

MID SUSSEX DISTRICT COUNCIL

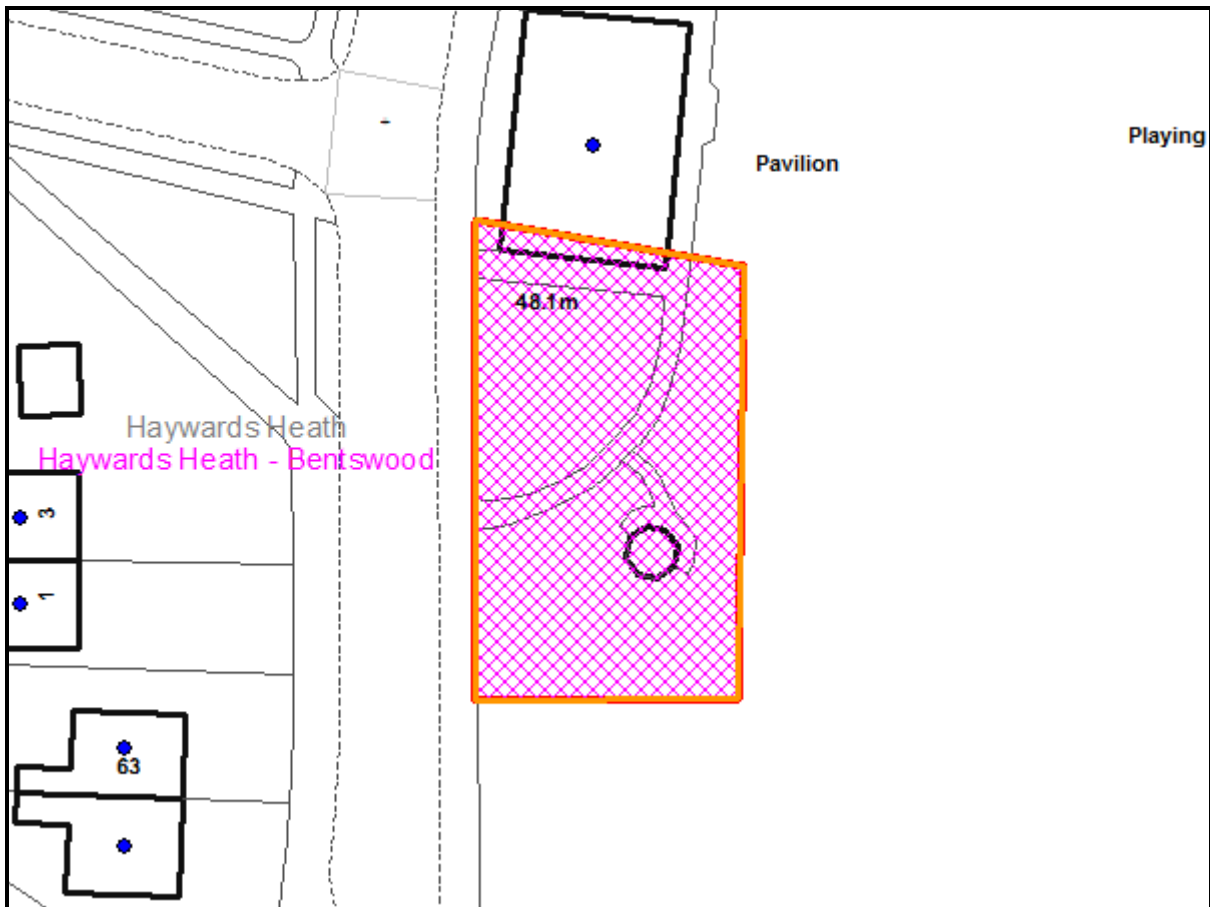
Planning Committee

4 JUL 2019

RECOMMENDED FOR PERMISSION

Haywards Heath

DM/19/1624



© Crown Copyright and database rights 2019 Ordnance Survey 100021794

**BARN COTTAGE PAVILION BARN COTTAGE LANE HAYWARDS HEATH
WEST SUSSEX
NEW PURPOSE-BUILT COMMUNITY CENTRE WITH JOINING TUNNEL
TO EXISTING PAVILION.
MR TONY PEARSON**

POLICY: Built Up Areas / Aerodrome Safeguarding (CAA) /

ODPM CODE: Minor Other

8 WEEK DATE: 12th July 2019

WARD MEMBERS: Cllr Rachel Cromie / Cllr Stephen Hillier /

CASE OFFICER: Anna Tidey

Purpose of Report

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

Executive Summary

This application seeks planning permission to build a new purpose-built community centre with a link onto the existing pavilion building at the site, to the western side of the Playing Field off Barn Cottage Lane in Haywards Heath.

The application is being reported to committee as MSDC is the landowner.

The new community centre will provide a purpose built building for growing community needs and create a hub within the area. The new building is considered to be of an appropriate design, would not harm neighbouring amenity and would meet the requirements of Policies DP26 and DP41 of the Mid Sussex District Plan and Policies L9 and E9 of the Haywards Heath Neighbourhood Plan. The new building would improve the existing community facilities for the area and meet the requirements of Policy DP24 of the District Plan.

The application is therefore recommended for conditional approval as set out in full at Appendix A.

Recommendation

It is recommended that permission be granted subject to the conditions listed at Appendix A.

Summary of Consultations

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

WSCC Highways Authority

Comments awaited.

Environmental Health Officer

Recommendations for food hygiene legislation. Requests for further information regarding the intended use of the hall to better gauge what impact the site is likely to have on nearby residents.

Recommend permitted use between the hours of 07:00 till 22:00. Potential live music or gym use noise/vibration could require Environmental Health investigation under statutory nuisance legislation.

Potential Community café requires an extract system/odour control and deliveries and waste collection conditions.

Further comments awaited.

MSDC Community Facilities

We are generally supportive of this proposal as there is a need for additional community facilities in Bentswood but it will require the relocation of the youth shelter and the football pitch which will need additional drainage so we would like to ensure these matters are addressed through a planning condition.

MSDC Drainage

This proposed development will need to fully consider how it will manage surface water run-off. The proposed development is within flood zone 1 and is deemed to be at a low risk of fluvial flooding and is not in an area identified as having possible surface water (pluvial) flood risk. Surface Water Drainage Proposals - No details supplied. Foul Water Drainage Proposals - No details supplied. Details should be supplied in order to discharge planning conditions should this application be approved. Recommend a condition to require details of the proposed foul and surface water drainage and means of disposal to be submitted to and approved in writing by the Local Planning Authority before development commences.

Summary of Representations

Six letters of representation received from five residents, of which two object to this application. Concerns are raised regarding:

- overbearing impact and loss of outlook,
- intrusion on a green area,
- lack of parking for increased traffic,
- safety issues from gathered youths,
- noise and disturbance.
- Not needed in the area.
- The existing building is not utilised.
- There is another church hall up the road.
- There are existing local parking issues on Sundays from the football use.

The three letters in support contain the following points:

- The building is to be used for Scouts, providing opportunities for children.
- A member of Bentswood Community Partnership supports the provision of a new community centre.
- The existing centre is no longer fit or large enough to serve the area.
- The centre is likely to be used in the day and will therefore be unlikely to create parking problems.
- Evening Scout use will be by drop off or walking to/from the building.
- The design is pleasing, will improve the look of the site and is ecological.
- Bentswood is in dire need of a community building.

Town Council Observations

The Town Council fully supports this application which, if successful, would make a welcome and much needed addition to the provision of community facilities in this part of Haywards Heath. The building is of a sustainable design and the Planning Statement accompanying the application indicates compliance with the following policies of the Mid Sussex District Plan 2014-2031: DP1, DP2, DP3, DP24, DP25, DP28 and DP39. With regard to the Haywards Heath Neighbourhood Plan, the Town Council believes that the proposal meets Objective 6A (coordinate and improve green infrastructure in the town) paragraph 6.1 and complies with elements of Policies E1 and E9.

The Town Council requests that any permission granted is subject to conditions regarding construction hours, hand basin provision, bin collection timings and use no later than 2300hours. Also that prospective users provide CCTV, air con units to comply with environmental health requirements and external lighting is sympathetic to local residents.

Introduction

This application seeks planning permission for the development of a new community centre at Barn Cottage Lane in Haywards Heath. The proposed building would be linked to the existing pavilion at the site.

The application is being reported to committee as MSDC is the landowner.

Relevant Planning History

Planning reference: HH/00798. Construction of pavilion. Removal of existing changing facilities. Approved March 1998.

Site and Surroundings

The application site is land to the south of the existing pavilion and play area at Barn Cottage Lane, off America Lane in the built up area of Haywards Heath.

The plot is laid to grass and includes an octagonal covered shelter. The land to the east is laid out as a football pitch and is surrounded on three sides by adjacent residential roads.

Application Details

In detail the current application seeks planning permission for the construction of a 10.9m wide by 23m long building with eaves set at a height of 2.5m and the ridge at 6.7m. The building would be linked to the existing pavilion by a 2.8m wide (max) mesh tunnel with gated access to the eastern and western ends.

The new building would be constructed in brick with vertical timber cladding on the southern end gable and on feature wall sections to the east and west elevations. The roof would be gabled and finished with plain tiles. New railings would be installed on the southern and western sides of the new building.

The building would include a full height hall at the southern end of the building and a two storey section at the northern end of the hall to allow the provision of a kitchen, stores, toilets and office space. An upper floor area would accommodate further store rooms and an internal 1.8m wide mezzanine balcony. The upper rooms would be lit by windows in a 7.5m wide timber clad, eastern facing, feature dormer. The main hall would measure 10m by 13m long and this would be lit by twin glazed doors in the eastern and southern elevations, with roller security shutters, full height aluminium glazed windows in the western elevation and a series of roof lights on the eastern and western facing roof slopes. A protruding square window is proposed in the southern elevation to light the hall from the upper apex level.

The application has been accompanied with a Planning Statement which confirms that the proposal is for a new purpose built community centre with storage space in the roof and a viewing mezzanine. The new building has a gross internal area of 288 square metres with community use of 193 square metres, including a communal lobby, WC facilities, main hall, kitchen and viewing mezzanine. Other works include: a new hard standing perimeter to provide level access into the building, re-siting the existing children's play equipment and bins and replacing existing curtilage railings. The statement points out that the new building is adjacent to the existing pavilion on Bentswood Green, located in the centre of Bentswood in close proximity to the America Lane shopping parade and Hanbury football stadium. Local partners in the community have identified a need for a new building to provide extra space to accommodate events and activities. These will include yoga classes and scout meetings, community events, craft fairs, children's parties and charity events.

List of Policies

Mid Sussex District Plan 2014-2031

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

Policy DP24: Leisure and Cultural Facilities and Activities

Policy DP25: Community Facilities and Local Services

Policy DP26: Character and Design

Policy DP28: Accessibility
Policy DP39: Sustainable Design and Construction
Policy DP41: Flood Risk and Drainage

Haywards Heath Neighbourhood Plan Made December 2016.

Policy E1: Green infrastructure
Policy E9: Reinforce character
Policy L9: Existing playing fields and sporting facilities

National Policy

National Planning Policy Framework (NPPF - 2019)

The National Planning Policy Framework sets out the government's policy in order to ensure that the planning system contributes to the achievement of sustainable development.

Paragraphs: 10 & 11 (presumption in favour of sustainable development), 56 (planning conditions) and 124 & 127 (achieving well-designed places) are considered to be of particular relevance to this application.

ASSESSMENT

The main issues for consideration in determining the application are:

- Principle of development
- Design and impact upon residential amenity
- Highway and Parking issues
- Drainage
- Sustainability
- Habitats Regulations Assessment for Ashdown Forest
- Planning Balance and Conclusion

Principle of development

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

Specifically Section 70(2) of the Town and Country Planning Act 1990 states:

"In dealing with such an application the authority shall have regard to:

- a) The provisions of the development plan, so far as material to application,*
- b) Any local finance considerations, so far as material to the application, and*
- c) Any other material considerations."*

Section 38(6) Planning and Compulsory Purchase Act 2004 provides:

"If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

Using this as the starting point, the development plan in this part of Mid Sussex consists of the District Plan and the Haywards Heath Neighbourhood Plan (2016).

The most relevant policies in considering the principal of this proposal are District Plan Policies DP24 and DP25 and Neighbourhood Plan Policies E1 and L9.

District Plan Policy DP24 states:

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

The on-site provision of new leisure and cultural facilities, including the provision of play areas and equipment will be required for all new residential developments, where appropriate in scale and impact, including making land available for this purpose. Planning conditions and/or planning obligations will be used to secure such facilities. Details about the provision, including standards, of new leisure and cultural facilities will be set out in a Supplementary Planning Document.

Sites for appropriate leisure and cultural facilities to meet local needs will be identified through Neighbourhood Plans or a Site Allocations Development Plan Document produced by the District Council.

Proposals that involve the loss of cultural facilities, open space, sports and recreational buildings and land, including playing fields, will not be supported unless:

- an assessment has been undertaken which has clearly shown the cultural facility, open space, sports land or recreational building to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

District Plan Policy DP25 states:

The provision or improvement of community facilities and local services that contribute to creating sustainable communities will be supported.

Where proposals involve the loss of a community facility, (including those facilities where the loss would reduce the community's ability to meet its day-to-day needs locally) evidence will need to be provided that demonstrates:

- that the use is no longer viable; or
- that there is an existing duplicate facility in the locality which can accommodate the impact of the loss of the facility; or
- that a replacement facility will be provided in the locality.

The on-site provision of new community facilities will be required on larger developments, where practicable and viable, including making land available for this purpose. Planning conditions and/or planning obligations will be used to secure on-site facilities. Further information about the provision, including standards, of community facilities will be set out in a Supplementary Planning Document.

Community facilities and local services to meet local needs will be identified through Neighbourhood Plans or a Site Allocations Development Plan Document produced by the District Council.

Policies within the Haywards Heath Neighbourhood Plan also seek to prevent the loss of open spaces of public value (Policy E1) and seek to enhance the existing playing fields and sporting facilities within the town (Policy L9).

Policy E1 states:

Planning applications which would result in the loss of existing open spaces of public value will generally be resisted except where:

- They are supported by an open space assessment that demonstrates the open space is no longer needed or
- Proposals for equivalent or better alternative provision are made in a suitable location or
- There is a proven need for essential utility infrastructure where the benefits outweigh any harm or loss and it can be demonstrated that there are no reasonable alternative sites available.

Policy L9 states:

Existing playing fields and sporting facilities within the Plan area shall be retained and where possible enhanced to the benefit of the Town. Should an existing facility come forward for redevelopment for non-sports use, and it is shown the site or facility is not surplus to requirements, the applicant will be required to provide alternative provision within the Plan area before the existing facilities are lost.

The proposal accords with the principals of these policies as set out in the District and Neighbourhood Plan for Haywards Heath. Whilst the provision of the new community centre would result in a small area to the side of the playing field being lost the established football pitch area would remain intact and the benefit of the new facility for the local community would outweigh the small area of land lost. As such it is considered that the proposal accords with District Plan Policies DP24 and DP25 and Neighbourhood Plan Policies E1 and L9.

Design and impact upon residential amenity

Policy DP26 of the Mid Sussex District Plan requires buildings to be well designed and that development should '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'.

It states:

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

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

Policy E9 in the Haywards Heath Neighbourhood Plan states:

Developers must demonstrate how their proposal will protect and reinforce the local character within the locality of the site.

This will include having regard to the following design elements:

- height, scale, spacing, layout, orientation, design and materials of buildings,
- the scale, design and materials of the development (highways, footways, open space and landscape), and is sympathetic to the setting of any heritage asset,
- respects the natural contours of a site and protects and sensitively incorporates natural features such as trees, hedges and ponds within the site,
- creates safe, accessible and well-connected environments that meet the needs of users,
- Will not result in unacceptable levels of light, noise, air or water pollution,
- Makes best use of the site to accommodate development,

- Car parking is designed and located so that it fits in with the character of the proposed development.

Proposals affecting a listed building, conservation area, building of local interest or public park of historic interest or their setting should preserve or enhance their special interest and/or distinctive character.

The proposed community building has been designed to be contemporary in appearance and complementary in terms of the form and materials to the existing pavilion. It is considered that the new building will relate well to the existing development form on the site and appear in keeping with the character and appearance of the surrounding residential area. The eaves and ridge height of the new building will relate to those on the existing pavilion and as a result of the intervening tunnel the built form of the new building will read as a new and separate community centre. The design of the new building will accord with the requirements of District Plan Policy DP26 and Policy E9 of the Haywards Heath Neighbourhood Plan.

In terms of the impact of the proposal upon the neighbouring amenities the proposed pavilion is located on the western side of an established playing field within a residential area. The building would be sited over 30m from the nearest properties at Nos 1 and 3 Barn Cottage Lane to the west of the site.

Given the presence of the existing pavilion at the site and the distance of the site from the neighbouring properties, the orientation of the new pavilion and the intervening highway it is considered that the construction of the pavilion will not adversely impinge upon the occupiers of these neighbouring properties.

The applicant's agent has been asked to further clarify the intended use of the new pavilion and recommended hours of use have been outlined in the MSDC Environmental Health responses.

The size of the site allows a reasonable degree of spacing between the immediate properties and the new building and as such it is considered that the scale and form of the building would not be dominant in views from these properties and their respective gardens.

Subject to the imposition of a series of conditions on the use of the new building which meet the tests of Paragraph 56 of the NPPF the proposal is considered to accord with District Plan Policy DP26 and Neighbourhood Plan Policy E9.

Highway and Parking issues

The Highway Authority have been consulted on the application, and their comments are awaited. Local parking issues have been identified in the submitted representations, and concerns expressed regarding a further intensification of on street parking. The site has no formal designated parking area. Consequently on street parking could be potentially exacerbated by the proposed uses.

The siting of the pavilion on an established playing field within the town is sustainable. The site is within walking distance of a large residential area which it will serve. Subject to the receipt of acceptable highway comments the proposal accords with Policy DP21 of the District Plan and the requirements of the NPPF.

Drainage

Policy DP41 of the District Plan seeks to ensure that proposals can be properly drained. The proposed development is located within flood zone 1 and is deemed to be at a low risk of fluvial flooding and is not in an area identified as having possible surface water (pluvial) flood risk. The Council's Drainage Officer has recommended a planning condition requiring details of the proposed foul and surface water drainage and means of disposal to be submitted before development commences on the site. As such the proposal will accord with Policy DP41 of the District Plan.

Sustainability

District Plan Policy DP39 is relevant in the determination of this application. This states:

'All development proposals must seek to improve the sustainability of development and should where appropriate and feasible according to the type and size of development and location, incorporate the following measures:

- Minimise energy use through the design and layout of the scheme including through the use of natural lighting and ventilation;
- Explore opportunities for efficient energy supply through the use of communal heating networks where viable and feasible;
- Use renewable sources of energy;
- Maximise efficient use of resources, including minimising waste and maximising recycling/ re-use of materials through both construction and occupation;
- Limit water use to 110 litres/person/day in accordance with Policy DP42: Water Infrastructure and the Water Environment;
- Demonstrate how the risks associated with future climate change have been planned for as part of the layout of the scheme and design of its buildings to ensure its longer term resilience.'

The proposal has been submitted by an architectural firm specialising in ecological design. A Sustainability Statement has been submitted with the application which addresses issues such as: Climate Change and Energy, Water Efficiency and Sustainable Energy.

In terms of the requirements of DP39 the proposal has been demonstrated to include a series of energy efficiency and sustainability measures including the use of water saving fittings, low energy lighting, and efficient building fabrics, etc.

In terms of the location, the site is within walking distance of the town centre and bus stops and the main line railway station and is therefore considered to be a sustainable location for the development.

It is considered that the proposal has been demonstrated to represent a sustainable development on this site and therefore would accord with the requirements of District Plan Policy DP39.

Habitats Regulations Assessment for Ashdown Forest

Under the Conservation of Habitats and Species Regulations 2017 (as amended) (the 'Habitats Regulations'), the competent authority - in this case, Mid Sussex District Council - has a duty to ensure that any plans or projects that they regulate (including plan making and determining planning applications) will have no adverse effect on the integrity of a European site of nature conservation importance. The European site of focus is the Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC).

The potential effects of development on Ashdown Forest were assessed during the Habitats Regulations Assessment process for the Mid Sussex District Plan. This process identified likely significant effects on the Ashdown Forest SPA from recreational disturbance and on the Ashdown Forest SAC from atmospheric pollution.

A Habitats Regulations Assessment screening report has been undertaken for the proposed development.

Recreational disturbance

Increased recreational activity arising from new residential development and related population growth is likely to disturb the protected near-ground and ground nesting birds on Ashdown Forest.

In accordance with advice from Natural England, the HRA for the Mid Sussex District Plan, and as detailed in the District Plan Policy DP17, mitigation measures are necessary to counteract the effects of a potential increase in recreational pressure and are required for developments resulting in a net increase in dwellings within a 7km zone of influence around the Ashdown Forest SPA. A Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM) mitigation approach has been developed. This mitigation approach has been agreed with Natural England.

This planning application does not result in a net increase in dwellings within the 7km zone of influence and so mitigation is not required.

Atmospheric pollution

Increased traffic emissions as a consequence of new development may result in additional atmospheric pollution on Ashdown Forest. The main pollutant effects of interest are acid deposition and eutrophication by nitrogen deposition. High levels of nitrogen may detrimentally affect the composition of an ecosystem and lead to loss of species.

The potential effects of the proposed development are incorporated into the overall results of the transport model (Mid Sussex Transport Study (Updated Transport Analysis)), which indicates there would not be an overall impact on Ashdown Forest. This means that there is not considered to be a significant in combination effect on the Ashdown Forest SAC by this development proposal.

Conclusion of the Habitats Regulations Assessment screening report

The screening assessment concludes that there would be no likely significant effects, alone or in combination, on the Ashdown Forest SPA and SAC from the proposed development. No mitigation is required in relation to the Ashdown Forest SPA or SAC. A full HRA (that is, the appropriate assessment stage that ascertains the effect on integrity of the European site) of the proposed development is not required.

Planning Balance and Conclusions

Planning legislation requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. It is therefore necessary for the planning application to be assessed against the policies in the development plan and then to take account of other material planning considerations including the NPPF.

Given the presence of the existing pavilion at the site and the distance of the site from the neighbouring properties, the orientation of the new pavilion and the intervening highway it is considered that the construction of the pavilion will not adversely impinge upon the occupiers of these neighbouring properties. Subject to the imposition of a series of conditions on the use of the new building the proposal is considered to accord with District Plan Policy DP26.

The proposal has been assessed with consideration to District Plan Policy DP39 (Sustainability). The proposed development has been considered in terms of energy efficiency and is designed as an energy efficient building. For reasons including the location of the site and the proposed energy efficiency details of the scheme the proposal has been demonstrated to represent a sustainable development in accordance with District Plan Policy DP39.

The siting of the pavilion on an established playing field within the town is sustainable, being within easy access to the surrounding residential area and walking distance of a large population. Subject to the receipt of satisfactory highway comments the proposal accords with Policy DP21 of the District Plan and the requirements of the NPPF.

The screening assessment concludes that there would be no likely significant effects, alone or in combination, on the Ashdown Forest SPA and SAC from the proposed development. No mitigation is required in relation to the Ashdown Forest SPA or SAC. A full HRA (that is, the appropriate assessment stage that ascertains the effect on integrity of the European site) of the proposed development is not required.

In light of the above it is recommended that the application is approved, subject to appropriate restrictive planning conditions.

APPENDIX A – RECOMMENDED CONDITIONS

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

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

Approved plans

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

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

3. No development shall be carried out unless and until samples of materials and finishes to be used for external walls / roofs / fenestration of the proposed pavilion building 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 in writing.

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 and Policies E9 and L9 of the Haywards Heath Neighbourhood Plan.

4. The development hereby permitted shall not commence unless and until details of the proposed foul and surface water drainage and means of disposal have been submitted to and approved in writing by the Local Planning Authority. The building shall not be occupied until all the approved drainage works have been carried out in accordance with the agreed details.

Reason: To ensure that the proposal is satisfactorily drained and to accord with the NPPF requirements, Policy DP41 of the District Plan (2014 - 2031) and Policies E9 and L9 of the Haywards Heath Neighbourhood Plan.

5. The premises shall not be open for use except between the hours of 0700 to 2200 hours Monday to Sunday and on Public/Bank holidays (and there shall be no external illumination on the premises except between the above-mentioned hours).

Reason: To safeguard the amenities of nearby residents and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031 and Policy L9 of the Haywards Heath Neighbourhood Plan.

6. No deliveries or collections in relation to the use hereby permitted shall take place other than between the hours of 0700 and 2200 Monday to Sunday and on Public/Bank holidays.

Reason: To safeguard the amenities of nearby residents and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031 and Policy L9 of the Haywards Heath Neighbourhood Plan.

7. Before development commences details of the intended new position of the octagonal shelter shall be submitted to and approved in writing by the Local Planning Authority. This shelter shall be installed in the approved position before the opening of the new community centre unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of nearby residents and to accord with Policy DP25 of the Mid Sussex District Plan 2014 - 2031 and Policy L9 of the Haywards Heath Neighbourhood Plan.

INFORMATIVES

1. In accordance with Article 35 Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by 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. Your attention is drawn to the requirements of the Environmental Protection Act 1990 with regard to your duty of care not to cause the neighbours of the site a nuisance.

Accordingly, you are requested that:

- Hours of construction/demolition on site are restricted only to: Mondays to Fridays 0800 - 1800 hrs; Saturdays 0900 - 1300 hrs; No construction/demolition work on Sundays or Public Holidays.
- Measures shall be implemented to prevent dust generated on site from crossing the site boundary during the demolition/construction phase of the development.
- No burning of materials shall take place on site at any time.

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

Plans Referred to in Consideration of this Application

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

Plan Type	Reference	Version	Submitted Date
Proposed Site Plan	602/100		30.04.2019
Proposed Floor Plans	602/101		30.04.2019
Proposed Elevations	602/102		30.04.2019
Illustration	602/103		30.04.2019
Illustration	602/104		30.04.2019
Illustration	602/105		30.04.2019
Location and Block Plan	602/106		30.04.2019

APPENDIX B – CONSULTATIONS

Parish Consultation

The Town Council fully supports this application which, if successful, would make a welcome and much needed addition to the provision of community facilities in this part of Haywards Heath. The building is of a sustainable design and the Planning Statement accompanying the application indicates compliance with the following policies of the Mid Sussex District Plan 2014'2031: DP1, DP2, DP3, DP24, DP25, DP28 and DP39. With regard to the Haywards Heath Neighbourhood Plan, the Town Council believes that the proposal meets Objective 6A (coordinate and improve green infrastructure in the town) paragraph 6.1 and complies with elements of Policies E1 and E9.

The Town Council requests that any permission granted is subject to the following conditions:

1. in order to protect the amenity of local residents, works of construction (including the use of plant and machinery, and deliveries or collection of plant, equipment or materials) shall not take place outside 0800 hours to 1800 hours Mondays to Fridays and 0900 hours to 1300 hours on Saturdays, nor at any time on Sundays or Bank Holidays or Public Holidays;
2. in accordance with the recommendation of Mid Sussex District Council's Senior Environmental Health Officer (email dated 09/05/2019 refers), a separate wash hand basin shall be fitted in the kitchen in addition to the main kitchen sink;
3. in the event that the centre is serviced by larger, Eurobin facilities ' which will be collected by a commercial operator ' no collections shall be permitted before 0700 hours, in order to protect resident amenity;
4. in order to protect local residents from undue noise and disturbance, all users shall vacate and secure the building by 2300 hours at the latest. This shall apply on all days of the week and on Bank Holidays and Public Holidays.

Furthermore, as the project evolves and progresses, those responsible for its delivery are asked to consider the following:

- a. the installation of an effective and robust CCTV system in order to safeguard the centre against vandalism and to deter antisocial behaviour;
- b. any proposals to install an air conditioning system (with its associated heat exchanger(s)) would have to ensure compliance with Mid Sussex District Council's environmental health requirements;
- c. any proposals to introduce a lighting scheme for the exterior of the centre must be sympathetic to the locality and must safeguard local residents from unacceptable levels of light and disturbance. Advice on 'warm white' LED lighting should be sought from Mid Sussex District Council.

WSCC Highways Authority

Comments awaited.

Environmental Health Officer

I have been informed that you have applied for planning permission to erect a new community building on Barn Cottage Lane. The plans do not show in detail the layout of the kitchen but I would like to make a recommendation to you, if permission is granted, that a separate wash hand basin be fitted in the kitchen in addition to the main kitchen sink. The reason for this is that community buildings are often used by commercial businesses such as playgroups and pre-schools and this would be required in order for them to comply with food hygiene legislation.

Further comments: I'm just looking at this application, and I'm going to need a bit more information from the applicant as to what they intend to use the hall for in order to make comments. I appreciate that they may not know every use yet, but community use is very broad, and we have had issues at other sites where this has been late night events, or gym classes with loud music during the day. It would also be good to know what times they intend the site to be open to the public, and whether the kitchen will be used for preparing food on a daily basis. If so it would be good to know how many covers per day they expect to serve. This information will allow me to better gauge what impact the site is likely to have on nearby residents.

Further comments: I think it would be good to put on timings for operation as they have suggested. I would recommend the following times: The premises shall only be open for its permitted use between the hours of 07:00 till 22:00.

Additionally it may be useful to put on conditions that the venue will not be used for live music or as a gym. They could always look to remove this in the future with the submission of acoustic data to show that such use will not have a significant impact on the amenity of neighbouring residents. If this is not possible to put on such a condition through planning, then it may be useful to make the applicant aware through an informative that such uses are likely to generate noise and vibration complaints that Environmental Health would be duty bound to investigate under statutory nuisance legislation. The potential for a Community café concerns me. There is very little information about the kitchen, and there would be a requirement the kitchen have adequate ventilation. This would then lead to requirements from us with regards to noise levels from any extract system as well as adequate odour control. The applicant likely needs to consider now if they are going to be operating a café and what that will entail, as this will require further information to be submitted in terms of noise and odour levels and how that will be controlled. Additionally I think if the premises is going to be operating as a café then we would also be looking at conditions for deliveries and waste collections.

Further comments: Awaited.

MSDC Drainage

Recommendation:

No objection subject to conditions

Summary and overall assessment

This proposed development will need to fully consider how it will manage surface water run-off. Guidance is provided at the end of this consultation response for the various possible methods. However, the hierarchy of surface water disposal will need to be followed and full consideration will need to be made towards the development catering for the 1 in 100 year storm event plus extra capacity for climate change. Any proposed run-off to a watercourse or

sewer system will need to be restricted in accordance with the Non-statutory Technical Standards for SuDS, so that run-off rates and volumes do not exceed the pre-existing greenfield values for the whole site between the 1 in 1 to the 1 in 100 year event. WSCC Policy for the Management of Surface Water should be followed and a link to this document is provided.

https://www.westsussex.gov.uk/media/12230/ws_llfa_policy_for_management_of_surface_water.pdf

The proposed development drainage will need to:

- Follow the hierarchy of surface water disposal.
- Protect people and property on the site from the risk of flooding
- Avoid creating and/or exacerbating flood risk to others beyond the boundary of the site.
- Match existing greenfield rates and follow natural drainage routes as far as possible.
- Calculate greenfield rates using IH124 or a similar approved method. SAAR and any other rainfall data used in run-off storage calculations should be based upon FEH rainfall values.
- Seek to reduce existing flood risk.
- Fully consider the likely impacts of climate change and changes to impermeable areas over the lifetime of the development.
- Consider a sustainable approach to drainage design considering managing surface water at source and surface.
- Consider the ability to remove pollutants and improve water quality.
- Consider opportunities for biodiversity enhancement.

Flood Risk

The proposed development is within flood zone 1 and is deemed to be at a low risk of fluvial flooding and is not in an area identified as having possible surface water (pluvial) flood risk.

The Council holds no records of historic flooding occurring on this site or in the vicinity but this does not mean that flooding has never occurred here, instead, that flooding has just never been reported.

Surface Water Drainage Proposals

No details supplied

Details should be supplied in order to discharge planning conditions should this application be approved.

Foul Water Drainage Proposals

No details supplied

Details should be supplied in order to discharge planning conditions should this application be approved.

Suggested Conditions

C18D - Single Dwelling

The development hereby permitted shall not commence unless and until details of the proposed foul and surface water drainage and means of disposal have been submitted to and approved in writing by the local planning authority. The building shall not be occupied until all the approved drainage works have been carried out in accordance with the agreed details.

Reason: To ensure that the proposal is satisfactorily drained and to accord with the NPPF requirements, Policy DP41 of the District Plan (2014 - 2031) and Policy E7 of the Haywards Heath Neighbourhood Plan.

Further Drainage Advice

Applicants and their consultants should familiarise themselves with the following information:

Flood Risk and Drainage Information for Planning Applications

The level of drainage information necessary for submission at each stage within the planning process will vary depending on the size of the development, flood risk, site constraints, proposed sustainable drainage system etc. The table below provides a guide and is taken from the Practice Guidance for the English non-statutory SuDS Standards

Pre-app	Outline	Full	Reserved	Discharge	Document submitted
√	√	√			Flood Risk Assessment / Statement (checklist)
√	√	√			Drainage Strategy / Statement & sketch layout plan (checklist)
	√				Preliminary layout drawings
	√				Preliminary "Outline" hydraulic calculations
	√				Preliminary landscape proposals
	√				Ground investigation report (for infiltration)
	√	√			Evidence of third party agreement for discharge to their system (in principle / consent to discharge)
		√		√	Maintenance program and on-going maintenance responsibilities
		√	√		Detailed development layout
		√	√	√	Detailed flood and drainage design drawings
		√	√	√	Full Structural, hydraulic & ground investigations
		√	√	√	Geotechnical factual and interpretive reports, including infiltration results
		√	√	√	Detailing landscaping details
		√	√	√	Discharge agreements (temporary and permanent)

Pre-app	Outline	Full	Reserved	Discharge	Document submitted
		√	√	√	Development Management & Construction Phasing Plan

Additional information may be required under specific site conditions or development proposals

Useful links:

Planning Practice Guidance - Flood Risk and Coastal Change

Flood Risk Assessment for Planning Applications

Sustainable drainage systems technical standards

Water.People.Places.- A guide for master planning sustainable drainage into developments

Climate change allowances - Detailed guidance - Environment Agency Guidance

Further guidance is available on the Susdrain website at <http://www.susdrain.org/resources/>

1.

For a development located within Flood Zone 2, Flood Zone 3, which is greater than 1 hectare in area, or where a significant flood risk has been identified:

A Flood Risk Assessment will need to be submitted that identifies what the flood risks are and how they will change in the future. Also whether the proposed development will create or exacerbate flood risk, and how it is intended to manage flood risk post development.

2.

For the use of soakaways:

Percolation tests, calculations, plans and details will need to be submitted to demonstrate that the soakaway system will be able to cater for the 1 in 100 year storm event plus have extra capacity for climate change. It will also need to be demonstrated that the proposed soakaway will have a half drain time of at least 24 hours.

3.

For the use of SuDs and Attenuation:

Written Statement (HCWS 161) - Department for Communities and Local Government - sets out the expectation that sustainable drainage systems will be provided to new developments wherever this is appropriate.

Percolation tests, calculations, plans and details will need to be submitted to demonstrate that the development will be able to cater for the 1 in 100 year storm event plus climate change percentages, for some developments this will mean considering between 20 and 40% additional volume for climate change but scenarios should be calculated and a precautionary worst case taken. Any proposed run-off to a watercourse or sewer system will need to be restricted in accordance with the Non-statutory Technical Standards for SuDS, so that run-off rates and volumes do not exceed the pre-existing Greenfield values for the whole site between the 1 in 1 to the 1 in 100 year event. A maintenance and management plan will also need to be submitted that shows how all SuDS infrastructure will be maintained so it will operate at its optimum for the lifetime of the development. This will need to identify who will undertake this work and how it will be funded. Also, measures and arrangements in place to ensure perpetuity and demonstrate the serviceability requirements, including scheduled maintenance, inspections, repairs and replacements, will need to be submitted. A clear timetable for the schedule of maintenance can help to demonstrate this.

You cannot discharge surface water unrestricted to a watercourse or sewer.

4.

Outfall to Watercourse:

If works (including temporary works) are undertaken within, under, over or up to an Ordinary Watercourse, then these works are likely to affect the flow in the watercourse and an Ordinary Watercourse Consent (OWC) may need to be applied for. OWC applications can be discussed and made with Mid Sussex District Council, Scott Wakely, 01444 477 005.

5.

Outfall to Public Sewer:

Copies of the approval of the adoption of foul and surface water sewers and/or the connection to foul and surface water sewers from the sewerage undertaker, which agrees a rate of discharge, will need to be submitted. It will be expected that any controlled discharge of surface water will need to be restricted so that the cumulative total run-off rates, from the developed area and remaining Greenfield area, is not an increase above the pre-developed Greenfield rates.

6.

Public Sewer Under or Adjacent to Site:

Consultation will need to be made with the sewerage undertaker if there is a Public Sewer running under or adjacent to the proposed development. Building any structure over or within close proximity to such sewers will require prior permission from the sewerage undertaker. Evidence of approvals to build over or within close proximity to such sewers will need to be submitted.

7.

MSDC Culvert Under or Adjacent to Site:

Consultation will need to be made with Mid Sussex District Council if there is a MSDC owned culvert running under or adjacent to the proposed development. Building any structure over or within close proximity to such culverts will require prior permission from Mid Sussex District Council. Normally it will be required that an "easement" strip of land, at least 5 to 8 metres wide, is left undeveloped to ensure that access can be made in the event of future maintenance and/or replacement. This matter can be discussed with Mid Sussex District Council, Scott Wakely, 01444 477 055.

8.

Watercourse On or Adjacent to Site:

A watercourse maintenance strip of 5 to 8 metres is required between any building and the top-of-bank of any watercourse that may run through or adjacent to the development site.