

MID SUSSEX DISTRICT COUNCIL

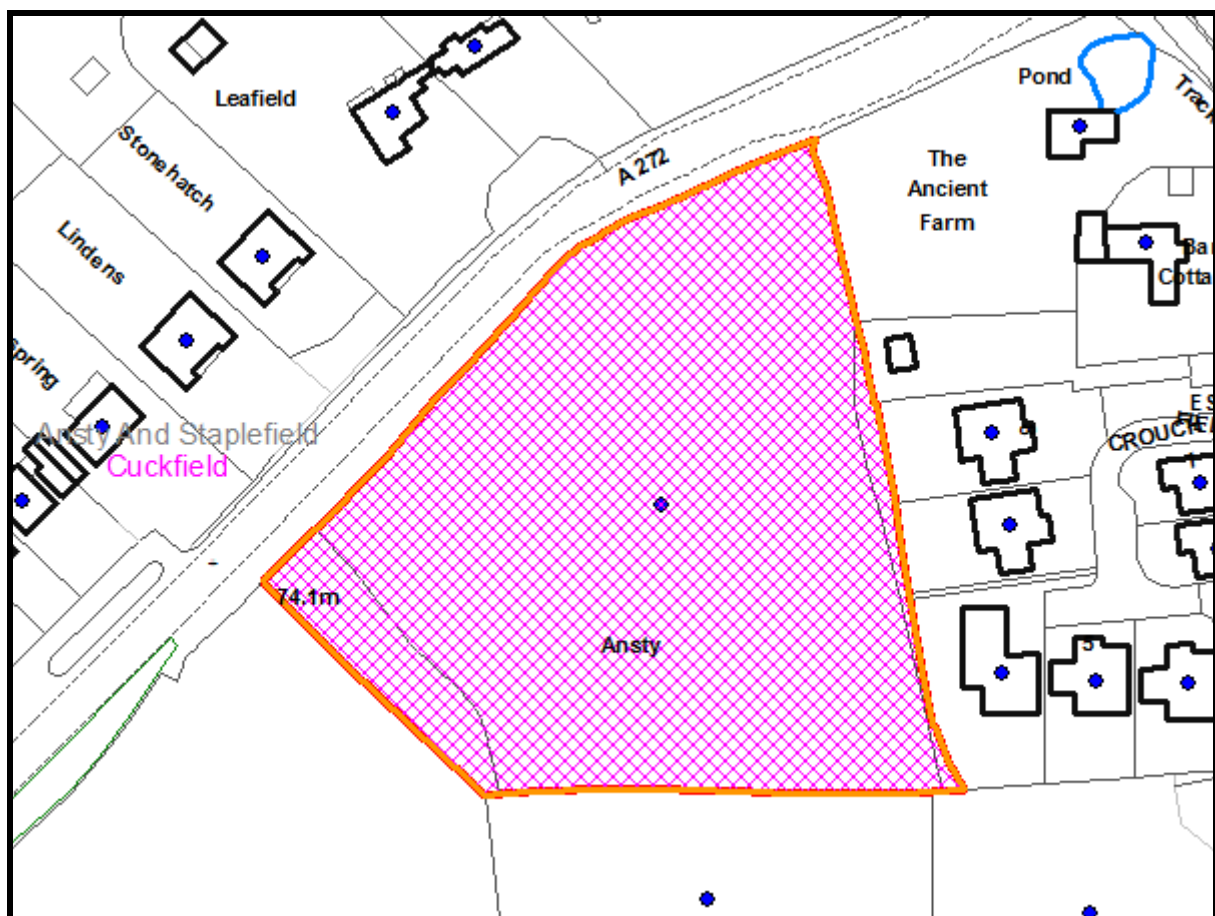
Planning Committee

5 SEP 2019

RECOMMENDED FOR PERMISSION

Ansty And Staplefield

DM/19/1235



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**LAND SOUTH OF BOLNEY ROAD BOLNEY ROAD ANSTY WEST SUSSEX
RESERVED MATTERS APPLICATION FOR THE ERECTION OF 20NO.
DWELLINGS (LAYOUT, SCALE, APPEARANCE AND LANDSCAPING)
INCLUDING UNDERGROUND LPG GAS TANKS. AMENDED PLANS RECEIVED
20 JUNE SHOWING A REVISED LAYOUT AND DESIGN FOR THE PROPOSED
DEVELOPMENT, INCLUDING THE REPLACEMENT OF THE 3 STOREY
APARTMENT BUILDING WITH A 2 STOREY BLOCK. AMENDED PLANS
RECEIVED ON 24TH JULY SHOWING AMENDMENTS TO VARIOUS PLOTS
AND REVISED LAYOUT PLAN
SIGMA HOMES LTD**

POLICY: Areas of Special Control for Adverts / Built Up Areas / Countryside
Area of Dev. Restraint / Classified Roads - 20m buffer / Planning
Agreement / Planning Obligation / Aerodrome Safeguarding (CAA) /

ODPM CODE: Smallscale Major Dwellings

13 WEEK DATE: 6th September 2019

WARD MEMBERS: Cllr Robert Salisbury / Cllr Pete Bradbury /

CASE OFFICER: Steven King

PURPOSE OF REPORT

To consider the recommendation of the Divisional Leader, Planning and Economy on the application for reserved matters consent as detailed above.

EXECUTIVE SUMMARY

This application seeks reserved matters consent for the erection of 20 dwellings on land to the south of Bolney Road, Ansty.

Planning legislation requires the application to be determined in accordance with the Development Plan unless material circumstances indicate otherwise. In this part of Mid Sussex the development plan comprises the District Plan (DP) and the Ansty and Staplefield Neighbourhood Plan (ASNP).

In this case outline planning permission has been granted for the erection of up to 20 dwellings on the site and the means of access into the site has been approved. Therefore the principle of development is established, as is the access into the site from the Bolney Road.

The design and layout of the scheme has been amended during the course of the application to improve the scheme. It is considered that the layout of the scheme, including the roads and car parking provision, is sound and the design of the proposed dwellings is acceptable. All of the dwellings would meet the national minimum space standards and the scheme provides a policy compliant level of affordable housing and a satisfactory mix of housing overall. The proposed dwellings would have a satisfactory standard of accommodation in relation to noise from the Bolney Road.

It is considered that the layout would avoid significant harm to the amenities of the occupiers of neighbouring properties. It is also considered that the impact on the listed building to the northeast of the site is acceptable.

The scheme would require the removal of a section of trees along the road frontage to provide visibility splays, but this has been accepted by virtue of the outline planning permission which approved the access into the site. The scheme is laid out

to avoid harm to trees within the site during construction and it is not felt that the layout will result in undue pressure on trees within the site from future occupiers of the new development.

In light of the above it is considered the application complies with policies in the DP21, DP26, DP27, DP29, DP30, DP31, DP34, DP37, DP39 and DP41 in the DP and policies AS4 and AS6 in the ASNP and the reserved matters should be approved.

Recommendation

It is recommended that the application be approved subject to the conditions set out in Appendix A.

SUMMARY OF REPRESENTATIONS

Original plans

4 letters received:

- object to 3 storey flats which would be out of keeping with the area;
- believe the access to the site will be dangerous;
- will cause a loss of amenity to the occupiers of Crouch Fields;
- concerned about the loss of this green field to development;
- removal of trees on this north east boundary will dramatically change the appearance of the village and there appears to be no replanting;
- parking is inadequate;
- question how pedestrians will cross the Bolney Road

Amended plans

1 letter received

- welcome the reduction of the flats from 3 to 2 storey
- believe the access to the site will be dangerous

SUMMARY OF CONSULTEES (full comments in appendices)

Highway Authority

No objection.

MSDC Drainage Officer

No objection.

Urban Designer

As the site has been allocated in the Neighbourhood Plan, the site access interventions have to be accepted, including the loss of attractive boundary trees, as there are no other workable options. The back-to-front arrangement of the houses and rear garden boundaries (plots 14 and 15) on the Bolney Road frontage are also unfortunate as it risks further undermining the sylvan character of the existing road and unattractively revealing back gardens; however, this too is a consequence of site constraints and the revised drawings now benefit from a buffer zone that provides the scope for additional planting to supplement and reinforce the existing tree belt. The design of the block of flats has been comprehensively re-designed and reduced in overall height and eaves height, and consequently now sits much better in its context with the adjacent car parking at the front of the site better screened. For these reasons, I withdraw my objection to this planning application.

Housing Enabling & Development Officer

The applicant is proposing a development of 20 residential dwellings which gives rise to an on-site affordable housing requirement of 30% (6 units). The units proposed are agreed and will meet a range of housing needs. The affordable housing mix comprises of 2 x 1 bed flats and 2 x 2 bed houses for affordable rent and 1 x 2 bed house and 1 x 3 bed house for shared ownership. A tenure blind approach to design and materials will assist with achieving a satisfactory level of social integration.

Environmental Protection Officer

Original comments

All properties will have access to outdoor amenity that is within the required noise levels. Suggest conditions relating to acoustic protection.

Updated comments

To be reported.

Tree Officer

I am concerned about the future pressure on trees in the rear gardens of plots 7, 8 and 9, similarly, the gardens of plots 14 and 15. Tree protection, plotting and RPAs all appear to be correct and AIA and MS are adequate and should be conditioned, as should the landscaping proposal detailing aftercare.

ANSTY AND STAPLEFIELD PARISH COUNCIL COMMENTS

The Parish Council are concerned that the amount of hardstanding proposed at this site will be a flood risk, causing water to run off onto the Bolney Road, which is a road that is already prone to flooding. They also object to the use of LPG when greener alternatives should be sought.

INTRODUCTION

This application seeks reserved matters consent for the erection of 20 dwellings on land to the south of Bolney Road, Ansty.

RELEVANT PLANNING HISTORY

Outline planning permission for the erection of up to 20 dwellings was granted at planning committee A on 20th October 2016 (reference DM/16/2347).

SITE AND SURROUNDINGS

The application site comprises 0.8ha of farmland and is located approximately 350m west of Ansty Village centre. The site is predominately flat, although rises gently to the east. The site forms part of a larger agricultural holding, which includes further land to the west. The majority of the site is open, with mature trees and hedgerows located along each of its boundaries. These provide screening to the surrounding areas, particularly the open countryside to the south.

The site is bound by Bolney Road (A272) to the north, Butlers Farm to the east and further fields to the south and west. Butlers Farm is recognised for its heritage value and contains the Grade II listed Ancient Farm building. Directly east of this property is Old Cottage, which is also Grade II listed.

The site lies within the countryside as defined in the District Plan. The site is allocated for development by policy in the Ansty and Staplefield neighbourhood Plan (ASNP).

APPLICATION DETAILS

The application seeks reserved matters consent for the erection of 20 dwellings, including underground LPG gas tanks on land to the south of Bolney Road, Ansty. Outline planning permission has been granted for the principle of the development and the means of access into the site was approved at the outline stage. The reserved matters consent is therefore seeking consent for the layout, scale, appearance and landscaping of the site.

The access into the site would be a T junction in the previously approved position, opposite Leafield. The access road would then head southwards into the site and would then have two cul-de-sacs to the west and east sides of the site. The layout shows a new pedestrian footway running along the eastern frontage of the site and this would exit the site at the far north eastern corner. The internal layout of the site also shows a pedestrian footway to link into the recently completed development at Crouch Fields.

The plans show two pairs of semidetached houses at the north-eastern side of the site, with car parking and then three detached houses to the rear of these. At the southern end of the site there would be a line of four detached houses. On the western side of the access road would be a block containing 4 apartments. This block would feature rear courtyard parking. On the eastern side of the access road

coming into the site would be a single building containing two apartments. Finally the plans show three detached houses on the western side of the site.

All of the properties would be two storeys in height. They would be of a traditional design and would feature a palette of brick, tile hanging and plain roof tiles.

The scheme would provide 14 market dwellings and 6 affordable units.

The scheme would provide for 52 car parking spaces.

LIST OF POLICIES

Mid Sussex District Plan

The District Plan was adopted at Full Council on 28th March 2018. Relevant policies:

DP21 Transport
DP26 Character and Design
DP27 Dwelling Space Standards
DP29 Noise, Air and Light Pollution
DP30 Housing Mix
DP31 Affordable Housing
DP34 Listed Buildings and Other Heritage Assets
DP37 Trees, Woodland and Hedgerows
DP39 Sustainable Design and Construction
DP41 Flood Risk and Drainage

Neighbourhood Plan

Ansty and Staplefield Neighbourhood Plan (ASNP)

The ASNP was made in February 2017 and is part of the development plan for this part of Mid Sussex.

POLICY AS4: HOUSING MIX

POLICY AS6: LAND OFF BOLNEY ROAD, ANSTY

ASSESSMENT

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

- The principle of development;
- Design/layout
- Access and Transport
- Neighbour amenity
- Housing Mix and Affordable Housing
- Impact on heritage assets
- Archaeology
- Impact on trees

- Drainage
- 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) And 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.'

Under section 38(5) of the Planning and Compulsory Purchase Act 2004 if a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published.

In this part of Mid Sussex the development plan comprises the District Plan and the Ansty and Staplefield Neighbourhood Plan.

In this case outline planning permission has been granted for the erection of up to 20 dwellings on the site and the means of access into the site has been approved. Therefore the principle of development is established, as is the access into the site from the Bolney Road.

Design and layout of the proposal

Policy DP26 in the DP seeks a high standard of design in new development. The NNPF has similar aims in relation to design. Whilst planning permission has been granted for this development, it is considered that policy AS6 in the ASNP is still relevant. This states:

'Planning permission will be granted for residential development on 0.52 hectares of land off Bolney Road, Ansty, subject to the following criteria:

- *the provision of a range of house types and in accordance with Policy AS4 of this Plan; and*

- *the tree belt surrounding the site is, where possible, retained and further enhanced with native species; and*
- *access is provided from the south-western corner of the site in order to overcome the change in levels, with visibility maximised; and*
- *safe pedestrian access into the village is provided where possible; and*
- *sufficient surface water drainage capacity is provided.'*

The design and layout of the scheme have been amended following negotiation with the officers. As originally proposed there would have been a three storey block of flats within the site which officer's considered inappropriate given the scale of development in the vicinity and the elevated position of the site above Bolney Road. There have also been improvements to the external elevations of the buildings including the consistent application of facing materials at the front, back and sides and the replacement of render-finishes with cladding or brick that have better weathering properties.

Overall it is considered that the layout of the proposed scheme is sound. The access point has been approved at the outline stage and this helped determined how the site is laid out. The majority of the dwellings would face onto the road within the site to produce a sound street frontage. The dwellings to the northeast of the site would face onto the pedestrian path that would run parallel to the Bolney Road and would then join the Bolney Road in the far north eastern corner of the site.

The car parking for units would be located behind the building in a parking court. This would screen this area of car parking to ensure that the street frontage is not overly dominated by car parking.

It is therefore felt that the scheme complies with the design elements of policy AS6 in the ASNP.

It is acknowledged that the designs of the houses are not unique or innovative. However it is considered that they will fit in satisfactorily within the area and they are not objectionable. Following the changes that have been negotiated the Council's Urban Design does not object to the proposal. The design elements of policy DP26 in the DP are therefore complied with.

Dwelling space standards

Policy DP27 of the DP states that the minimum nationally described spaces standards for internal floor space will be applied to all new residential development. The standards set out minimum floor space figures for dwellings based on the number of bedrooms and bed spaces within properties.

All of the dwellings would meet the dwelling space standards.

Noise

In relation to noise, policy DP29 states *"The environment, including nationally designated environmental sites, nationally protected landscapes, areas of nature conservation or geological interest, wildlife habitats, and the quality of people's life*

will be protected from unacceptable levels of noise, light and air pollution by only permitting development where:

Noise pollution:

- *It is designed, located and controlled to minimise the impact of noise on health and quality of life, neighbouring properties and the surrounding area;*
- *If it is likely to generate significant levels of noise it incorporates appropriate noise attenuation measures;*

Noise sensitive development, such as residential, will not be permitted in close proximity to existing or proposed development generating high levels of noise unless adequate sound insulation measures, as supported by a noise assessment are incorporated within the development.

In appropriate circumstances, the applicant will be required to provide:

- *an assessment of the impact of noise generated by a proposed development; or*
- *an assessment of the effect of noise by an existing noise source upon a proposed development ;'*

Noise is a material planning consideration. The Planning Practice Guidance (PPG) states neither the Noise Policy Statement for England nor the NPPF (which reflects the Noise Policy Statement) expects noise to be considered in isolation, separately from the economic, social and other environmental dimensions of proposed development.

The PPG advises that increasing noise exposure will at some point cause the significant observed adverse effect level boundary to be crossed. Above this level the noise causes a material change in behaviour such as keeping windows closed for most of the time or avoiding certain activities during periods when the noise is present. If the exposure is above this level the planning process should be used to avoid this effect occurring, by use of appropriate mitigation such as by altering the design and layout. The PPG that advises that noise should not be considered in isolation to the economic, social and environmental dimensions of the proposed development.

The application is accompanied by a noise assessment that has considered by the Council's EHO. This has been updated during the course of the application to reflect the design and layout changes that have been negotiated. The source of noise for this development would be from the Bolney Road to the north.

The Council's EHO does not raise any objection to the application and it is therefore considered that policy DP29 is complied with.

Transport

The means of access into the site has already been approved by the outline planning permission. As such the impact of the development on road capacity and matters of accessibility have already been found to be acceptable. It remains the case however,

that the Highway Authority still considers that the proposals will not *'have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network'*. The issues to consider in respect reserved matters relate to the internal layout of the development.

The Highway Authority is satisfied that suitable space for turning of all anticipated vehicles, including servicing vehicles has been demonstrated. Garages are sufficient size (3m by 6m for single) internally to count toward car and bicycle parking. The scheme would provide 52 car parking spaces, with 6 of these being unallocated visitor spaces.

It is considered that the internal geometry of the highway layout is acceptable. The level of car parking provision is also acceptable.

The scheme includes the provision of a pedestrian footway to link into the recently completed residential development of 8 houses at Crouch Fields. The layout at Crouch Fields provided a footpath link to the western boundary of the site to enable a pedestrian connection to be formed when the application site under consideration now can forward. This should provide a more direct pedestrian link to the south and eastern sides of the village from the site. The scheme also includes a pedestrian footpath to the bus stop on Bolney Road.

It is considered that the above pedestrian links are acceptable. In light of all the above, the application therefore complies with policy DP21 of the DP.

Impact on neighbour amenity

Policy DP26 of the DP seeks to resist developments that would cause significant harm to the amenities of neighbours, taking account of the impact on privacy, outlook, daylight and sunlight and noise, air and light pollution.

The nearest property to the proposed development would be the relatively new detached house at 6 Crouch Field that would be some 10m to the east of the side elevation of the property on plot 10 of the application site. Whilst this is relatively close, it is important to note that it would only be the side elevation and garage of the plot on number 10 that would face towards 6 Crouch Field. As such there would be no overlooking and the extent of the two storey element facing 6 Crouch Field would be limited. It is also relevant that as 6 Crouch Field is on a corner plot, it also has a rear garden some 12m in depth to the south of the property. In light of all these points it is not felt that the proposal would result in significant harm to the amenities of this property.

The properties on plots 7 to 9 would be some 33m back to back from 7 and 8 Crouch Fields. Whilst the new dwellings would be visible to the occupiers of the properties on Crouch Fields it is not considered that there would be any adverse impact on their amenities from this.

The apartments on plots 17 to 20 would be some 36m from Stonehatch on the opposite side of Bolney Road. It is not considered there would be any adverse impact on their amenities from the proposal.

Overall it is felt that there would not be a significant loss of amenity to neighbouring properties and therefore there is no conflict with this element of policy DP26 in the DP.

Housing mix and affordable housing

Policy DP30 of the DP states that to support sustainable communities, housing development will provide a mix of dwelling types and sizes from new development that reflects current and future housing needs.

Policy AS4 in the ASNP states:

'Residential developments must provide a mix of dwelling sizes (market and affordable) that reflect the best available housing evidence.'

In the early part of the plan period, the housing evidence indicates a particular emphasis on the provision of 1- and 2-bed dwellings. It is therefore expected that in the early part of the plan period developments will provide a mix of dwellings include the provision of 1 and 2 bedroom dwellings to reflect the local housing need.'

The housing mix would be as follows:

Market housing

4 x 2 bed

5 x 3 bed

5 x 4 bed

Affordable housing

2 x 1 bed

3 x 2 bed

1 x 3 bed

As such 45% of the overall units would be 1 and 2 bed, 30% would be 3 bed and 25% would be 4 bed. It is considered that this is a reasonable housing mix that would comply with the above policies.

The scheme provides a policy compliant level of affordable housing. As such policy DP31 of the DP is complied with.

Impact on heritage assets

The application site is a field situated to the south of Bolney Road adjacent to Ansty village centre- directly to the north east of the site is a small group of dwellings sitting in the angle of the junction between Bolney Road and Cuckfield Road, including The Ancient Farm and Old Cottage, both of which are Grade II listed. The grounds of The Ancient Farm directly abuts the application site, but are separated from it by a think belt of trees and shrubs. The application site is separated from Old Cottage by the buildings and grounds associated with The Ancient Farm, and is not therefore

considered to fall within its setting. It is however considered to form part of the setting of The Ancient Farm.

As the application affects a listed building, the statutory requirement to have special regard to the desirability of preserving the building, its setting and any features of special interest (s66, Planning (Listed Buildings and Conservation Areas) Act 1990) must be taken into account when making any decision. In addition, in enacting section 66(1) of the Listed Buildings Act, the desirability of preserving the settings of listed buildings should be given 'considerable importance and weight' when the decision taker carries out the balancing exercise, thus properly reflecting the statutory presumption that preservation is desirable. Policy DP34 of the DP seeks to protect listed buildings and their settings.

On the original outline application the Conservation Officer stated 'The proposed new residential development would have a fundamental impact on the currently open and rural character of the site, which would in turn have an impact on the character of this part of the setting of the Ancient Farm, which does contribute to an appreciation of the previously agricultural function and rural location of the building. However, the site is separated from the Farm by a thick belt of trees and shrubs and intervisibility is likely to be limited. Screening along the Bolney Road frontage of the site will limit the impact of the new development on the setting of the heritage asset as appreciated from this approach to it; furthermore the Ancient Farm itself is only visible in glimpsed views from Bolney Road due again to screening by trees.'

In this context it is considered that although the proposal will have a harmful impact on the character of the setting of the Ancient Farm, this harm will be less than substantial in terms of the NPPF.'

The illustrative layout that was submitted with the outline application is similar to the reserved matters submission. It is considered that whilst there would be some harm to the setting of the listed building as a result of the proposal this would certainly be less than substantial as defined in the NPPF.

Paragraph 196 of the NPPF states '*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*' It is therefore necessary to consider whether according to Para 196 of the NPPF sufficient public benefits would offset the less than substantial harm which must be given significant importance and weight in accordance with S66(1) of the Listed Buildings Act.

It is considered that the significant benefits of the scheme (provision of new housing, including affordable housing, on a site that is allocated for housing development in a Neighbourhood Plan, economic benefits including construction jobs, additional spending in the locality and new homes bonus) do outweigh the less than substantial harm to the setting of the listed building which has been given 'considerable importance and weight' in accordance with the relevant provisions of the 1990 Act. The proposal therefore complies with policy DP34 of the DP.

Archaeology

The reserved matters application is accompanied by an archaeological report that concludes 'the archaeological evaluation at Bolney Road , Ansty successfully investigated those parts of the site which will be most affected by the proposed development of the site. Despite the fact that the site does not appear to have been disturbed in the past, no archaeological finds or features were recorded during the project. The archaeological potential of the site is therefore regarded as being low.' The applicants have also submitted an application to discharge the archaeological condition which the Councils Archaeological Consultant has advised is acceptable. As such there are no archaeological grounds to resist this application.

Impact on trees

Policy DP37 seeks to support the protection and enhancement of trees, woodland and hedgerows. It states that development '*that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or character of an area, and/ or that have landscape, historic or wildlife importance, will not normally be permitted.*' There are no preserved trees within the site but policy DP37 is still applicable. In this case there will be a significant impact on the road frontage as the on the trees on the eastern side of the access along Bolney Road would be removed to provide the visibility splay. As the position of the access has been approved at the outline stage, this loss of trees has been accepted.

Within the site the significant trees are on the eastern and southern boundaries of the site. With regards to the trees on the eastern side of the site, the houses on plots 7 to 9 would be further away from the trees on the boundary than the houses at Crouch Fields which were approved by a Planning Inspector. Plot 9 would have the smallest rear garden of these dwellings at some 17m in length. Given the depth of the gardens of these properties and the fact that the houses to the east at Crouch Fields have smaller rear gardens, it is felt that the proximity of the houses to these trees would be acceptable and it would be difficult to argue that there would be undue pressure placed on these trees.

The houses on plots 14 and 15 would have rear gardens some 13m in depth. These trees are shown as being outside the rear gardens of these houses. Given the depth of the rear gardens and also the fact that the trees are to the northwest of the proposed houses, it is again considered that there should not be undue pressure from future occupiers to carry out works on these trees.

The Tree Officer has confirmed that tree protection, plotting and root protection areas all appear to be correct. The applicants have provided a landscaping plan with the reserved matters application and will also be required to discharge the landscaping condition that is attached to the outline planning permission. This can ensure that the final details of the proposed landscaping are acceptable.

In light of all the above it is felt that policy DP37 of the DP is complied with.

Drainage

Policy DP41 of the DP seeks to ensure that sites can be satisfactorily drained and not cause drainage problems off site. The application is accompanied by a Flood Risk and Drainage Strategy. This outlines that the intention for surface water is to limit the discharge of water off site to the existing greenfield rate and then to discharge to the watercourse that is located 400m to the west. This would involve the commissioning of a new surface water sewer in Bolney Road. The foul drainage strategy proposed is to connect to the foul manhole 6001 located approximately 400m west of the site where the existing foul network changes direction from the Bolney Road properties' rear gardens and proceeds to run under the highway.

The final details of the means of drainage of the site are controlled by a planning condition attached to the outline consent. The Councils Drainage Engineer has no objections to the proposals as outlined in the reserved matters application.

In light of the above it is considered that policy DP41 of the DP is met.

PLANNING BALANCE AND CONCLUSION

To summarise, this application seeks reserved matters consent for the erection of 20 dwellings on land to the south of Bolney Road, Ansty.

Planning legislation requires the application to be determined in accordance with the Development Plan unless material circumstances indicate otherwise. In this part of Mid Sussex the development plan comprises the District Plan (DP) and the Ansty and Staplefield Neighbourhood Plan (ASNP).

In this case outline planning permission has been granted for the erection of up to 20 dwellings on the site and the means of access into the site has been approved. Therefore the principle of development is established, as is the access into the site from the Bolney Road.

The design and layout of the scheme has been amended during the course of the application to improve the scheme. It is considered that the layout of the scheme, including the roads and car parking provision, is sound and the design of the proposed dwellings is acceptable. All of the dwellings would meet the national minimum space standards and the scheme provides a policy compliant level of affordable housing and a satisfactory mix of housing overall. The proposed dwellings would have a satisfactory standard of accommodation in relation to noise from the Bolney Road.

It is considered that the layout would avoid significant harm to the amenities of the occupiers of neighbouring properties. It is also considered that the impact on the listed building to the northeast of the site is acceptable.

The scheme would require the removal of a section of trees along the road frontage to provide visibility splays, but this has been accepted by virtue of the outline planning permission which approved the access into the site. The scheme is laid out to avoid harm to trees within the site during construction and it is not felt that the

layout will result in undue pressure on trees within the site from future occupiers of the new development.

In light of the above it is considered the application complies with policies in the DP21, DP26, DP27, DP29, DP30, DP31, DP34, DP37, DP39 and DP41 in the DP and policies AS4 and AS6 in the ASNP and the reserved matters should be approved.

APPENDIX A – RECOMMENDED CONDITIONS

1. No dwelling shall be first occupied until the car parking and garaging serving the respective dwellings has been constructed in accordance with the approved site plan. Once provided the spaces shall thereafter be retained at all times for the parking and garaging of vehicles.

Reason: To provide car-parking space for the use and to comply with policy DP21 of the District Plan 2014-2031.

2. No dwelling shall be first occupied until covered and secure cycle parking spaces serving the respective dwellings have been provided in accordance with the approved planning drawings.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies and to comply with policy DP21 of the District Plan 2014-2031.

3. The first floor windows on the east elevation of plot 10 shall at all times be glazed with obscured glass fixed to be top vent opening only.

Reason: To protect the amenities and privacy of the adjoining property and to accord with Policy DP26 of the District Plan 2014 - 2031.

4. Glazing installed within Plots 1 to 6 and 19 to 20 is required to achieve a specification RTra 29dB or higher when closed. This shall be implemented prior to the occupation of the development and shall thereafter be retained to such a standard or higher.

Reason: To protect the amenities of future occupants and to accord with Policies DP26 and DP29 of the Mid Sussex District Plan 2014 - 2031.

5. Prior to the commencement of construction of any dwelling or building subject of this permission, including construction of foundations, there shall be submitted to the Local Planning Authority for its approval in writing, detailed proposals of an alternative means of ventilation for Plots 1 to 6 and 19 to 20. The system is required to have sufficient capacity to ensure adequate fresh air for habitable rooms, while maintaining the required sound reduction values detailed in Acoustic Associates Sussex Ltd Noise Assessment (ref: J2591), dated 16th August 2019. The scheme shall only be implemented in accordance with the approved details.

Reason: To protect the amenities of future occupants and to accord with Policies DP26 and DP29 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.

Plans Referred to in Consideration of this Application

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

Plan Type	Reference	Version	Submitted Date
Location Plan	Ansty-LCP-01		27.03.2019
Proposed Site Plan	01285 PL01	C	27.03.2019
Proposed Floor and Elevations Plan	01285/PI02	C	27.03.2019
Proposed Floor and Elevations Plan	01285/PL03	C	27.03.2019
Proposed Floor and Elevations Plan	01285/PL04	A	27.03.2019
Proposed Floor and Elevations Plan	01285/PL05	B	27.03.2019
Proposed Floor and Elevations Plan	01285/PL06	B	27.03.2019
Proposed Floor and Elevations Plan	01285/PL07	B	27.03.2019
Proposed Floor Plans	01285/PL08	A	20.06.2019
Proposed Elevations	01285/PL09	A	20.06.2019
Proposed Floor and Elevations Plan	01285/PL10	A	20.06.2019
Proposed Floor and Elevations Plan	01285/PL11	A	27.03.2019
Proposed Floor and Elevations Plan	01285/PL12	C	27.03.2019
Proposed Floor and Elevations Plan	01285/PL13	A	27.03.2019
Proposed Floor and Elevations Plan	01285/PL14		27.03.2019
Proposed Floor Plans	01285/PL15	A	27.03.2019
Proposed Floor Plans	01285/PL17	A	27.03.2019
Proposed Elevations	01285/PL18	B	27.03.2019
Proposed Floor and Elevations Plan	01285PL20		27.03.2019
Proposed Floor Plans	21387		27.03.2019
Street Scene	01285/PL19	B	27.03.2019
Landscaping Details	NJCL 363-1		27.03.2019
Tree Survey	NJCL 363	A	27.03.2019
Tree Survey	NJCL 363	B	27.03.2019
Sections	Ansty-LPA-01		20.06.2019
Levels	Ansty-FFL-01		20.06.2019
Proposed Floor and Elevations Plan	01285/PL11	B	20.06.2019
Proposed Floor and Elevations Plan	01285/PL06	C	20.06.2019
Proposed Floor and Elevations Plan	01285/PL05	C	20.06.2019
Proposed Floor and Elevations Plan	01285/PL04	B	20.06.2019
Proposed Floor and Elevations Plan	01285/PL03	D	20.06.2019
Proposed Floor and Elevations Plan	01285/PI02	D	20.06.2019
Proposed Floor and Elevations Plan	01285/PL14	A	20.06.2019
Proposed Floor and Elevations Plan	01285/PL07	C	20.06.2019
Proposed Floor and Elevations Plan	01285/PL13	B	20.06.2019
Street Scene	01285/PL19	D	24.07.2019
Landscaping Details	NJCL 363-1	B	24.07.2019
Proposed Site Plan	01285 PL01	E	24.07.2019

Proposed Floor and Elevations Plan	01285/PL12	E	24.07.2019
Proposed Floor and Elevations Plan	01285/PL15	C	24.07.2019
Proposed Floor Plans	01285/PL17	C	24.07.2019
Proposed Elevations	01285/PL18	D	24.07.2019

APPENDIX B – CONSULTATIONS

Parish Consultation

The Parish Council are concerned that the amount of hardstanding proposed at this site will be a flood risk, causing water to run off onto the Bolney Road, which is a road that is already prone to flooding. They also object to the use of LPG when greener alternatives should be sought.

Highway Authority

Access Arrangements Approved under DM/16/2347

Matters of access and visibility were commented on under DM/16/2347. This included the submission of a Stage 1 Road Safety Audit (RSA) and speed survey with achievable visibility splays demonstrated to be in line with recorded 85th percentile speeds.

The new bellmouth junction with A272 Bolney Road is to be constructed via a S278 agreement and technical approval with the WSCC Implementation Team. The internal estate roads are to be built to adoptable standards but not proposed to be offered for adoption at this stage.

The new site access will be designed in accordance with drawing no. 10839-T05 Rev P3 as revised from the RSA recommendations. Details of RSA recommendations have been commented on under discharge of condition application DM/19/1242. Details of Construction Management Plan (CMP) have also been commented on by the LHA under this discharge of condition application. The LHA have requested further clarity on the internal layout during construction phase including capacity for contractor parking within the site.

As per comments under DM/16/2347 the applicant should confirm whether proposals for Vehicle Activated Signs are still to be bought forward.

The impact of the development on road capacity and matters of accessibility have also been commented on under DM/16/2347. The LHA's comments in respect to these reserved matters will consider the internal layout, manoeuvrability for all vehicles and car parking only.

Internal Layout and Servicing

The updated Transport Statement indicates that servicing will take place within the site and it is achievable for a refuse collection vehicle to enter, turn on site and exit in a forward gear, as demonstrated via swept path tracking from PBA drawing no. 020.0444.002. Refuse collection vehicles will be able to get within 25m of each bin collection point as per Manual for Streets guidance.

A 2m wide footway is to be provided within the site, to the northeast of the development. This will link to the bus stop on the southern side of Bolney Road. Internal carriageway width will remain at a minimum of 4.8m to allow vehicles to pass in opposing directions. Where the footway is not segregated a shared surface arrangement is proposed in line with MfS guidance. The estate roads will be designed to a 20mph design speed and forward visibility has been demonstrated within the site at the corner of plot 16 in accordance with 15mph design speed to ensure visibility for vehicles at this point. A pedestrian link is also proposed

between plots 9 and 10 which will lead toward the B2036 to the east and appears to link in with the Crouch Fields development.

Car and Bicycle Parking

The parking demand for the development has been assessed using the WSCC Car Parking Demand Calculator (PDC) on the basis of 4 x 2-bedroom, 5 x 3-bedroom and 5 x 4-bedroom open market and 2 x 1-bedroom, 3 x 2-bedroom and 1 x 4-bedroom social housing. 52 x parking spaces will be provided across the development with 46 of these allocated. Using the PDC a demand for 49 spaces is anticipated. With additional visitor parking also provided this can be accommodated within the site.

MSDC hold their own parking standards (1 bedroom = 1 car and 1 cycle space, 2-3 bedroom = 2 car and 2 cycle space, 4-bedroom = 3 car and 2 cycle, 5+ bedroom = assessed individually). On this basis the development could see a demand for 43 spaces.

Garages are sufficient size (3m by 6m for single) internally to count toward car and bicycle parking. Where garages are not provided a secure and covered bicycle storage facility will be in place. The workability of the parking spaces is shown via swept path tracking within the TS. The LHA are satisfied that sufficient parking and turning for cars is available within the site.

Conclusion

The LHA consider that the details pertaining to reserved matters of DM/16/2347 are acceptable. The LPA should be satisfied that matters relating to access and discharge of highways related conditions to DM/16/2347 are agreed with the LHA.

The Local Highway Authority does not consider that the proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal.

If the LPA is minded to approve the application the following conditions should be secured.

Car parking space

No dwelling shall be first occupied until the car parking serving the respective dwellings 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 car-parking space for the use.

Cycle parking

No dwelling shall be first occupied until covered and secure cycle parking spaces serving the respective dwellings have been provided in accordance with the approved planning drawings.

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

INFORMATIVE

The applicant is advised that the erection of temporary directional signage should be agreed with the Local Traffic Engineer prior to any signage being installed. The applicant should be aware that a charge will be applied for this service.

Amended plans

West Sussex County Council, in its capacity as the Local Highway Authority (LHA), have been re-consulted on proposals for 20 x dwellings (reserved matters). In comments dated 23 April 2019 no objections were raised, with access arrangements already approved under DM/16/2347.

Amended plans have been received showing a revised layout, an amended Transport Statement (TS) has also been provided. The main alterations include replacement of 3 storey apartment building with 2 storey block, the internal access roads and road layout remain the same. The LHA are satisfied that suitable space for turning of all anticipated vehicles, including servicing vehicles has been demonstrated.

As per previous comments the LHA consider that the details pertaining to reserved matters of DM/16/2347 are acceptable. The LPA should be satisfied that matters relating to access and discharge of highways related conditions to DM/16/2347 are agreed with the LHA.

Car parking space

No dwelling shall be first occupied until the car parking serving the respective dwellings 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 car-parking space for the use.

Cycle parking

No dwelling shall be first occupied until covered and secure cycle parking spaces serving the respective dwellings have been provided in accordance with the approved planning drawings.

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

INFORMATIVE

The applicant is advised that the erection of temporary directional signage should be agreed with the Local Traffic Engineer prior to any signage being installed. The applicant should be aware that a charge will be applied for this service.

MSDC Drainage Officer

I've had a look at the new layout plan submitted as part of the above reserve matters stage. We have no comment on the changes to the development layout. However, we would advise the applicant that the drainage strategy submitted as part of the discharge of conditions application for this site will need to be amended to address the changes to the development layout.

Urban Designer – Will Dorman

Amended plans

Summary and Overall Assessment

As the site has been allocated in the Neighbourhood Plan, the site access interventions have to be accepted, including the loss of attractive boundary trees, as there are no other workable options. The back-to-front arrangement of the houses and rear garden boundaries (plots 14 and 15) on the Bolney Road frontage are also unfortunate as it risks further

undermining the sylvan character of the existing road and unattractively revealing back gardens; however, this too is a consequence of site constraints and the revised drawings now benefit from a buffer zone that provides the scope for additional planting to supplement and reinforce the existing tree belt. The design of the block of flats has been comprehensively re-designed and reduced in overall height and eaves height, and consequently now sits much better in its context with the adjacent car parking at the front of the site better screened. For these reasons, I withdraw my objection to this planning application even though the building design across the site is unimaginative and reliant on an unconvincing pastiche design. I would nevertheless recommend conditions with the following drawings / material subject to further approval:

- Facing materials including fenestration and balcony finish
- Detailed landscaping and boundary treatment.

Layout

The sylvan character of Bolney Road will be partly eroded with the necessary removal of existing boundary trees to facilitate visibility splay principally to the east of the site entrance. To the west of the site entrance, the set-back boundary of the rear garden boundaries (plots 14 and 15) that is now shown on the revised site layout drawing provide for a buffer zone that should enable additional planting to complement and strengthen the retained tree belt along this part of Bolney Road. The northern boundary around the garden serving the ground floor of the block of flats (plots 17-20) will need to be especially carefully designed and softened with planting as it extend close to Bolney Road at the site entrance; the detailed landscaping and boundary treatment (both here and elsewhere) will therefore need to be secured through condition.

The revised drawings incorporate a comprehensively re-designed block of flats that replaces a 3 storey building with a 2 storey one with a longer frontage that defines / encloses the public realm around the entranceway and largely screens the parking serving plots 16-20 by accommodating in a rear parking court behind the building frontage.

Plots 7-9 feature relatively long gardens to provide separation distance between the houses and the large mature trees on the eastern boundary.

A pedestrian connection has been provide to the village centre via the Barn Cottage development also on the eastern side.

The open space provision is minimal and consists of a pocket space around an existing oak tree adjacent to plot 13. This provides visual amenity rather than recreational potential and reads as an incidental space because the adjacent house is flank-on and separated by car parking, although the flank elevation is at least well fenestrated. However this is considered acceptable because of the relatively small size of the development and site constraints

Elevations / Massing

The 2 storey block of flats is a significant improvement upon the 3 storey one in the original submission, both in terms of the massing and the quality of the articulation. The symmetrical configuration of the main frontage is well organised into 3 distinct bays that contributes with the lower height to reduce the apparent scale that allows it to sit comfortably with the adjacent houses.

The revised drawings have also taken the opportunity to improve the design of the houses with:

- The consistent application of facing materials at the front, back and sides.
- The replacement of the previously poorly designed houses on plots 16 and 17; with the latter dwelling incorporated into the redesigned block of flats and the former now designed as a detached house with windows in the flank to help address the corner.
- The entrance canopies are less dominant, but it is a shame the opportunity has not been taken to reinforce the symmetry by centring the door on plots 11 and 12 in particular.

The designs still suffer from the employment of different façade treatment to cloak the same house type that does not convincingly disguise the standard house types and is at risk of looking superficial which is also not helped by the fake chimneys. However, the render-finishes have now been omitted and replaced with cladding or brick that have better weathering properties.

Housing Enabling & Development Officer

The applicant is proposing a development of 20 residential dwellings which gives rise to an onsite affordable housing requirement of 30% (6 units). The units proposed are agreed and will meet a range of housing needs. The affordable housing mix comprises of 2 x 1 bed flats and 2 x 2 bed houses for affordable rent and 1 x 2 bed house and 1 x 3 bed house for shared ownership. A tenure blind approach to design and materials will assist with achieving a satisfactory level of social integration

Environmental Protection Officer

Original comments

Main Comments:

The Acoustics Noise Assessment (Ref: 2591) by Acoustic Associates Sussex Ltd, dated 14th March 2019 details a noise assessment of the road traffic noise for the area, and likely noise for proposed residents in line with BS8233:2014.

This report outlines that plots 7 to 17 will achieve the required indoor noise levels with standard double glazing. However Plots 1 to and 18 to 20 will only be able to have reasonable noise levels with their enhanced double glazing and their windows closed.

As such Plots 1 to and 18 to 20 will requires some form of alternative ventilation that also offers sufficient sound reduction. The acoustic report outlines possible ventilation that can be used, but a condition should be attached requiring details of the exact ventilation to be used to be submitted.

All properties will have access to outdoor amenity that is within the required noise levels.

Recommendation:

1) The soundproofing scheme set out in Acoustic Associates Sussex Ltd Noise Assessment (ref: J2591), dated 14th March 2019 shall be implemented prior to the occupation of the development and shall thereafter be retained to such a standard or higher.

2) Prior to any building operations being commenced, there shall be submitted to the local planning authority for its approval in writing, detailed proposals of an alternative means of

ventilation with sufficient capacity to ensure adequate fresh air for habitable rooms, while maintaining the required sound reduction values detailed in Acoustic Associates Sussex Ltd Noise Assessment (ref: J2591), dated 14th March 2019.

Updated comments

Following previous comments the layout for the proposed site has changed, with plot 17 being changed from a house to flat. Plot 16 is now a detached house.

Given the changes the Acoustics Noise Assessment (Ref: J2591) by Acoustic Associates Sussex Ltd, has been updated to issue 4, dated 16th August 2019.

Due to the changes the report outlines that plots 7 to 18 will now achieve the required indoor noise levels with standard double glazing. However Plots 1 to 6 and 19 to 20 will require an acoustically enhanced double-glazing with a specification of R_{Tra} 29dB (when closed). It is also required that for these units alternative ventilation arrangements, such as acoustic air bricks or MVHR units, are put in place.

Recommendation:

- 1) Glazing installed within Plots 1 to 6 and 19 to 20 is required to achieve a specification R_{Tra} 29dB or higher when closed. This shall be implemented prior to the occupation of the development and shall thereafter be retained to such a standard or higher.
- 2) Prior to any building operations being commenced there shall be submitted to the local planning authority for its approval in writing, detailed proposals of an alternative means of ventilation for Plots 1 to 6 and 19 to 20. The system is required to have sufficient capacity to ensure adequate fresh air for habitable rooms, while maintaining the required sound reduction values detailed in Acoustic Associates Sussex Ltd Noise Assessment (ref: J2591), dated 16th August 2019.

Tree Officer

I am concerned about the future pressure on trees in the rear gardens of plots 7,8 and 9, similarly, the gardens of plots 14 and 15. It appears that these trees may be in the ownership of WSCC. I also note that pruning works are proposed to a number of retained trees, even at this early stage to facilitate the development. The development does appear rather cramped within the site.

As the matter of access has already been approved, most of the other remaining trees are around the perimeter and there is little further tree loss. DP37 requires replacement on a one to one basis and landscaping plans are titled 'INFORMATION'. Therefore, if development is approved, request a condition requiring landscaping scheme. Whilst I note informative plans show Malus sp, we are losing a number of natives, therefore smaller trees should be replaced with Crataegus sp. Care should be taken to select native trees as much as possible in line with policy.

Tree protection, plotting and RPAs all appear to be correct and AIA and MS are adequate and should be conditioned,, as should the landscaping proposal detailing aftercare.