urban Designer's comments with regard to the layout of the scheme.

In relation to the appearance of the buildings your Urban Designer has stated;

*"The contemporary architectural language is supported by the Design Review Panel (DRP) and contributes to give the scheme some individuality and sense of place; while on the other hand the woodland boundaries ensure there is limited inter-visibility with the wider surrounds that allows some architectural flexibility. Overall the revised drawings have responded positively to my previous comments and resulted in improvements to the building design as well as the layout, and I therefore raise no objections to the planning application".*

Moreover, the introduction of the further product, which has differing articulation to the building facades is welcomed as it provides some diversity which given the overall size of the development is important to help create a sense of place.

Both the Urban Designer and the DRP support the architectural approach put forward by the applicant.

It is acknowledged that the Urban Designer has raised a number of detailed points in respect of the revised dwelling approach to phase 1 and while a condition is suggested to address some of the detailing points, it is not been possible to address them all and in this context the proposed development from a design and layout perspective has to be considered as a whole.

The comments of the Parish Council on this matter are noted and the issue of design is very much one of subjective opinion. Given the location of the site and general lack of indivisibility with the wider surrounds the site does lead itself to a more contemporary approach and it is your officer's view that the proposals do provide for a high quality design that will create a sense of place individual to this development, which can be criticism of other proposals.

Having regard to the comments of the Urban Designer and the DRP and having regard to the design and layout of the development as a whole, it is considered that on the matter of layout and design the proposals comply with Policy DP26 of the District Plan and the policies and objectives of the NPPF.

### **Housing Mix**

Policy DP30 of the District Plan seeks to support sustainable communities and sets out that housing development will provide a mix of dwellings types and sizes that reflect current and future local housing needs. Furthermore, developments should meet the current and future needs of different groups in the community, which could include the provision of bungalows and other forms of sustainable accommodation.

The scheme before members shows the following mix;

One bed flats - 23no.

Two bed flats - 19no.

Two bed houses - 46no.

Two bed bungalows - 2no.

Three bed houses - 99no.

Four bed houses - 110no.

Five bed houses - 4no.

The above mix is split between private (70 per cent) and affordable (30 per cent) and it is considered that it represents a suitable balance to meet the current and future housing needs.

It is considered that the application complies with Policy DP30 of the District Plan.

### **Affordable Housing**

Policy DP31 of the District Plan seeks to secure 30 per cent affordable housing from developments containing 11 or more dwellings of which 75 per cent would be social rented and 25 per cent shared ownership.

The applicant is proposing a development of 303no. dwellings which gives rise to an onsite affordable housing requirement of 30 per cent (91 units). Housing has no objection stating:

*"The applicant is proposing 303 residential dwellings on Phases 1 and 2 of this multi-phase development. The affordable housing requirement is for 30 per cent onsite and the applicant is complying with policy by providing 91 units, with 30 per cent affordable in each of the Phases. The tenure split reflects current policy with 75 per*

*cent rented units and 25 per cent shared ownership. The applicant has adhered to our clustering policy and the social housing is well integrated across the site. The agreed mix is set out below (including 2 x 2 bed bungalows for wheelchair users) and will meet a broad range of housing needs".*

In light of the above it is considered that the application would comply with Policy DP31 of the District Plan.

## **Highways and Parking**

Policy DP21 the Mid Sussex District Plan requires development to: be sustainably located to minimise the need for travel; promote alternative means of transport to the private car, including provision of suitable facilities for secure and safe cycle parking; not cause a severe cumulative impact in terms of road safety and increased traffic congestion; be designed to adoptable standards, or other standards as agreed by the Local Planning Authority, including road widths and size of garages; and provide adequate car parking in accordance with parking standards as agreed by the Local Planning Authority or in accordance with the relevant Neighbourhood Plan.

Access and highways issues were addressed in detail at outline application stage and the details of the spine road, which split phases one and two, have been agreed under a separate reserved matters approval.

The submitted details show that it is the intention of the applicant to put all roads on the development for adoption except those labelled as 'private lane' and the 'mews'.

The Local Highway Authority have reviewed the application and sought a number of clarifications/amendments from the applicant that are reflected in the scheme before members. In respect of the street formation they have stated;

*'The proposed inter-connected street layout is considered to provide a permeable network. The design and layout of the roads are designed in a way to facilitate a design speed of 20mph and appropriate visibility splays for the design speed are provided. A 4.8m carriageway width and 2m footpath on both sides of the road is proposed on all the minor and secondary streets. In the shared surface areas a 4.8m carriageway and 2m delineated footpath on one side are provided'.*

The Local Highway Authority are satisfied that the proposed street layout will not give rise to any highway or pedestrian safety issues and have not raised an objection to the proposal in relation to these matters.

In terms of parking the applicants are proposing a total of 761no. parking spaces across the site on the basis of the following provision split;

- Allocated parking bay - 188no.
- Garages - 153no.
- On plot parking bay - 385no.
- Visitor parking by - 35no.

The Council's parking standards are set out within the SPD 'Development Infrastructure and Contributions' (adopted 2018) and state the following requirements;

- 1 bed dwellings 1 car space per dwelling and 1 cycle space per dwelling
- 2/3 bed dwellings 2 spaces per dwelling and 2 cycle spaces per dwelling
- 4 bed dwellings 3 spaces per dwelling and 2 cycle spaces per dwelling
- 5+ bed dwellings Car and cycle parking to be assessed individually

As part of their submission the applicants have provided a comparison of the car parking level against the WSCC Car Parking Demand Calculator that forecasts that there would be a likely parking demand from a development of this scale, in this location, of 769no. spaces (709no. residents and 60no. visitor). While this is useful comparison, it is the Council's standards that are applicable in the determination of this application.

Having regard for the proposed scheme, the parking arrangements represents an over provision against the minimum standard of 60no. spaces. The Council's requirements do not make any allowance for visitor parking, for which the applicant is proposing 35no., however it should be noted that while a number of the properties, particularly on the outer edge of the development have an on-plot oversupply, there are 6no properties are fall short of the Council standards by one space.

The comments of the Parish Council on this issue are noted and there are no physical barriers that would prevent use of the private lanes by people other than the occupiers of the properties. In conclusion on this matter the Local Highway Authority state;

*'The overall level of car parking proposed is not considered to lead to significant levels of overspill car parking that would warrant a reason for refusal'.*

It is recognised that six of the proposed properties (plots 113, 114, 246, 256, 257 and 262) do not meet the minimum standards as set out in the Council's SPD by one space in each case, however, the overall level of provision across the site is in excess, and includes visitor parking (not a requirement of the SPD). Having regard to the position of the Local Highway Authority on this matter, it is considered that proposed level of parking across the site is acceptable.

In light of the above it is considered that the application from a highway safety and parking perspective complies with Policy DP21 of the Mid Sussex District Plan.

### **Dwelling Space Standards**

Policy DP27 of the District Plan sets out the minimum nationally describe space standards will be applied to all new residential development and that all dwellings will be required to meet them, other than in exceptional circumstances.

The applicants have made revisions to the scheme as originally submitted in order to ensure that all their proposed properties comply with the nationally described space

standards. Officers are content that the scheme before members meets the required standards and that the application conforms to Policy DP27 of the District Plan.

## **Landscaping**

Policy DP37 of the Mid Sussex 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'*. Furthermore, Policy DP26 requires layouts to include appropriate landscaping and greenspace.

To support their application, the applicants have submitted a masterplan that sets out the proposed overall strategy for landscaping across the two residential parcels subject to this reserved matters application. The plan identifies that planting in locations along the secondary and minor roads is intended, along with possible species for various planting situations. It should be noted that the site is currently cleared of vegetation, with all retained trees lying outside the development area within the woodland fringes.

It should be noted that the detail of the landscaping scheme will be submitted via the condition discharge process and condition 16 of the outline planning permission requires a landscape management plan for all non-privately owned domestic gardens. A further, more standard landscaping condition is proposed, to ensure the details of the domestic gardens are appropriate.

On the basis of the above, officers are content that the landscaping matters as they stand comply with Policies DP26 and DP37 of the District Plan.

## **Drainage**

In respect of surface water, Policy DP41 in the District Plan seeks to ensure development is safe across its lifetime and not increase the risk of flooding elsewhere. Paragraph 163 of the National Planning Policy Framework states:

*'When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:*

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;*
- b) the development is appropriately flood resistant and resilient;*
- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;*
- d) any residual risk can be safely managed; and*
- e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.'*

An overall drainage strategy for the wider development site, submitted by the master developer, has been approved by the Council and this sets out the general principles across the site as well as the proposed discharge rates. The details submitted in support of this application have been considered in the context of this overall strategy.

The proposed strategy relies heavily on the storage of surface water through a series of underground tanks, the main being along the western edge of the site that would be located within the 20m buffer to Burstow Stream tributary (condition 15 of outline consent). This tank replaces a previously indicated swale (site wide drainage strategy). Your drainage officer has been in discussions with the applicants in order to try and improve the surface water scheme and the latest drawings show a number of impermeable paving areas being introduced.

The final comments of your drainage engineer are awaited and while the benefits of the tank, opposed to a swale, have been raised no formal objection has been received at the time of writing this report. The Environmental Agency have been contacted regarding any concerns that they may have with regard to the tank within the stream buffer area (which has no statutory status such as ancient woodland buffer), and they have not raised an objection providing that all works are outside 8m from the stream.

The final details of the surface water drainage scheme will need to be considered under a separate condition discharge application in relation to condition 14 of the outline planning permission. At that time, should revisions to the layout of the scheme be required in order to accommodate the approved details, then the applicants would need to address them through a further reserved matters submission, depending upon the nature of any changes required. At present there is no evidence in front of officers that suggest that this reserved matter cannot be determined.

In terms of foul water, then the comments of Thames Water are noted. The Council have approved details associated with condition 20 of the outline planning permission, in consultation with Thames Water, which states;

*'Prior to the commencement of development of the site (excluding site clearance/preparation and/or demolition and/or other enabling), details of the proposed foul drainage and means of disposal, including on and/or off site works, shall be submitted and approved in writing by the Local Planning Authority, in consultation with Thames Water, and no dwelling/building shall be occupied, nor any discharge from the site into the public sewer shall be accepted, until all drainage works have been carried out for that phase in accordance with such details as approved by the Local Planning Authority. The details shall include a timetable for its implementation and a management plan for the lifetime of the development which shall include arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.'*

The suggested condition from Thames Water appears to overlap with the requirements of the condition attached, and discharged, on the outline planning

permission that restricts the occupation of any building until such time as the approved details for that phase have been completed.

Having regard for all the above, it is considered that there is no evidence before officers to suggest that the application fails to comply with Policy DP41 of the District Plan.

### **Sustainability**

Policy DP39 of the District Plan seeks to improve the sustainability of developments and the applicants have set out their Design and Access statement how they are seeking to do this. They are adopting a fabric first approach and they state the following measures will ensure a sustainable community;

- Energy efficient fabric to reduce embodied energy and reduce heating bills
- Sustainable Urban Drainage Strategies
- Robust material used in the street design with an enduring quality to withstand the test of time
- Site waste management plan and construction environment plan to reduce waste and limit impacts during construction
- Electric car charging points within garages

It is considered that the application on with regard to these matters complies with Policy DP39 of the District Plan.

### **Other Matters**

The applicants have supplied details of the proposed play area, which is located at the northern end of the site, adjacent to the boundary with phase there (which is yet to come forwards). The applicants have addressed comments raised by your leisure officer concerning the proposed equipment and general layout and it is considered that this element of the proposal is now acceptable. A suitable worded condition will ensure that it is delivered in accordance with the submitted details.

The comments of your waste office are noted and it is not intended that the private lanes will be gated and the applicants are aware of the need for them to be constructed to a suitable standard to take the weight of the freighters. In respect of the arrangements in relation to the plots 6 to 10 the concerns are again noted, however the applicants have made provision for bin storage in respect of these plots through their latest set of amended plans.

The applicants are proposing to provide garages that are sized (3m x 6m) to store cars and bikes, with dedicated cycle facilities in back gardens and apartment blocks, where there is no garage. The Local Highway Authority is content with the level of provision being made and also the amended details regarding the nature of the cycle stands to be provided.

## **Conditions**

As set out earlier in the report, the applicants are seeking to discharge a number of conditions as part of this application. It should be noted in the event that details cannot be approved as part of this application, the applicants would need to be submitted a separate discharge of condition application.

It is considered that the submitted Construction Environmental Management Plan is sufficient to discharge conditions 8 and 9 of the outline planning permission in relation to the residential phases contained within this application only. Similarly, the details submitted in relation to condition 11 are considered acceptable.

It is not considered that conditions 10 and 14 cannot be discharged at this time.

## **Planning Balance and Conclusion**

This application seeks Reserved Matters consent for the layout, appearance, scale and landscaping, of the first two residential phases pursuant to the outline planning permission (13/04127/OUTES) that was granted consent by the Council under a notice dated 25th May 2016. It makes provision for 303no. dwellings, of which 91no. units will be affordable in line with the requirements of the S106 Legal Agreement.

Planning legislation requires the application to be determined in accordance with the Development Plan unless material circumstances 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.

It is considered that the overall layout of the scheme can be commended, as it organised in a series of perimeter blocks with building frontages that define the street and spaces, including the attractive woodland backdrop.

The contemporary architectural approach is supported by the Council's Urban Designer and Design Review Panel and helps contribute to providing the scheme with a sense of places and an individuality that is sometimes missing from other developments and this is aided by the sites setting and its limited wider visibility.

The scheme provides appropriate affordable housing and is acceptable in parking and highways terms.

Overall it is considered that the proposals represent a high quality design both in terms of the layout and elevational treatment of the proposed buildings. The approach shown towards landscaping is considered acceptable in principle and further details will be submitted via conditions.

In light of the above it is recommended that reserved matters consent can be granted for this proposal and that the application complies with policies DP21, DP26, DP27, DP30, DP31, DP37, and DP41 of the District Plan.

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## APPENDIX A – RECOMMENDED CONDITIONS

1. Prior to the commencement of construction of any dwelling or building subject of this permission, including construction of foundations, full details of a hard and soft landscaping scheme shall be submitted to and approved by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land, and details of those to be retained, together with measures for their protection in the course of development. These works shall be carried out as approved. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed by the Local Planning Authority. 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 and of the environment of the development and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

2. Prior to the commencement of construction of any dwelling or building subject of this permission, including construction of foundations, a schedule/sample of materials and finishes to be used for external walls and roof of the proposed dwellings have been submitted to and approved by the Local Planning Authority. The works shall be carried out in accordance with the approved details unless otherwise agreed with the Local Planning Authority

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

3. Prior to the commencement of construction of any dwelling or building subject of this permission, including construction of foundations, typical architectural details of the following shall be submitted to and approved in writing with the Local Planning Authority;
  - Balustrading
  - Brick detailing
  - Window Design and Reveals

The above details shall be provided by large scale elevation and section drawings at 1:20 scale that show these elements in the context of front façade. The development shall only be implemented in accordance with the approved details.

Reason: To ensure the architectural quality of the development and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

4. The development shall only be implemented in accordance with the details relating to fencing and enclosures, as shown on the approved drawings listed below, unless first agreed in writing with the Local Planning Authority.

Reason: To control the appearance of the development and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

5. The development shall only be implemented in accordance with the details relating to the play area, as shown on the approved drawing below, unless first agreed in writing with the Local Planning Authority.

Reason: To ensure that suitable play provision is provided and to accord with Policy DP20 of the Mid Sussex District Plan 2014 - 2031.

6. No part of each phase of development shall be first occupied until the respective roads, footways, and casual parking areas serving that phase of development have been constructed, surfaced, and drained in accordance with plans and details to be submitted to and approved by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.

Reason: To secure satisfactory standards of access for the proposed development and to accord with Policy DP21 of the Mid Sussex District Plan 2014 - 2031.

7. No dwelling shall be first occupied until the car and cycle parking serving the respective dwelling has been constructed in accordance with the approved site plan. Once provided the spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide adequate car and cycle parking space for the use and to promote alternative sustainable travel options and to accord with Policy DP21 of the Mid Sussex District Plan 2014 - 2031.

## 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. Gatwick Airport requires a minimum of four weeks notice. For crane queries/applications please email [gal.safeguarding@gatwickairport.com](mailto:gal.safeguarding@gatwickairport.com) The crane process is explained further in Advice Note 4, 'Cranes and Other Construction Issues', (available from <http://www.aoa.org.uk/policy-campaigns/operations-safety/>)
3. The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the proposed adoptable on-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that any works commenced prior to the S38 agreement being in place are undertaken at their own risk.

## Plans Referred to in Consideration of this Application

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Submitted Date</b>
Proposed Floor and Elevations Plan	R9043-STN-18-ZZ-DR-A-2101	P21	25.01.2019
Proposed Floor and Elevations Plan	R9043-STN-18-ZZ-DR-A-3201	P21	25.01.2019
Proposed Floor and Elevations Plan	R9043-STN-19-ZZ-DR-1-2401	P21	25.01.2019
Planning Layout	R9043-STN-18-00-DR-A-0115	P40	13.05.2018
Proposed Floor and Elevations Plan	R9043-STN-18-ZZ-DR-A-1401	P21	28.01.2019
Landscaping Details	R9043-LLA-18-GF-DR-L-0301	P03	24.10.2018
Landscaping Details	9043-LLA-18-GF-DR-L-0001	P04	24.10.2018
Highways Plans	00-DR-C-220	E	25.01.2019
Highways Plans	00-DR-C-221	E	25.01.2019
Highways Plans	00-DR-C-0002	C	25.01.2019
Highways Plans	00-DR-C-410	C	28.01.2019
Highways Plans	00-DR-C-403	C	28.01.2019
Highways Plans	00-DR-C-411	C	28.01.2019
Highways Plans	00-DR-C-412	C	28.01.2019
Highways Plans	00-DR-C-413	C	28.01.2019
Location Plan	R9043-STN-18-00-DR-A-0100	P10	24.10.2018
Highways Plans	00-DR-C-400	C	28.01.2019
Highways Plans	00-DR-C-401	C	28.01.2019
Highways Plans	00-DR-C-402	C	28.01.2019
Proposed Site Plan	R9043-STN-18-00-DR-A-0102	P40	13.05.2019
Proposed Site Plan	R9043-STN-18-00-DR-A-0103	P40	13.05.2019
Parking Layout	R9043-STN-18-00-DR-A-0106	P40	13.05.2019
Proposed Site Plan	R9043-STN-18-00-DR-A-0105	P40	13.05.2019
Proposed Roof Plan	R9043-STN-18-00-DR-A-0104	P40	13.05.2019
Proposed Site Plan	R9043-STN-18-00-DR-A-0107	P40	13.05.2019
Proposed Floor and Elevations Plan	R9043-STN-18-00-DR-A-8000	P10	24.10.2018
Proposed Floor and Elevations Plan	R9043-STN-18-00-DR-A-8001	P10	24.10.2018
Proposed Floor and Elevations Plan	R9043-STN-18-00-DR-A-8002	P10	24.10.2018
Proposed Floor and Elevations Plan	R9043-STN-18-00-DR-A-8003	P18	24.10.2018
Proposed Floor and Elevations Plan	R9043-STN-18-00-DR-A-8004	P19	24.10.2018
Proposed Floor and Elevations Plan	R9043-STN-18-00-DR-A-9000	P10	24.10.2018

Proposed Floor and Elevations Plan	R9043-STN-18-00-DR-A-9001	P18	24.10.2018
Proposed Site Plan	R9043-STN-18-00-DR-A-0108	P40	13.05.2019
Proposed Site Plan	R9043-STN-18-00-DR-A-0109	P40	13.05.2019
Proposed Site Plan	R9043-STN-18-00-DR-A-0111	P40	13.05.2019
Street Scene	R9043-STN-18-00-DR-A-0117	P18	12.03.2019
Street Scene	R9043-STN-18-00-DR-A-0118	P17	24.10.2018
Proposed Floor and Elevations Plan	R9043-STN-18-ZZ-DR-A-1101	P40	13.05.2019
Proposed Floor and Elevations Plan	R9043-STN-18-ZZ-DR-A-1201	P21	28.01.2019
Proposed Floor and Elevations Plan	R9043-STN-18-ZZ-DR-A-1401	P21	11.12.2018
Proposed Floor and Elevations Plan	R9043-STN-18-ZZ-DR-A-1501	P21	25.01.2019
Proposed Floor and Elevations Plan	R9043-STN-18-ZZ-DR-A-1701	P21	25.01.2019
Proposed Floor and Elevations Plan	R9043-STN-18-ZZ-DR-A-1901	P21	25.01.2019
Proposed Floor and Elevations Plan	R9043-STN-18-ZZ-DR-A-2001	P21	25.01.2019
Proposed Floor and Elevations Plan	R9043-STN-18-ZZ-DR-A-2201	P21	25.01.2019
Proposed Floor and Elevations Plan	R9043-STN-18-ZZ-DR-A-2301	P21	25.01.2019
Proposed Floor and Elevations Plan	R9043-STN-18-ZZ-DR-A-2501	P21	25.08.2019
Proposed Floor and Elevations Plan	R9043-STN-18-ZZ-DR-A-2701	P21	25.01.2019
Proposed Floor and Elevations Plan	R9043-STN-18-ZZ-DR-A-2901	P21	25.01.2019
Proposed Floor and Elevations Plan	R9043-STN-18-ZZ-DR-A-3101	P21	25.01.2019
Proposed Floor and Elevations Plan	R9043-STN-18-ZZ-DR-A-3301	P21	25.01.2019
Proposed Floor and Elevations Plan	R9043-STN-18-ZZ-DR-A-3501	P21	25.01.2019
Proposed Floor and Elevations Plan	R9043-STN-18-ZZ-DR-A-3701	P21	25.01.2019
Proposed Floor and Elevations Plan	R9043-STN-18-ZZ-DR-A-3702	P21	25.01.2019
Proposed Floor and Elevations Plan	R9043-STN-18-ZZ-DR-A-3901	P21	25.01.2019
Proposed Floor and Elevations Plan	R9043-STN-18-ZZ-DR-A-4101	P21	25.01.2019
Proposed Floor and Elevations Plan	R9043-STN-18-ZZ-DR-A-4201	P21	25.01.2019
Proposed Floor and Elevations Plan	R9043-STN-18-ZZ-DR-A-4301	P21	25.01.2019
Proposed Floor and Elevations Plan	R9043-STN-18-ZZ-DR-	P21	25.01.2019

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Proposed Floor and Elevations Plan	R9043-STN-18-ZZ-DR-A-4601	P21	25.01.2019
Proposed Floor and Elevations Plan	R9043-STN-18-ZZ-DR-A-4801	P22	25.01.2019
Proposed Floor and Elevations Plan	R9043-STN-18-ZZ-DR-A-4901	P21	25.01.2019
Proposed Floor and Elevations Plan	R9043-STN-18-ZZ-DR-A-5001	P21	25.01.2019
Proposed Floor and Elevations Plan	R9043-STN-18-ZZ-DR-A-5201	P21	25.01.2019
Proposed Floor and Elevations Plan	R9043-STN-18-ZZ-DR-A-5401	P21	25.01.2019
Proposed Floor and Elevations Plan	R9043-STN-18-ZZ-DR-A-5601	P21	25.01.2019
Proposed Floor and Elevations Plan	R9043-STN-18-ZZ-DR-A-5701	P21	25.01.2019
Proposed Floor and Elevations Plan	R9043-STN-18-ZZ-DR-A-5801	P21	25.01.2019
Street Scene	R9043-STN-18-00-DR-A-0119	P40	13.05.2019
Street Scene	R9043-STN-18-00-DR-A-0120	P17	13.05.2019
Proposed Elevations	R9043-STN-18-ZZ-DR-A-6902	P21	25.01.2019
Proposed Floor Plans	R9043-STN-18-ZZ-DR-A-6901	P21	25.01.2019
Proposed Elevations	R9043-STN-18-ZZ-DR-A-6802	P21	25.01.2019
Proposed Floor Plans	R9043-STN-18-ZZ-DR-A-6801	P21	25.01.2019
Existing Site Plan	R9043-STN-18-00-DR-A-0101	P10	24.10.2018
Illustration	R9043-STN-ZZ-VS-A-0131	P10	19.03.2019
Illustration	R9043-STN-ZZ-VS-A-0130	P10	19.03.2019
Illustration	R9043-STN-ZZ-VS-A-0129	P36	19.03.2019
Illustration	R9043-STN-ZZ-VS-A-0128	P36	19.03.2019
Illustration	R9043-STN-ZZ-VS-A-0127	P36	19.03.2019
Illustration	R9043-STN-ZZ-VS-A-0126	P36	19.03.2019
Proposed Floor and Elevations Plan	R9043-STN-19-ZZ-DR-A-9081	P40	13.05.2019
Proposed Elevations	R9043-STN-19-XX-DR-A-BD0354	P36	13.05.2019
Planning Layout	R9043-STN-19-00-DR-A-0160	P40	13.05.2019
Planning Layout	R9043-STN-19-00-DR-A-0161	P40	13.05.2019
General	R9043-STN-19-XX-DR-A-BD0352	P35	19.03.2019

General	R9043-STN-19-XX-DR-A-BD0353	P35	19.03.2019
Proposed Floor and Elevations Plan	R9043-STN-19-ZZ-DR-A-9005	P35	19.03.2019
Proposed Floor and Elevations Plan	R9043-STN-19-ZZ-DR-A-9010	P35	19.03.2019
Proposed Floor and Elevations Plan	R9043-STN-19-ZZ-DR-A-9015	P35	19.03.2019
Proposed Floor and Elevations Plan	R9043-STN-19-ZZ-DR-A-9020	P35	19.03.2019
Proposed Floor and Elevations Plan	R9043-STN-19-ZZ-DR-A-9030	P35	19.03.2019
Proposed Floor and Elevations Plan	R9043-STN-19-ZZ-DR-A-9035	P35	19.03.2019
Proposed Floor and Elevations Plan	R9043-STN-19-ZZ-DR-A-9040	P35	19.03.2019
Proposed Floor and Elevations Plan	R9043-STN-19-ZZ-DR-A-9045	P35	19.03.2019
Proposed Floor and Elevations Plan	R9043-STN-19-ZZ-DR-A-9050	P35	19.03.2019
Proposed Floor and Elevations Plan	R9043-STN-19-ZZ-DR-A-9055	P35	19.03.2019
Proposed Floor and Elevations Plan	R9043-STN-19-ZZ-DR-A-9060	P35	19.03.2019
Proposed Floor and Elevations Plan	R9043-STN-19-ZZ-DR-A-9065	P35	19.03.2019
Proposed Floor and Elevations Plan	R9043-STN-19-ZZ-DR-A-9070	P35	19.03.2019
Proposed Floor and Elevations Plan	R9043-STN-19-ZZ-DR-A-9075	P40	13.05.2019
Proposed Floor and Elevations Plan	R9043-STN-19-ZZ-DR-A-9080	P40	13.05.2019
Proposed Floor and Elevations Plan	R9043-STN-19-ZZ-DR-A-9085	P35	19.03.2019
Proposed Floor and Elevations Plan	R9043-STN-19-ZZ-DR-A-9090	P40	13.05.2019
Proposed Floor and Elevations Plan	R9043-STN-19-ZZ-DR-A-9095	P35	19.03.2019
Proposed Floor and Elevations Plan	R9043-STN-19-ZZ-DR-A-9100	P35	19.03.2019
Proposed Floor and Elevations Plan	R9043-STN-19-ZZ-DR-A-9105	P40	13.05.2019

## **APPENDIX B – CONSULTATIONS**

### **Worth Parish Council comments from 11th January 2019**

I refer you to my letter dated 28 November 2018 with the Council's previous comments and note that although there are some improvements, many queries remain unaddressed.

#### General Design

The Council's comments regarding urban and "boxy" appearance still apply.

None of the drawings appear to show any solar energy panel.

### Parking

The question regarding the provision of electric vehicle charging points remains unaddressed.

WSSC is asking for details of a secondary street and proposed speed limits outside the school, these have not been supplied to date.

### Landscaping

There has been no significant change to the landscaping proposals.

There are no indications or lists on drawings which indicate what other street furniture is to be provided such as litter and dog bins.

### Play Areas

There are still no areas of informal green space to allow for unstructured "run free" play.

### Pedestrian and Cycling Access

No information has been provided regarding the pedestrian/cycling access via Holly Farm to Copthorne Village.

No information has been provided to show how the development links to the footpath network on the site.

### General Layout

No information has been provided regarding "private lanes"; adoption or management, responsibility for management, adequacy for emergency vehicles.

The Parish Council considers that there are too many outstanding questions regarding this Reserved Matters application for it to be considered adequate for approval.

### **Worth Parish Council comments from 28th November 2018**

As a general comment, the housing mix and location of the affordable housing within the scheme appears to be reasonable, although provision of more bungalows for general residency would be welcomed.

The quality of some of the drawings and the labelling of those drawings shows a worrying lack of attention to detail. Some of the house drawings are hand drawn with stick on labels. Plot 39 has a garage labelled as 41 and plot 52 has a garage with the space in front labelled as 52.

### General Design

Outer appearance housing lack imagination and is urban and "boxy" in appearance. There is no reflection of the Sussex vernacular or e.g. tile hung frontages. Porches in many cases are flat rooved canopies when pitched rooved enclosed porches would be an improvement.

## Parking

Only around a third of houses have garages and not all are adjacent to the property which they serve. This is also the case for allocated parking spaces e.g. 66, 67, 136, 193 and 288.

There is no provision for electric charging points which does not reflect Government policy with regard to the phasing out of petrol and diesel cars and would future proof the development.

## Landscaping

There would appear to be little landscaping within the development. Some trees are shown along the main street but there is little evidence of any other significant planting. The lack of softening, combined with the "boxy" style of the proposed housing creates an urban environment, not in keeping with the area.

The small "pocket parks" within the development only add to the urban feel as they are surrounded by townscape.

It would be useful at this stage to know what other street furniture is to be included within the design such as litter and dog bins etc.

## Play Area

We are unsure of what is proposed as there is a discrepancy between the statement and the drawing. Proposals state it will have 5 pieces of equipment, yet the adjacent illustrations shows 9. The LEAP documentation needs to be consistent.

There are no areas of informal green space to allow unstructured "run free" play.

## Pedestrian and Cycling Access

The route to Copthorne Village for pedestrian/cycling access, between this phase of development via the adjacent Holly Farm development is not shown; is this yet to be agreed? We would like sight of this please.

General arrangement layout drawings should show the proposed route of existing footpaths that have been closed for development. This applies to all elements of the development which impinge on public footpaths. The drawings should also show how the development links to these footpaths.

## General Layout

We query whether all roads are to be adopted by WSCC; if not, will a management company be running the site.

Are the roads marked "private lanes" actually private and if so, are the households on such lanes responsible for their upkeep.

Are these "private lanes" adequate for emergency service access in the event that parking per household is inadequate and on road parking becomes normal practice?

We ask the above comments be taken into account when considering the proposals.

## **Environment Agency - Sussex Area Office**

Thank you for consulting the Environment Agency on the above application.

### Environment Agency Position

In order to provide a full response we require further details including a landscape management plan and details of planting. With regards to condition 10 we require details of proposed bridges including management and maintenance plans.

Please reconsult us when this information is available.

## **MSDC Urban Designer**

### Summary and Overall Assessment

The layout has unfortunately lost the strong and organic form of the outline scheme's illustrative masterplan; in particular the series of concentrically curved streets have been replaced with a less holistic layout with angles replacing the curves. This has been determined by the approved parameter plans that set out the alignment of the primary street and, to some extent, the secondary streets.

The layout nevertheless can be commended for being organised as a series of perimeter blocks encircled by connecting routes and characterised by building frontages that define the streets and spaces including the attractive woodland boundary that surrounds the site. The revised drawings have taken the opportunity to reduce the dominance of the parking and employ more consistent building lines that define the streets better.

The contemporary architectural language is supported by the Design Review Panel (DRP) and contributes to give the scheme some individuality and sense of place; while on the other hand the woodland boundaries ensure there is limited inter-visibility with the wider surrounds that allows some architectural flexibility. Overall the revised drawings have responded positively to my previous comments and resulted in improvements to the building design as well as the layout, and I therefore raise no objections to the planning application.

While the DRP liked the consistent architectural approach adopted across the site, the significant size of the scheme warrants a little more variety; for this reason and to secure the quality of the finish, I would like the facing materials to be subject to a condition. I also recommend conditions requiring the approval of further drawings in respect of the following:

- Typical architectural details including balustrading, brick detailing, window design and reveals provided by large scale detailed elevation and section drawings at 1:20 scale that show these elements in the context of the front façade.
- Landscaping including boundary treatment and the design of the pergolas.
- The position of the rainwater downpipes on the front elevations of the terraced and semi-detached houses.
- The full front elevation of the semi-detached pair of houses on plots 301/302.

### Layout

At approximately 37 dwellings per hectare, this scheme has a moderately high residential density (for a green field site) that in combination with the high ratio of houses to flats has generated a large parking requirement with limited space to accommodate them. The impact of the parking upon the street has been reduced by incorporating rear court parking

principally behind the primary street frontages which has enabled on-parking to be omitted allowing for strong consistent enclosure and a well organised streetscape featuring a consistent run of trees on both sides.

Elsewhere though the originally submitted layout was over-reliant on front threshold parking that undermined street enclosure and created hard-edged thresholds. The revised drawings have partly addressed this by accommodating the parking more discreetly along some of the streets and around the central open space and pocket park/green in the eastern part of the scheme. Where front threshold parking has been retained, there is generally more tree planting to soften it. Pergolas have also been introduced around parking spaces that should play a positive role in helping to break-up and partially screen the parking while also helping to define street edges.

Some of the rear parking courts are unfortunately large which raise community safety concerns. They nevertheless benefit from direct overlooking from FOG's (flats over garages) and less directly from surrounding houses. However effort needs to be made to soften these areas; and consideration should be given to providing more attractive boundary treatment with brick piers introduced as proposed along the street frontages (NB: the spacing of the brick piers still needs to be determined across the scheme). Also the ground floor flats need some defensible / planted space to protect their amenity.

Some of the smaller rear courts suffer from blind corners. This problem has been addressed by securing them with gates.

### Elevations

The revised drawings have made a number of improvements to the quality of the elevations. This includes the following:

- The previously bland façades of the type H2B706A + A1B539/605; now benefit from being better articulated through vertical window grouping.
- The FOG's have also been re-designed with more vertically articulated frontages in place of the previous banding that unfortunately accentuated the horizontal proportions (that was at odds with the adjacent buildings). The articulation of the type A1B578B FOG has also been improved with the better alignment of the window openings and doors.
- The terraced houses have been reconfigured as replicated frontages that give them underlying rhythm.
- The dormer windows on the 2+1 storey frontages are now more crisply designed with flat rather than gable-topped roofs, that works better with the contemporary aesthetic of the buildings.
- Corner houses have been redesigned with formally fenestrated return façades in place of dead flanks or poorly articulated flanks. This has been achieved with the type H4B1203B (+A) and 4B1475B which is especially important as they occupy the prominent plots 1 and 147 at the site entrance.
- The gabled bay on the H5B1858 has been strengthened through steepening the roof, and also benefits from being a consistent roof pitch with the adjacent type H4B1765 houses.
- The vertical articulation of the type A1B658/738 has been improved with the grey faced central bay being taken down to the ground floor to make this a stronger feature.
- Houses H4B1282A/B + H3B938 with naturally symmetrical double-fronted façades, have been re-designed omitting the unfortunate asymmetric elements that previously unbalanced the frontages.
- The landmark position of the H4B1203 semi-detached pairing where it terminates the entrance axis on plot 301/302 has been re-designed as a symmetrical double gabled

frontage to give it the formality its entrance position warrants (a full front elevation is nevertheless needed). Unfortunately the opportunity has not been taken to do this on the prominent plots 2/3, 148/9, 70/71, and these still read as asymmetric frontages.

I also sought the re-design of the apartment blocks which was not forthcoming. In particular, the shallow roofs are a weak feature. They would have benefitted from dropping the eaves level to the window head height, which would not only steepen the roof pitch but also bring the eaves more level with the houses.

I also raised concerns about the prominence of the meter boxes but unfortunately this falls outside the scope of planning control.

### **Additional comments on Amended phase 1 plans**

The revised drawings introduce changes to the articulation of the building facades in phase 1 of the scheme, west of the spine road. This change is welcomed in principle as it introduces some diversity to the development which is particularly needed given its size.

As with phase 2, the articulation is used to group the windows, however as a brick pattern rather than a singular block of contrasting material. Unfortunately, no detailed drawings have yet been provided that show the quality of the finish, and the same applies where brick patterning is used on phase 2 (the extent of the light and shadow cast by the projecting bricks are especially important as these will animate the pattern). I therefore recommend a condition covering this (requiring 1:20 section and elevation drawings) to secure the quality of the design.

I have also raised some detailed concerns in terms of the consistency of the fenestration and approach to the window grouping. While some of these have been addressed, I still have issues with the clumsily organised type 1272, and the grouping of the ground floor window and door on the type 1006 as it generates an overtly horizontally proportioned frontage where it is employed on the semi-detached houses on plots 55-56 that is also not helped by the rwp positioning (it would be better centred).

Not all the conjoined frontages are featured in the street sections, and I particularly question plots 11-16, as the type 936 on plot 16 is designed to abut but there is a separation gap with plot 15.

The houses on plots 102-105 are now represented differently (in comparison with the December submission) on the street elevation 01 drawing 119. The ridge line on the middle two houses now untidily rise above the ridge line of the end houses. This gives rise to possible issues elsewhere and for this reason I feel conjoined frontages should be shown fully

The pergolas at the front of plot 97-99 are unfortunately stepped in response of the slope; this is a clumsy arrangement that needs to be addressed. The detailed pergola design also needs to show the conjoined arrangement.

The site layout drawing needs to identify that the type H3B1006V2 will feature on plot 59.

On street elevation 03 drawing 119, the side windows of plot 35 need to feature as this is a prominent façade.

The boundary treatment around the rear court parking still unfortunately features close boarded fencing which will generate an unattractive backdrop. The brick post and fencing treatment needs to be extended to here too.

I would like either revised drawings or conditions added to pick up these remaining points

### **Mid Sussex Design Review Panel**

The panel commended the clarity of the presentation (that included a 3D "fly-through") and were pleased that many of their previous comments had been taken on board. It was acknowledged that the panel's previous issues in respect of the road alignment and provision of open space were largely outside the applicant's control because they were set by the outline planning consent which govern much of the layout of the reserve matters application.

The panel were satisfied in overall terms with the following elements:

- The building design, and the fact that a consistent design approach was being taken incorporating a restrained palette of materials. The employment of white rather than grey framed windows was an improvement. The panel were pleased that there was now consistency of architectural approach on both sides of the main spine road which they now accepted was appropriately proportioned.
- The improved landscaping especially in respect of the open spaces and the boundary conditions that includes the narrowing of the private roads around the edge of the site.
- The introduction of more shared surfaces.
- The redesigned radial axis which now permitted views out to the woodland.

There were nevertheless concerns about the right-angle threshold parking, which risks generating hard-edged / car-dominated streets. This is particularly an issue in the north-west quadrant of the site where it features in an extended block.

The brick detailing was applauded but the reveals would need to be sufficient to animate them as shown on the drawings, and the scheme would benefit from it being used on more buildings. It was also felt there needed to be a greater contrast between the two selected bricks to provide a little more variety. Consideration could also be given to introducing grey bricks.

The gabled dormers looked odd and out of place on the contemporary designed houses. In terms of diversity, more consideration could be given to designing the private roads differently from the other roads.

The overall quality of the scheme would nevertheless be dependent on the landscaping details.

### **Overall Assessment**

The panel support the scheme subject to the above changes and considerations

### **MSDC Housing Officer**

The applicant is proposing 303 residential dwellings on Phases 1 and 2 of this multi-phase development. The affordable housing requirement is for 30% onsite and the applicant is complying with policy by providing 91 units, with 30% affordable in each of the Phases. The tenure split reflects current policy with 75% rented units and 25% shared ownership. The applicant has adhered to our clustering policy and the social housing is well integrated across the site. The agreed mix is set out below (including 2 x 2 bed bungalows for wheelchair users) and will meet a broad range of housing needs.

Phase 1:

	Rented	Shared Ownership
1 bed flats	11	
2 bed flats	4	2
2 bed house	11	4
2 bed bungalow	2	
3 bed house	4	5

Phase 2:

	Rented	Shared Ownership
1 bed flats	12	
2 bed flats	5	2
2 bed house	14	5
3 bed house	5	5

### **MSDC Waste Services**

I have now viewed the plans for the above application, specifically the refuse vehicle tracking and bin store plans.

#### Access for Collection vehicles:

The site appears to be accessible for the refuse collection vehicles that MSDC use and we should be able to get round the site if roads are not obstructed by parked vehicles. However, I do require confirmation that the areas of the developments marked as Private Lanes are accessible to the refuse collection vehicles, as we would need to travel along the roads to collect the bins from the properties. I could not tell from the plans if these sections of the development are to be gated or not built to take the weight of a 26 tonne freighter? An example of this is show on the refuse vehicle tracking sheet 1, from plots 69 to 77.

#### Waste Storage and Collection:

The plans show that each individual property has space to store the 2 x 240 bins required (also space for a 340 litre garden waste bin if they choose to subscribe to this service) and have space to present the bins in standard kerbside collection points.

The 2 blocks of flats also have adequate bin storage and the collection vehicle will be able to gain access to the bins. The communal bin stores have the required amount of bins to serve all properties.

If I have read the plans correctly, I note there are 3 areas of 1 bedroom flats (plots 06 to 10, 258 to 261 and 296 to 299), and 2 of these appear to have bin stores with a number of 240 litre bins. Plots 06 to 10 do not appear to have a bin store? If the expectation is for the collection crews to service bins for these properties from the bin stores, we would need the stores to be within 10 metres of where the collection vehicle can get to and we would prefer the use of 1100 litre communal bins. Would it be possible for the developers to confirm the bin arrangements for these plots, in particular 06 to 10?

### **MSDC Leisure**

With regard to the play area design:

- The playground is located next to main road into development so further limits to access the main road from the play area are recommended

- Given that it's a LEAP we would like to see more variety than the balance equipment offered. The swing and slide are good pieces, so it is recommended that something that offers a different play experience should be installed. i.e. something that rotates.
- It appears that grass is being used as impact attenuation surface. This is not advisable as it is likely to become compacted and ineffective over time. At the very least we would like to see grass mats with mesh underlay.

## **WSSC Highways**

Following West Sussex County Council's (WSSC) previous consultation response dated 2/01/2019 the applicant has provided a revised CEMP and plans, which these comments relate to.

### **Condition 9 Construction Environmental Management Plan (CEMP)**

The Highway Authority previously stated that no in principle objections were raised in relation to the CEMP but that they would look for a commitment from the applicant to undertake a condition survey of adjacent highways prior to commencement and that deliveries to and from the site shall be avoided during peak hours.

The applicant has now included commitments that a condition survey shall be undertaken and to undertake deliveries between 09.30 and 16.30; to avoid adding to peak hour congestion. In light of these additions WSSC as Highway Authority has no objections to the discharge of conditions 8 and 9 of planning permission 13/04127/OUTES.

### **Residential Street Layout**

The applicant has now amended the plans and included the footway outside plot 196 on the Section 38 agreement plan as land to be adopted. The applicant has also now provided a speed reducing feature on the secondary street which shall provide access to the primary school (Phase A6). The feature is a ramped table but it differs from all other tables within the site given that the carriageway is not block paved. The Highway Authority has no issues with the principle of this feature but would look for the table to be block paved. The materials will act as a speed reducing measure and the visual impact will encourage slower vehicle speeds. This matter can be addressed at detailed design stage as part of the Section 38 agreement.

### **Cycle Parking**

The applicant has revised the designs and is now proposing horizontal cycle parking (Sheffield Stands) with sufficient spacing and aisle widths which are therefore deemed acceptable.

### **Recommendation**

The Highway Authority has no objections to the approval of planning application DM/18/4321 subject to the inclusion of conditions on the following matters on any permission granted:

### **Access Road**

No part of each phase of development shall be first occupied until the respective roads, footways, and casual parking areas serving that phase of development have been constructed, surfaced, and drained in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: To secure satisfactory standards of access for the proposed development.

#### Car and cycle parking space

No dwelling shall be first occupied until the car and cycle parking serving the respective dwelling has been constructed in accordance with the approved site plan. Once provided the spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide adequate car and cycle parking space for the use and to promote alternative sustainable travel options.

#### Provision of Adoptable Highway Informative

The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the proposed adoptable on-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that any works commenced prior to the S38 agreement being in place are undertaken at their own risk.

#### Comments from 02/01/2019

The applicant's response has addressed the majority of the issues raised by the Highway Authority however clarification should be provided in relation to the design of the secondary street outside of the primary school and the changes made to the CEMP prior to determination.

#### Comments from 06/12/2018

Whilst the Highway Authority has no objections in principle to the development the applicant should provide revised details in relation to the following prior to the Highway Authority being in a position to recommend no objections to the application:

- Revised details of policy compliant cycle parking (horizontal, ideally Sheffield Stands)
- Necessary amendments as set out within the Residential Street Layout section of these comments.
- Necessary changes to the CEMP as highlighted in these comments.

Once these amendments have been made the Highway Authority should be reconsulted.

#### **Sussex Police**

Thank you for your correspondence of 30th October 2018, advising me of a planning application for a reserved matters application for the approval of the layout, scale, appearance, landscaping, and internal access for residential phases 1 and 2 pursuant to condition 1 (reserved matters) of outline planning permission 13/04127/OUTES, comprising 303 residential dwellings, public open space, car parking, and associated infrastructure works. Amended plans received 11/12/2018 showing revisions to the layout and design of the scheme at the above location, for which you seek advice from a crime prevention viewpoint.

I have had the opportunity to examine the detail within the application and in an attempt to reduce the opportunity for crime and the fear of crime I offer the following comments

I was very pleased to note that the amended site masterplan P18, dated 10/12/2018, allayed the majority of my previous concerns conveyed within my letter of PE/MID/18/20/A by implementing the enclosure of the LEAP with railings and gate along with gated parking courts behind the primary streets to control access into them. However, I recommend that these gates are automated. If not these will be opened initially and left in the open position permanently, thus negating the purpose of the secure gate parking court.

My concerns over the potential congestion that may occur due the proposed school access point are extant.

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.

## **Thames Water**

### **Waste Comments**

Following initial investigations, Thames Water has identified an inability of the existing foul water network infrastructure to accommodate the needs of this development proposal.

Thames Water request that the following condition be added to any planning permission. No properties shall be occupied until confirmation has been provided that either:

- all wastewater network upgrades required to accommodate the additional flows from the development have been completed; or
- a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason: The development may lead to sewage flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid sewer flooding and/or potential pollution incidents. The developer can request information to support the discharge of this condition by visiting the Thames Water website at [thameswater.co.uk/preplanning](https://thameswater.co.uk/preplanning). Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames

Water Developer Services will be required. Should you require further information please refer to our website.

<https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>.

We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Waters Risk Management Team by telephoning 02035779483 or by emailing [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality).

#### Water Comments

With regard to water supply, this comes within the area covered by the South East Water Company. For your information the address to write to is - South East Water Company, Rocfort Road, Snodland, Kent, ME6 5AH, Tel:01444 -448200

#### Supplementary Comments

Waste: We are working closely with the Developer to understand the infrastructure needs for this proposal and agree the drainage strategy. Part of this work includes undertaking surveys to confirm the impact and what infrastructure upgrades are required and by when.

#### **Gatwick Airport**

Further to the above mentioned consultation and our subsequent correspondence.

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

However, I understand that the Council's drainage engineer is still in discussion with the applicant with regard to drainage. We would ask that should any amendments be made that we are re-consulted.

I understand from your email earlier today with regard to landscaping that the details will be submitted under a discharge of conditions application. We would ask that those details include the numbers of each species.

We would also request that the following observation is included on any planning consent issued:

## Cranes

Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. Gatwick Airport requires a minimum of four weeks notice. For crane queries/applications please email [gal.safeguarding@gatwickairport.com](mailto:gal.safeguarding@gatwickairport.com). The crane process is explained further in Advice Note 4, 'Cranes and Other Construction Issues', (available from <http://www.aoa.org.uk/policy-campaigns/operations-safety/>)