

MID SUSSEX DISTRICT COUNCIL

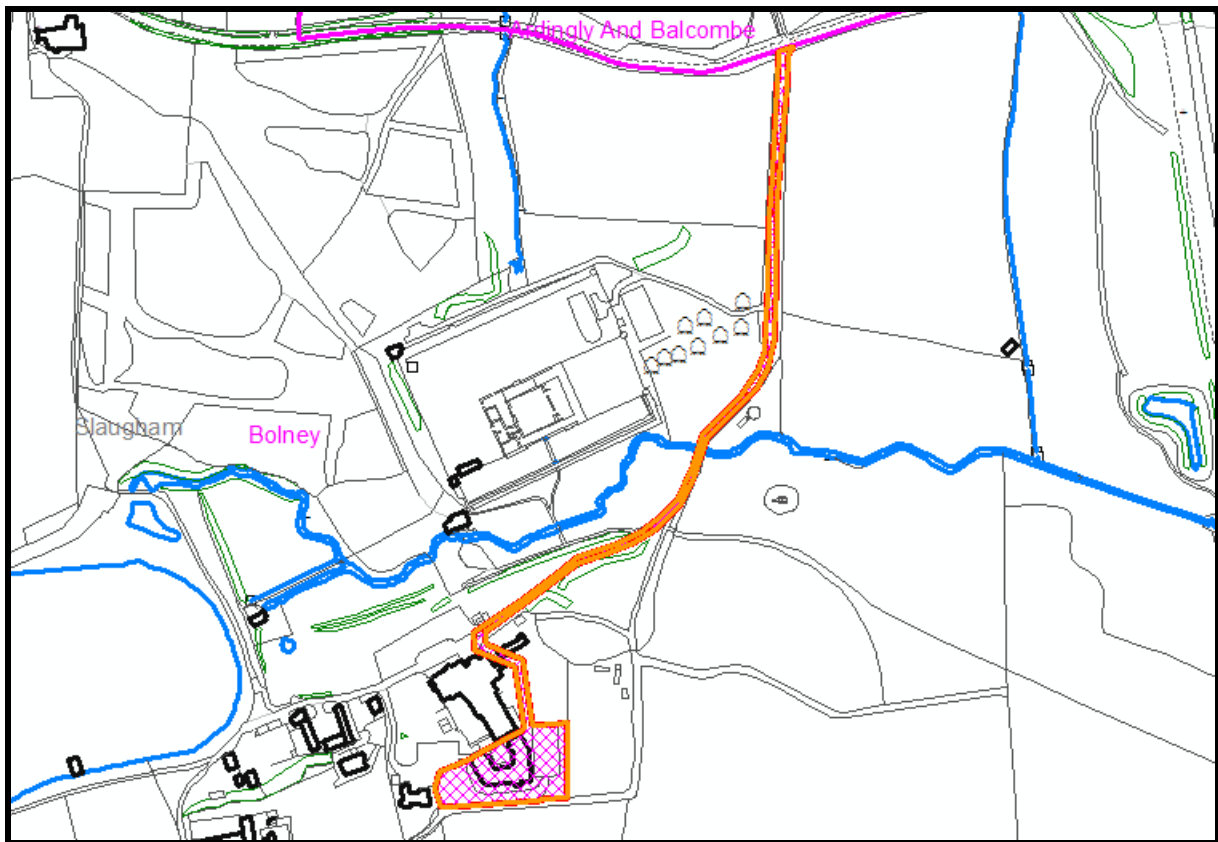
Planning Committee

5 SEP 2019

RECOMMENDED FOR REFUSAL

Slaugham

DM/19/0060



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**SLAUGHAM MANOR SLAUGHAM PLACE SLAUGHAM WEST SUSSEX
NEW BUILD 8 SEMI DETACHED HOUSES WITH ATTACHED GARAGES
TO EACH SIDE ELEVATION: AMENDED PLANS RECEIVED 25TH JUNE
SHOWING ADDITIONAL CAR PARKING SPACES, REVISIONS TO
LANDSCAPING AND REVISIONS TO HOUSE PLANS.
MR D MARTIN**

POLICY: Ancient Woodland / Areas of Outstanding Natural Beauty / Areas of
Special Control for Adverts / Brownfield Land / Countryside Area of
Dev. Restraint / Classified Roads - 20m buffer / Flood Map - Zones
2 and 3 / Planning Agreement / Planning Obligation / Aerodrome

ODPM CODE: Minor Dwellings

8 WEEK DATE: 6th September 2019

WARD MEMBERS: Cllr Judy Llewellyn-Burke /

CASE OFFICER: Steven King

PURPOSE OF REPORT

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

EXECUTIVE SUMMARY

This application seeks full planning permission for the erection of 8 dwellings at Slaugham Manor, Slaugham Place, Slaugham. The plans show that there would be 4 pairs of semidetached dwellings located at the southern end of the site. These houses would be in the same location as 4 houses that were approved under the previous outline and reserved matters consent for 15 dwelling houses on the site. In effect the proposal is to subdivide the 4 plots that have been previously approved to accommodate 8 houses in their place. The proposal would therefore result in a net gain of 4 dwellings on the site compared to the consented scheme.

The proposed dwellings would be of the same contemporary style as the previously approved dwellings at the site. The houses would be mirror images of one another and would feature integral pitched roof garages on the flanks of the dwellings.

The plans also show a revision to the internal access road within the site compared to the originally approved scheme on the site. The revised access road is the same as is proposed on the currently undetermined application reference DM/18/1673.

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 Slaugham Neighbourhood Plan (SNP).

The application site lies in countryside and thus would be contrary to policy DP12 of the DP as general housing development is not one of the permitted exceptions to the policy of restraint in the countryside. The aim of the policy is to protect the countryside in recognition of its intrinsic character and beauty. The proposal does also not fall within one of the criteria for new homes in the countryside that are set out under policy DP15 of the DP. These factors weigh against the proposal.

It is also considered that the proposed development would be in conflict with policy

DP21 of the DP as prospective occupiers of the site would be reliant on the private car for access to shops, services, facilities and employment opportunities. It is therefore felt that this is not a suitable location in transport terms for additional dwellings as the opportunities for future occupiers to utilise public transport is very limited. It is not considered that there is an overriding need for these additional dwellings in this location. Whilst the proposed units would be smaller than the approved dwellings, the increase in the number of units would result in greater vehicular movements compared to the approved scheme as there would be 4 additional households on the site.

It is considered that the proximity of the western most house to the Atlantic Cedar within the site is likely to lead to pressure for the removal of this tree given the relatively small rear garden of this property. It is therefore felt this would conflict with policy DP37 of the DP.

There would be a requirement for infrastructure payments to be made for the additional dwellings to mitigate the impact of the development. There would also be a requirement for payments to be made towards off site provision of affordable housing. As there is not a legal agreement in place to secure the required contributions, a reason for refusal would be required in relation to these matters to secure the Councils position at any subsequent appeal.

In respect of the impact on the landscape of the area, in light of the consented scheme for a residential redevelopment of this site, it is not considered that there would be any harm to the character of the landscape from the proposal. On this basis there is no conflict with policy DP16 of the DP or policy 1 of the SNP in relation to the impact of the additional dwellings on the character and appearance of the High Weald AONB.

It is not considered that the proposal would have any significant adverse impact on the amenities of the neighbouring properties. It is also considered that in their own right, the design and layout of the additional dwellings would be acceptable and they would fit in appropriately with the consented dwellings.

It is considered that the site could be satisfactorily drained and this could be secured by a planning condition. It is also considered that the proposal would not have an adverse impact on ecology and that the existing boundary tree screening can be retained. Archaeological matters can be dealt with by a planning condition. As such these matters are all neutral in the planning balance.

Taking all of the above into account, it is your officers view that the application is not in accordance with the development plan, read as a whole, and that this is the proper starting point for decision making. In this case it is not considered that there are any material planning considerations that would justify taking a decision that would be contrary to the provisions of the development plan. On this basis the application is recommended for refusal.

Recommendation

It is recommended that planning permission be refused for the following reasons:

1. The application site is located within the countryside, outside any defined built-up area boundary, on a site not allocated for development within the Mid Sussex District Plan or the Slaugham Neighbourhood Plan. The Council is able to demonstrate a 5 year housing land supply and the applicant has failed to demonstrate the proposal is essential to a countryside location. The site is in an unsustainable location, where occupants would be reliant on the use of a private car to gain access to local services. There are considered to be no other material considerations that would warrant determining the planning application otherwise than in accordance with the development plan. The proposal is therefore considered to conflict with policies DP12, DP15 and DP21 of the District Plan and paragraphs 11 and 108 of the National Planning Policy Framework.

2. The proposal fails to provide the required infrastructure contributions necessary to serve the development and the required payments towards affordable housing. The proposal therefore conflicts with policies DP20 and DP31 of the District Plan.

3. The proposal would result in both harm and future pressure to fell a tree that contributes to the visual amenity of the area. The proposal therefore conflicts with policy DP37 of the District Plan.

SUMMARY OF REPRESENTATIONS

2 letters of objection:

- Object to the additional houses which would be detrimental to the AONB;
- Will cause an over development of the site;
- The access lane, site roadways and parking are inadequate to cater for the additional dwellings;
- Will result in greater traffic noise;
- It is 1.3miles to the nearest bus stop;
- Will put additional strain on the drainage for the site;
- Will put further pressure on water and electricity supplies

SUMMARY OF CONSULTEES (full comments in appendices)

County Planning Officer

Requires infrastructure contributions towards primary and secondary education, libraries and Total Access Demand (TAD).

Highway Authority

No objection subject to conditions.

Community Leisure Officer

Requires infrastructure contributions towards children's play space, formal sport and community buildings.

Housing Officer

A contribution in the sum of £785,000 will be required towards local affordable housing provision to reflect the fact that the total number of consented units will be increased from 25 to 29.

Drainage Engineer

No objection subject to conditions.

Environmental Protection Officer

No objection subject to conditions.

Urban Designer

The house design is now fine and the repeated semi-detached arrangement provides underlying rhythm that sits well with the formality of Slaugham Manor, the walled garden, and the houses on plots 1-4,6-9. However, plot 16/17's position unfortunately introduces asymmetry by being no longer on the central axis (as achieved on previous layouts) of the walled garden. Also plots 18 and 19 have small gardens because of the closer proximity of the rear boundary with the back of the houses, that also reduces the opportunity to soften/screen the rear boundary at this point. Plot 19 also intrudes significantly into the RPA of the retained tree.

Tree Officer

I am concerned about the impact on the Atlantic Cedar. I consider that the development should be sited further from the tree.

SLAUGHAM PARISH COIUNCIL

SPC object to this application, for the following reasons:

- Over development of the original permitted application
- Insufficient parking facilities
- Increased pressure on existing infrastructure in the area
- Further environmental impact on the AONB

Amended plans: As previously stated by the Parish Council, parking is inadequate for the types of accommodation proposed.

Unwarranted increase in density on this rural site which lies within the AONB and goes against the principles of the District Plan and the emerging Slaugham Neighbourhood Plan.

Visitor parking should be "Off Road", not restricting the width of the road.

There is no provision for a turn around point.

We are also concerned by the comments made by the tree officer regarding damage to an existing Atlantic Cedar tree which should not have been compromised by this development. We would wish to see adequate steps taken to protect this tree from further damage.

INTRODUCTION

This application seeks full planning permission for the erection of 8 dwellings at Slaugham Manor, Slaugham Place, Slaugham.

RELEVANT PLANNING HISTORY

Planning permission was granted under reference DM/16/2531 for the following development at the site:

- a hybrid planning application that seeks full planning permission for the conversion of Slaugham Manor into 9 flats and outline consent for the demolition of a number of associated outbuildings at the site and their replacement with 15 houses.

A subsequent reserved matters application was approved under reference DM/18/1499.

Works are well underway on site to implement this consent and the flats are completed.

There is also a current planning application to amend the proposed road layout for the scheme (DM/18/1673). This is pending consideration. Officers consider the proposed revision to the road layout to be acceptable but the decision cannot be issued until a deed of variation is completed because the approval of DM/18/1673 would result in a new planning application that will sit alongside the original planning permission (DM/16/2531).

SITE AND SURROUNDINGS

The site is located outside of the settlement of Slaugham as defined in the District Plan. The village of Slaugham is to the north. It lies within the Countryside as defined in the District Plan and the High Weald Area of Outstanding Natural Beauty (AONB).

The site, measures approx. 2.31 hectares. The Manor House is at the northern end of the site. It is an attractive and imposing building whose conversion into flats is nearing completion. The collection of modern buildings that used to be to the south of the Manor House has been demolished. There is a building known as Ryders, a former dwelling that was used as offices for the training centre that is located in the south western most corner of the site.

The site has various mature landscaping features, including boundary tree planting and hedgerows. Part of the site, to the north east of the Manor House, also falls within an Ancient Woodland. The topography of the site is uneven, with land rising in

a southern direction towards Mill Hill to 75.0 AOD. The lowest part of the site is the existing car park immediately in front (north) of the Manor House at 66.0 AOD.

With regards to its location, Slaugham Manor lies to the immediate east of Slaugham Place Farm. This property is accessed via the same drive as the site. Also to the west is Mill Pond, a registered Site of Nature Conservation Importance. The access drive to the site is some 500m in length and emerges onto Staplefield Road.

The Manor House and grounds are not Listed or within a Conservation Area. The site does however lie within proximity of a number of heritage assets. To the north, beyond extensive woodland coverage, lies the listed Moat House (Grade II) and the remains of Slaugham Place including associated garden wall. The Ruins of Old Slaugham Place are both a Scheduled Ancient Monument (SAM) and a Grade II* Listed building. Associated with Old Slaugham Place is a Registered Park and Garden.

APPLICATION DETAILS

This application seeks full planning permission for the erection of 8 dwellings at Slaugham Manor, Slaugham Place, Slaugham. The plans show that there would be 4 pairs of semidetached dwellings located at the southern end of the site. These houses would be in the same location as 4 houses that were approved under the previous outline and reserved matters consent for 15 dwelling houses on the site. In effect the proposal is to subdivide the 4 plots that have been previously approved to accommodate 8 houses in their place. The proposal would therefore result in a net gain of 4 dwellings on the site compared to the consented scheme.

The proposed dwellings would be of the same contemporary style as the previously approved dwellings at the site. The houses would be mirror images of one another and would feature integral pitched roof garages on the flanks of the dwellings.

The plans also show a revision to the internal access road within the site compared to the originally approved scheme on the site. The revised access road is the same as is proposed on the currently undetermined application reference DM/18/1673.

LIST OF POLICIES

Mid Sussex District Plan

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

DP12 - Protection of the Countryside

DP15 - New Homes in the Countryside

DP16 - High Weald Area of Outstanding Natural Beauty

DP17 - Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC)

DP20 - Securing Infrastructure

DP21 - Transport

DP30 - Housing Mix

DP31 - Affordable Housing

DP34 - Listed buildings and other Heritage Assets

DP36 - Historic parks and gardens

DP37 - Trees, Woodland and Hedgerows

DP38 - Biodiversity

DP41 - Flood Risk and Drainage

High Weald AONB Management Plan 2014-2019

Neighbourhood Plan

Slaugham Neighbourhood Plan

A referendum on the Slaugham Neighbourhood Plan took place on 25th July 2019 and the result was in favour of adopting the plan. As such whilst the plan has not been formally made by the District Council it now has full weight and is part of the development plan.

Policy 1: Protecting the Area of Outstanding Natural Beauty

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;
- Impact on heritage assets
- Design/layout
- Access and Transport
- Landscape Impact
- Impact on trees
- Archaeology
- Drainage
- Ecology / Biodiversity
- Housing Mix and Affordable Housing
- Infrastructure
- Neighbour amenity
- 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) 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 Slaugham Neighbourhood Plan.

Policy DP12 in the DP states

'The countryside will be protected in recognition of its intrinsic character and beauty. Development will be permitted in the countryside, defined as the area outside of built-up area boundaries on the Policies Map, provided it maintains or where possible enhances the quality of the rural and landscape character of the District, and:

- it is necessary for the purposes of agriculture; or*
- it is supported by a specific policy reference either elsewhere in the Plan, a Development Plan Document or relevant Neighbourhood Plan.*

Agricultural land of Grade 3a and above will be protected from non-agricultural development proposals. Where significant development of agricultural land is demonstrated to be necessary, detailed field surveys should be undertaken and proposals should seek to use areas of poorer quality land in preference to that of higher quality.

The Mid Sussex Landscape Character Assessment, the West Sussex County Council Strategy for the West Sussex Landscape, the Capacity of Mid Sussex District to Accommodate Development Study and other available landscape evidence (including that gathered to support Neighbourhood Plans) will be used to assess the impact of development proposals on the quality of rural and landscape character.

Built-up area boundaries are subject to review by Neighbourhood Plans or through a Site Allocations Development Plan Document, produced by the District Council.

Economically viable mineral reserves within the district will be safeguarded.'

Development in the countryside is therefore required to maintain or where possible, enhance the quality of the rural and landscape character of the District and either be

necessary for agriculture, or be supported by a specific policy reference elsewhere in the District Plan, a Development Plan document or a relevant Neighbourhood Plan.

Policy DP15 in the DP sets out the circumstances where special justification exists for new dwellings in the countryside. It states in part

'Provided that they would not be in conflict with Policy DP12: Protection and Enhancement of the Countryside, new homes in the countryside will be permitted where special justification exists. Special justification is defined as:

- *Where accommodation is essential to enable agricultural, forestry and certain other full time rural workers to live at, or in the immediate vicinity of, their place of work; or*
- *In the case of new isolated homes in the countryside, where the design of the dwelling is of exceptional quality and it enhances its immediate setting and is sensitive to the character of the area; or*
- *Affordable housing in accordance with Policy DP32: Rural Exception Sites; or*
- *The proposed development meets the requirements of Policy DP6: Settlement Hierarchy.'*

The proposed development is not required for agricultural purposes. It is not considered that the proposed increase in the number of dwellings on this part of the site is supported by another specific policy reference elsewhere in the District Plan. Therefore there is a conflict with policies DP12 and DP15 to the principle of this development.

Impact on heritage assets

The Manor House and grounds are not Listed or within a Conservation Area. The site does however lie within proximity of a number of heritage assets. To the north, beyond extensive woodland coverage, lies the listed Moat House (Grade II) and the remains of Slaugham Place including associated garden wall. The Ruins of Old Slaugham Place are both a Scheduled Ancient Monument (SAM) and a Grade II* Listed building. Associated with Old Slaugham Place is a Registered Park and Garden.

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 in the DP reflects the requirements of the Act. It states

'Development will be required to protect listed buildings and their settings. This will be achieved by ensuring that:

- *A thorough understanding of the significance of the listed building and its setting has been demonstrated. This will be proportionate to the importance of the building and potential impact of the proposal;*
- *Alterations or extensions to a listed building respect its historic form, scale, setting, significance and fabric. Proposals for the conversion or change of use of a listed building retain its significance and character whilst ensuring that the building remains in a viable use;*
- *Traditional building materials and construction techniques are normally used. The installation of uPVC windows and doors will not be acceptable;*
- *Satellite antennae, solar panels or other renewable energy installations are not sited in a prominent location, and where possible within the curtilage rather than on the building itself;*
- *Special regard is given to protecting the setting of a listed building;*
- *Where the historic fabric of a building may be affected by alterations or other proposals, the applicant is expected to fund the recording or exploratory opening up of historic fabric*

Other Heritage Assets

Development that retains buildings which are not listed but are of architectural or historic merit, or which make a significant and positive contribution to the street scene will be permitted in preference to their demolition and redevelopment.

The Council will seek to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the character and quality of life of the District. Significance can be defined as the special interest of a heritage asset, which may be archaeological, architectural, artistic or historic.

Proposals affecting such heritage assets will be considered in accordance with the policies in the National Planning Policy Framework (NPPF) and current Government guidance.'

Policy DP36 in the DP states

'The character, appearance and setting of a registered park, or park or garden of special local historic interest will be protected. This will be achieved by ensuring that any development within or adjacent to a registered park, or park or garden of local historic interest will only be permitted where it protects and enhances its special features, setting and views into and out of the park or garden.'

The NPPF sets out the government's policies for sustainable development. A core planning principle of this framework is to conserve heritage assets in a manner appropriate to their significance (para.184). When considering the impact of a proposed development on the significance of a designated heritage asset the NPPF requires that great weight should be given to its conservation. The more important the asset, the greater the weight should be.

On the original application for the redevelopment of this site it was considered that the removal of the current unsightly car park in front of the manor House would constitute an improvement in the setting of and approach to the Manor House, the setting of the designated heritage assets to the north east, and the relationship between the two.

In relation to the new houses, on the original application for the redevelopment of the site it was considered to have a neutral impact on the setting of the heritage assets for reasons of distance, screening, and the intervening presence of the Manor House itself. In the case of this application for additional dwellings, given the location of these additional units at the southern end of the site, they would have a neutral impact on the setting of the heritage asset.

It is therefore considered that the proposal will preserve (will not cause harm to) the setting of the heritage assets at Slaugham Place, and meets the requirements of DP policies DP34 and DP36 in this respect and the requirements of the Listed Buildings and Conservation Areas Act.

Design and layout

The proposed houses would be of the same contemporary design as the previously consented dwellings. As such they will fit in appropriately with the neighbouring buildings that will be built on this site. The Council's Urban Designer is satisfied that the design of the individual dwellings is acceptable. He has raised a concern that the revisions would mean that plot 16/17 would not be aligned with the central axis of the Manor House. Whilst it would be preferable for this symmetry to have been retained, it is not felt that this in itself means that the design and layout of the scheme would be objectionable.

The Urban Designer has suggested some amendments to the proposed dwellings but this is not what is before the committee. Overall officers consider that the design of the proposed houses and their layout is acceptable and there would be no grounds to resist the application on these matters. It is therefore felt that the design elements of policy DP26 of the DP are met.

Policy DP26 also refers to optimising the potential of sites to accommodate development. The proposal to increase the number of units by effectively changing 4 detached houses into 8 semidetached houses would accord with this part of policy DP26.

Access and Transport

Policy DP21 in the DP states

'Development will be required to support the objectives of the West Sussex Transport Plan 2011-2026, which are:

- *A high quality transport network that promotes a competitive and prosperous economy;*
- *A resilient transport network that complements the built and natural environment whilst reducing carbon emissions over time;*
- *Access to services, employment and housing; and*
- *A transport network that feels, and is, safer and healthier to use.*

To meet these objectives, decisions on development proposals will take account of whether:

- The scheme is sustainably located to minimise the need for travel noting there might be circumstances where development needs to be located in the countryside, such as rural economic uses (see policy DP14: Sustainable Rural Development and the Rural Economy);*
- Appropriate opportunities to facilitate and promote the increased use of alternative means of transport to the private car, such as the provision of, and access to, safe and convenient routes for walking, cycling and public transport, including suitable facilities for secure and safe cycle parking, have been fully explored and taken up;*
- The scheme is designed to adoptable standards, or other standards as agreed by the Local Planning Authority, including road widths and size of garages;*
- The scheme provides adequate car parking for the proposed development taking into account the accessibility of the development, the type, mix and use of the development and the availability and opportunities for public transport; and with the relevant Neighbourhood Plan where applicable;*
- Development which generates significant amounts of movement is supported by a Transport Assessment/ Statement and a Travel Plan that is effective and demonstrably deliverable including setting out how schemes will be funded;*
- The scheme provides appropriate mitigation to support new development on the local and strategic road network, including the transport network outside of the district, secured where necessary through appropriate legal agreements;*
- The scheme avoids severe additional traffic congestion, individually or cumulatively, taking account of any proposed mitigation;*
- The scheme protects the safety of road users and pedestrians; and*
- The scheme does not harm the special qualities of the South Downs National Park or the High Weald Area of Outstanding Natural Beauty through its transport impacts.*

Where practical and viable, developments should be located and designed to incorporate facilities for charging plug-in and other ultra-low emission vehicles.

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

Paragraphs 108 and 109 of the NPPF state;

'In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be - or have been - taken up, given the type of development and its location;*
- b) safe and suitable access to the site can be achieved for all users; and*
- c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.'*

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

On the original planning permission for the redevelopment of this site, it was acknowledged that the permitted use of the site was a material planning consideration. The Transport Statement (TS) submitted with that previous application detailed the sites previous various uses including being used as a hotel, a hall of residence for police officers and as a multi-functional facility for training.

The Highway Authority did not object to that original scheme. When considering the trip generation of the residential proposal against the existing/previous use, the Highway Authority considered there to be a significant drop in traffic movements to and from the site on a daily basis. There were no reasons to dispute this finding.

However the situation has now moved on since the original planning permission for the redevelopment of the site was granted. The buildings behind the Manor House have all been demolished and therefore the previous lawful uses of the site have been extinguished. Planning permission exists for 9 flats and 15 new dwellings on the site.

The site is not in a sustainable location in respect of access to shop and services. As such prospective occupiers of the dwellings would be reliant on the private car. To this extent there is a conflict with part of policy DP21. As the former use of the site has ceased (and could not be resurrected as the buildings associated with it have been removed) it is considered to be reasonable to assess whether this is a suitable location in transport terms for additional houses above the number that have already been approved.

It is your officer's view that this is not a suitable location in transport terms for additional dwellings as future occupiers will be reliant on the private car for access to services and employment opportunities. It is not considered that there is an overriding need for these additional dwellings in this location. Whilst the proposed units would be smaller than the approved dwellings, the increase in the number of units would result in greater vehicular movements compared to the approved scheme as there would be 4 additional households on the site.

There was a recent appeal decision on a site immediately to the west of the site of this application that is considered to be relevant to the determination of this application. The appeal in question was at The Coach House, Slaugham Place and sought consent for the conversion of an existing dwelling house into 5 dwellings (reference DM/18/2044).

The Inspector, in considering the suitability of the site for housing noted the policy context for the area and stated *'Together Policies DP12, DP15 and DP21 of the Mid Sussex District Plan 2014-2031 Adopted March 2018 (the MSDP) seek to encourage development within the built up area boundaries and state that new developments should be located to minimise the need for travel and promote the use of alternative means of transport to the private car. They also state that the countryside will be*

protected for its intrinsic character and beauty and set specific criteria where residential development in the countryside may be permitted.'

The Inspector went on to state *'The proposed development is located some distance from the village of Handcross (stated to be 2.7 miles by the Council), which is defined as a 'medium sized village providing essential services' under Policy DP6 of the MSDP. Bus stops are said to be within 500m of the proposed dwellings, however these would be accessed via an unpaved, unlit public footpath. As such I am not presented with evidence that bus stops are within a safe or convenient walk of the proposed dwellings. I have taken into account the comments made by the West Sussex County Council Highways and notwithstanding the fact that the site is well located for car use or that occupiers in urban areas may still prefer to use cars, the location of the scheme would not minimise the need for travel, nor does it provide access to safe and convenient routes for walking or public transport.'*

On this point the Inspector concluded *'For the reasons above, the site would not be suitably accessible to services and would result in harm to the character and appearance of the surrounding area. Consequently the site would not be suitable for the housing development proposed. As such, in these regards, the proposed development would be contrary to the following policies of MSDP: DP12, DP15 and DP21.'*

It is considered that there are no grounds to depart from the Inspectors view on the suitability of this location for new housing. Whilst it may well be the case that even with the 4 additional houses now proposed under this application, the overall vehicular movements at the site might be less than that associated with the former use as a Police training centre, this use has ceased and is no longer a fall-back position: this former use can no longer be reinstated as the buildings associated with it have either been demolished or converted (in the case of the Manor House).

Overall then it is felt there would be a conflict with policy DP21 in the DP.

Landscape Impact

Policy DP16 in the DP states

'Development within the High Weald Area of Outstanding Natural Beauty (AONB), as shown on the Policies Maps, will only be permitted where it conserves or enhances natural beauty and has regard to the High Weald AONB Management Plan, in particular;

- *the identified landscape features or components of natural beauty and to their setting;*
- *the traditional interaction of people with nature, and appropriate land management;*
- *character and local distinctiveness, settlement pattern, sense of place and setting of the AONB; and*
- *the conservation of wildlife and cultural heritage.*

Small scale proposals which support the economy and social well-being of the AONB that are compatible with the conservation and enhancement of natural beauty will be supported.

Development on land that contributes to the setting of the AONB will only be permitted where it does not detract from the visual qualities and essential characteristics of the AONB, and in particular should not adversely affect the views into and out of the AONB by virtue of its location or design.'

Policy 1 in the Slaugham Neighbourhood Plan has very similar aims and states

'The extent of the High Weald Area of Outstanding Natural Beauty is shown on the Proposals Map.

Development proposals within the High Weald AONB will only be supported where they conserve or enhance natural beauty and have regard to the High Weald AONB Management Plan in particular:

- 1. The identified landscape features or components of landscape beauty and to their setting;*
- 2. The traditional interaction of people with nature and appropriate landscape management;*
- 3. Character and local distinctiveness, settlement pattern, sense of place and setting of the AONB; and*
- 4. The conservation of wildlife and cultural heritage.*

Small scale proposals which support the local economy and social wellbeing of the AONB will be supported where they are compatible with the conservation and enhancement of the AONB.

Development proposals on land that contribute to the setting of the AONB will only be permitted where it does not detract from the visual qualities and essential characteristics of the AONB, and in particular does not adversely affect the views into, and out of, the AONB by virtue of its location and/or design.'

Paragraph 172 of the NPPF states in part *'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.'*

The proposal will be well contained by the existing boundary trees around the site and therefore there will be a limited impact from the development on the wider AONB. The proposal will have no greater impact on the landscape character of the AONB compared to the previously approved scheme. As such there is no conflict with policy DP16, policy 1 of the Slaugham Neighbourhood Plan or the aims of the NPPF and High Weald AONB Management Plan in respect of landscape matters.

Impact on trees

There are a number of mature trees around the boundaries of the site that help to screen the existing buildings. Whilst these trees are not the subject of a tree preservation order, previous appeal decisions have confirmed that policy DP37 in the DP that seeks to prevent the loss of trees which are important to the landscape and ensure that sufficient consideration has been given to the spaces around buildings. It is considered that the trees on the boundaries of the site can be retained to help soften and screen the development.

The main issue in relation to trees from the proposed amendment relates to an Atlantic Cedar that is positioned to the west of Ryders. The western most house the subject of this application would be within the root protection area of this tree. The Councils Tree Officer has stated *'It would appear that the only tree of value is the Atlantic cedar which has already been compromised by previous excavations, soil piling and hard surfacing.'*

There is the possibility that the tree may survive, however, the proximity of the proposed house will put further pressure on this tree. If it survives, it will have a lifespan of approximately 400 years; development so close to the tree will put future pressure on the tree and compromise light in the already extremely small, cramped garden.

The tree does not tolerate pruning and I consider that the development should be sited further from the tree.

Should permission be granted, please attach a condition requiring a replacement tree elsewhere on the site and condition adherence to AIA, particularly with regard to soil improvement and easing of compaction around the tree.'

It is considered that it would be desirable to retain this tree and the proposed development would make this difficult to achieve. If the tree could be protected during the construction of the dwellings, it's highly likely that its proximity to the house would lead to pressure in the future for it to be removed. It is therefore felt that the proposed development would be too close to this tree and that there would be a conflict with policy DP37 of the DP from this element of the proposal.

Archaeology

The original planning application for the redevelopment of this site was accompanied by a desk based archaeological assessment. This concluded that there was a low theoretical potential for remains dating to most periods, with a more moderate potential for Medieval and Post Medieval periods. This report was been assessed by the Councils Archaeological Consultant and she concluded that further archaeological work was required and that this could be secured by an appropriately worded planning condition.

As the current proposal would be in a very similar location to the previously approved scheme it is considered that it would still be appropriate to secure the necessary

archaeological work by a planning condition. As such policy DP34 of the DP would be met.

Drainage

Policy DP41 in the DP seeks to ensure that developments can be satisfactorily drained and would not cause a risk of increased flooding off site.

The application is accompanied by a Flood Risk Assessment (FRA) dated June 2016. The proposed development is within Flood Zone 1 at low fluvial flood risk. However the red line boundary incorporates an area of Flood Zone 2 and 3, at medium and high risk of fluvial flooding respectively. Access to the Site is via an existing road which crosses the River Ouse. The access bridge forms the boundary between Ordinary Watercourse upstream of the bridge, and Main River downstream of the bridge.

It is proposed that the development will manage surface water drainage through the use of soakaways. For foul water disposal it is proposed that the development will connect to the foul sewer network of the wider development site.

The Council's Drainage Engineer has commented on the application. He states *It has been proposed that the 8 dwellings will utilise soakaway for managing surface water. This has been evidenced with percolation testing, and is acceptable. And in order to meet with a drainage condition, it will need to be shown that:*

- *The system is able to cater for the 1 in 100 year storm event plus extra capacity for climate change.*
- *The system will have a half drain time of less than 24 hours.*

Looking at the submitted plan for the 8 dwellings it is shown that the soakaway system is intended to be linked and shared across different private boundaries. This is not acceptable, and could lead to responsibility disputes in the future. Therefore, whilst we accept the method as acceptable, for any future condition clearance, we would only consider the following:

- *Private soakaways located within the boundary of, and serving only, the one individual property. Or,*
- *Shared soakaways, only located within public areas*

The submitted plan shows that the foul drainage will be linked with, and drain to, the proposed development under DM/16/2531-DM/18/0388. Whilst this is acceptable in principle, there is an issue of sequentially, whereby DM/19/0060 relies upon the completion of DM/16/2531-DM/18/0388 in order to have an appropriate means of drainage. Therefore, this application has two options that can be managed at condition clearance stage, either:

1. *It proposes its own stand-alone drainage system that does not link with DM/16/2531-DM/18/0388, or*
2. *The intended drainage under DM/16/2531-DM/18/0388 is approved and constructed prior to approving any condition associated with DM/19/0060.'*

The Council's Drainage Engineer is therefore satisfied that this proposal could be properly drained and has advised that there are different options for the applicant to carry this out. It is considered that the means of drainage for this proposal could be properly controlled by a planning condition, thereby complying with policy DP41 of the DP.

Ecology / Biodiversity

Policy DP38 of the DP seeks to protect and enhance biodiversity. The previous application (DM/16/2531) was accompanied by a Phase 1 Habitat Assessment and surveys relating to Great Crested Newts (GCN) and Bats. The officer's report on this application stated 'These documents have been assessed by the Council's Ecological Consultant. In relation to bats the Council's Ecological Consultant states *"The proposal will involve the loss of bat roosts for relatively common brown long-eared and pipistrelle bats. However, subject to the mitigation and compensation measures outlined in the supporting bat survey report, negative impacts on the conservation status of these species should be avoided and, subject to the local planning authority granting consent in the public interest, a European protected species licence from Natural England should be obtainable."*

In relation to GCNs he states *"The results of the great crested newt survey suggest that the species is present within the vicinity of the site. However, subject to adequate precautions, the risk of significant impacts is low and therefore, in my opinion, can be addressed via planning conditions."*

In relation to dormice he states *"Whilst survey results for dormice are outstanding at this time, the risk of significant impacts on this species, subject to adequate precautions, appear negligible and therefore, in my opinion, the issue can be addressed via planning conditions."*

Finally in relation to the ancient woodland that adjoins the site he states *"The proposed removal of invasive species and other improvements in adjacent ancient woodland is welcomed, but it is not clear who will be responsible for this over the long-term or how it will be funded. Therefore, it is recommended that this information be secured before development is allowed to proceed. The use of planting stock for planting in ancient woodland should be of native origin and local provenance to ensure it is best adapted to local conditions."* This will be secured by a planning condition.'

The original consent has been implemented and works are well underway on site. As such it is considered that if this application were to be approved, it would be appropriate to impose the same safeguarding conditions that were imposed on the original consent for the site in relation to protected species.

Affordable Housing

At the time that original application was approved on the site, policy H4 in the Mid Sussex local Plan required 30% affordable housing to be provided. In the case of this development, because it is in an isolated position in relation to access to shops, services and so on, it was considered appropriate for a commuted sum for offsite

affordable housing to be paid rather than to have on site provision. The legal agreement with this consent provided a payment of £675,000 in lieu of on-site provision.

The current proposal would result in an additional 4 units on the site. It remains the case that because of the very rural location of the site and the fact that it would be difficult to access shops and services other than by the private car, it is not felt that this is a suitable site for on site affordable housing provision. The Housing Officer has advised that if the application were to be approved a revised contribution for offsite affordable housing provision would be required. They provide the calculation below:

29 dwellings x 30% affordable = 9 dwellings
2 x 2 bed flats at £63,000 = £126,000
4 x 2 bed houses at £89,000 = £356,000
3 x 3 bed houses at £101,000 = £303,000
Total = £785,000

The Housing Officer states that this would be required to be paid in full before the occupation of the 11th dwelling.

It is considered that with a legal agreement in place to provide the above sums for offsite affordable housing provision that policy DP31 of the DP would be met.

Housing mix

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.

In respect of the overall housing mix that would arise from the proposal, the position is as follows:

Approved scheme

Manor House:

1 x 1 bed flat
5 x 2 bed flats
3 x 3 bed flats

Ryders converted into a 4 bed dwelling

Dwellings:

1 x 2 bed dwelling
8 x 3 bed dwellings
6 x 5 bed dwellings

Current scheme

Manor House and Ryders remains unaltered as it is not part of this application

Dwellings:

1 x 2 bed dwelling

16 x 3 bed dwellings

2 x 5 bed dwellings

The revised submission therefore results in fewer 5 bed room dwellings and more 3 bedroom dwellings. It is considered that when compared with the consented scheme, the proposed revised housing mix is acceptable and there would be no conflict with policy DP30 of the DP.

Infrastructure

Policy DP20 of the District Plan seeks to ensure that development is accompanied by the necessary infrastructure. This includes securing affordable housing which is dealt with under Policy 31 of the District Plan. Policy DP20 sets out that infrastructure will be secured through the use of planning obligations.

The Council has approved three Supplementary Planning Documents (SPDs) in relation to developer obligations (including contributions). The SPDs are:

- a) A Development Infrastructure and Contributions SPD which sets out the overall framework for planning obligations
- b) An Affordable Housing SPD
- c) A Development Viability SPD

The National Planning Policy Framework sets out the government's policy on planning obligations in paragraphs 54 and 56 which state:

'54 Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.'

and:

'56 Planning obligations must only be sought where they meet all of the following tests:

- a) necessary to make the development acceptable in planning terms;*
- b) directly related to the development; and*
- c) fairly and reasonably related in scale and kind to the development.'*

These tests reflect the statutory tests set out in Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 (CIL Regulations).

The following requests have been made for infrastructure contributions:

WSCC schools infrastructure	Education primary £20,099
WSCC schools infrastructure	Education secondary £21,631
WSCC library infrastructure	£1,346

TAD	£12,875
MSDC Formal sport	£10,880 for formal sport facilities at Warninglid Recreation Ground
MSDC Community buildings	£6,240 for Staplefield Village Hall
MSDC Children's play space	£17,480 for improvements to the Staplefield Common play area
MSDC Local community infrastructure	£7,080 for additional parking for St Mary's Church, Slaugham

It is considered that the above contributions are justified and would meet the tests of the CIL Regulations. The additional population will impose additional burdens on existing infrastructure and the monies identified above will mitigate these impacts. As Members will know developers are not required to address any existing deficiencies in infrastructure; it is only lawful for contributions to be sought to mitigate the additional impacts of a particular development.

A legal agreement has not been completed to secure these infrastructure monies. In the absence of such a legal agreement there is a conflict with policy DP20 of the DP.

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. It is not considered that the physical changes from the proposal to add 4 additional units would have any adverse impact on the amenities of the surrounding properties.

In relation to the additional vehicular movements that would arise from the proposal compared to the consented scheme, it is not considered that these would cause a level of harm to the other users of the access road that could be described as significant. On this basis there is no conflict with policy DP26 in relation to neighbour amenity.

Impact on 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 has been undertaken for the proposed development.

The main issues are recreational disturbance on the SPA and atmospheric pollution on the SAC, particularly arising from traffic emissions.

Recreational disturbance

Given the fact that the application site is not within 7km of the Ashdown Forest SPA, there is not considered to be any likely significant effect on the Ashdown Forest in relation to recreational pressure.

Atmospheric pollution

Increased traffic emissions as a consequence of new development may result in 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 proposed development has been assessed through the Mid Sussex Transport Study (Updated Transport Analysis) as **windfall development**, such that its potential effects are incorporated into the overall results of the transport model which indicates there would not be an overall impact on Ashdown Forest. Sufficient windfall capacity exists within the development area. 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

The Habitats Regulations Assessment concludes that the proposed development would not have an adverse effect on the integrity of the Ashdown Forest SPA and would not have a likely significant effect, alone or in combination, on the Ashdown Forest SAC. Having undertaken a Habitats Regulations Assessment of the implications of the project for the site in view of that site's conservation objectives and fully considered any representation received, Mid Sussex District Council as the competent authority may now determine the proposed development.

PLANNING BALANCE AND CONCLUSION

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 DP and the Slaughtam Neighbourhood Plan.

The application site lies in countryside and thus would be contrary to policy DP12 of the District Plan as general housing development is not one of the permitted exceptions to the policy of restraint in the countryside. The aim of the policy is to protect the countryside in recognition of its intrinsic character and beauty. The

proposal does also not fall within one of the criteria for new homes in the countryside that are set out under policy DP15. These factors weigh against the proposal.

It is also considered that the proposed development would be in conflict with policy DP21 of the DP as prospective occupiers of the site would be reliant on the private car for access to shops, services, facilities and employment opportunities. It is therefore felt that this is not a suitable location in transport terms for additional dwellings as the opportunities for future occupiers to utilise public transport is very limited. It is not considered that there is an overriding need for these additional dwellings in this location. Whilst the proposed units would be smaller than the approved dwellings, the increase in the number of units would result in greater vehicular movements compared to the approved scheme as there would be 4 additional households on the site.

It is considered that the proximity of the western most house to the Atlantic Cedar within the site is likely to lead to pressure for the removal of this tree given the relatively small rear garden of this property. It is therefore felt this would conflict with policy DP37 of the DP.

There would be a requirement for infrastructure payments to be made for the additional dwellings to mitigate the impact of the development. There would also be a requirement for payments to be made towards off site provision of affordable housing. As there is not a legal agreement in place to secure the required contributions, a reason for refusal would be required in relation to these matters to secure the Councils position at any subsequent appeal.

In respect of the impact on the landscape of the area, in light of the consented scheme for a residential redevelopment of this site, it is not considered that there would be any harm to the character of the landscape from the proposal. On this basis there is no conflict with policy DP16 of the DP or policy 1 of the Slaugham Neighbourhood Plan in relation to the impact of the additional dwellings on the character and appearance of the High Weald AONB.

It is not considered that the proposal would have any significant adverse impact on the amenities of the neighbouring properties. It is also considered that in their own right, the design and layout of the additional dwellings would be acceptable and they would fit in appropriately with the consented dwellings.

It is considered that the site could be satisfactorily drained and this could be secured by a planning condition. It is also considered that the proposal would not have an adverse impact on ecology and that the existing boundary tree screening can be retained. Archaeological matters can be dealt with by a planning condition. As such these matters are all neutral in the planning balance.

Taking all of the above into account, it is your officers view that the application is not in accordance with the development plan, read as a whole, and that this is the proper starting point for decision making. In this case it is not considered that there are any material planning considerations that would justify taking a decision that would be contrary to the provisions of the development plan. On this basis the application is recommended for refusal.

APPENDIX A – REASONS FOR REFUSAL

1. The application site is located within the countryside, outside any defined built-up area boundary, on a site not allocated for development within the Mid Sussex District Plan or the Slaugham Neighbourhood Plan. The Council is able to demonstrate a 5 year housing land supply and the applicant has failed to demonstrate the proposal is essential to a countryside location. The site is in an unsustainable location, where occupants would be reliant on the use of a private car to gain access to local services. There are considered to be no other material considerations that would warrant determining the planning application otherwise than in accordance with the development plan. The proposal is therefore considered to conflict with policies DP12, DP15 and DP21 of the District Plan and paragraphs 11 and 108 of the National Planning Policy Framework.
2. The proposal fails to provide the required infrastructure contributions necessary to serve the development and the required payments towards affordable housing. The proposal therefore conflicts with policies DP20 and DP31 of the District Plan.
3. The proposal would result in both harm and future pressure to fell a tree that contributes to the visual amenity of the area. The proposal therefore conflicts with policy DP37 of the District Plan.

INFORMATIVES

1. In accordance with Article 35 of the Town and Country Planning (General Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, thereby allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied as part of a revised scheme. The Local Planning Authority is willing to provide pre-application advice and advise on the best course of action in respect of any future application for a revised development.

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
Landscaping Details	D002		07.01.2019
Block Plan	A002		07.01.2019
Proposed Floor and Elevations Plan	D001 Rev A		11.01.2019
Location Plan	A001 Rev A		11.02.2019
Proposed Roof Plan	D001 Rev A		11.02.2019
Location Plan	A001	B	25.06.2019
Proposed Floor and Elevations Plan	D001	B	25.06.2019
Landscaping Details	D002	A	25.06.2019
Parking Layout	D003		25.06.2019

APPENDIX B – CONSULTATIONS

Parish Consultation – Original Comment

SPC object to this application, for the following reasons:

- Over development of the original permitted application
- Insufficient parking facilities
- Increased pressure on existing infrastructure in the area
- Further environmental impact on the AONB

Parish Consultation – Further Comment

SPC Comment:

As previously stated by the Parish Council, parking is inadequate for the types of accommodation proposed.

Unwarranted increase in density on this rural site which lies within the AONB and goes against the principles of the District Plan and the emerging Slaugham Neighbourhood Plan.

Visitor parking should be "Off Road", not restricting the width of the road

There is no provision for a turn around point.

We are also concerned by the comments made by the tree officer regarding damage to an existing Atlantic Cedar tree which should not have been compromised by this development. We would wish to see adequate steps taken to protect this tree from further damage.

County Planning Officer

Original comments

Summary of Contributions

(See over page for Summary of Contributions table)

Education			
Locality	Haywards Heath/Cuckfield		
Population Adjustment	20.0		
	Primary	Secondary	6th Form
Child Product	0.2800	0.2800	0.1512
Total Places Required	1.9600	1.4000	0.0000
Library			
Locality	Haywards Heath		
Contribution towards Hassocks/Hurstpierpoint/Steyping	£0		
Contribution towards Burgess Hill	£0		
Contribution towards East Grinstead/Haywards Heath	£3,151		
Population Adjustment	20.0		
Sqm per population	30/35		
Waste			
Adjusted Net. Households	8		
Fire			
No. Hydrants	TBC		
Population Adjustment	N/A		
£/head of additional population	N/A		
TAD- Transport			
Net Population Increase	20.0		
Net Parking Spaces	-6		
Net Commercial Floor Space sqm	0		
Total Access (commercial only)	0.0000		

Summary of Contributions

S106 type	Monies Due
Education - Primary	£35,123
Secondary	£37,800
Education - 6th Form	No contribution required
Libraries	£3,151
Waste	No contribution required
Fire & Rescue	No contribution required
No. of Hydrants	To be secured under Condition
TAD	£9,598

Total Contribution	£85,672
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Note: The above summary does not include the installation costs of fire hydrants. Where these are required on developments, (quantity as identified above) as required under the Fire Services Act 2004 they will be installed as a planning condition and at direct cost to the developer. Hydrants should be attached to a mains capable of delivering sufficient flow and pressure for fire fighting as required in the National Guidance Document on the Provision of Water for Fire Fighting 3rd Edition (Appendix 5)

The above contributions are required pursuant to s106 of the Town and Country planning Act 1990 to mitigate the impacts of the subject proposal with the provision of additional County Council service infrastructure, highways and public transport that would arise in relation to the proposed development.

Planning obligations requiring the above money is understood to accord with the Secretary of State's policy tests outlined by the in the *National Planning Policy Framework, 2018*.

The proposal falls within the Mid Sussex District and the contributions comply with the provisions of Mid Sussex District Local Development Framework Supplementary Planning Document- Development Infrastructure and Contributions July 2018.

All TAD contributions have been calculated in accordance with the stipulated local threshold and the methodology adopted as Supplementary Planning Guidance (SPG) in November 2003.

The calculations have been derived on the basis of an increase in 8 Net dwellings, and a reduction in 6 car parking spaces.

Please see below for a Breakdown and explanation of the WSCC Contribution Calculators. Also see the attached spreadsheet for the breakdown of the calculation figures. For further explanation please see the Sussex County Council website (<http://www.westsussex.gov.uk/s106>).

5. Deed of Planning Obligations

a) As a deed of planning obligations would be required to ensure payment of the necessary financial contribution, the County Council would require the proposed development to reimburse its reasonable legal fees incurred in the preparation of the deed.

b) The deed would provide for payment of the financial contribution upon commencement of the development.

c) In order to reflect the changing costs, the deed would include arrangements for review of the financial contributions at the date the payment is made if the relevant date falls after 31st March 2019. This may include revised occupancy rates if payment is made after new data is available from the 2021 Census.

d) Review of the contributions towards school building costs should be by reference to the DfE adopted Primary/Secondary school building costs applicable at the date of payment of the contribution and where this has not been published in the financial year in which the contribution has been made then the contribution should be index linked to the DfE cost multiplier and relevant increase in the RICS BCIS All-In TPI. This figure is subject to annual review.

e) Review of the contribution towards the provision of additional library floorspace should be by reference to an appropriate index, preferably RICS BCIS All-In TPI. This figure is subject to annual review.

The contributions generated by this proposal shall be spent on additional equipment at Handcross Primary School.

The contributions generated by this proposal shall be spent supporting the National Curriculum at Warden Park Secondary Academy.

The contributions generated by this proposal shall be spent on additional stock at Haywards Heath Library.

The contributions generated by this proposal shall be spent on traffic calming measures in the parish of Slaugham to reduce the speed of traffic and to improve safety for the pedestrians and cyclists.

Recent experience suggests that where a change in contributions required in relation to a development or the necessity for indexation of financial contributions from the proposed development towards the costs of providing service infrastructure such as libraries is not specifically set out within recommendations approved by committee, applicants are unlikely to agree to such provisions being included in the deed itself. Therefore, it is important that

your report and recommendations should cover a possible change in requirements and the need for appropriate indexation arrangements in relation to financial contributions.

Please ensure that applicants and their agents are advised that any alteration to the housing mix, size, nature or tenure, may generate a different population and thus require re-assessment of contributions. Such re-assessment should be sought as soon as the housing mix is known and not be left until signing of the section 106 Agreement is imminent.

Where the developer intends to keep some of the estate roads private we will require provisions in any s106 agreement to ensure that they are properly built, never offered for adoption and that a certificate from a suitably qualified professional is provided confirming their construction standard.

It should be noted that the figures quoted in this letter are based on current information and will be adhered to for 3 months. Thereafter, if they are not consolidated in a signed S106 agreement they will be subject to revision as necessary to reflect the latest information as to cost and need.

Please see below for a Breakdown of the Contribution Calculators for clarification of West Sussex County Council's methodology in calculating Contributions. For further explanation please see the Sussex County Council website (<http://www.westsussex.gov.uk/s106>).

Breakdown of Contribution Calculation Formulas:

1. School Infrastructure Contributions

The financial contributions for school infrastructure are broken up into three categories (primary, secondary, sixth form). Depending on the existing local infrastructure only some or none of these categories of education will be required. Where the contributions are required the calculations are based on the additional amount of children and thus school places that the development would generate (shown as **TPR- Total Places Required**). The TPR is then multiplied by the Department for Children, Schools and Families school building costs per pupil place (**cost multiplier**).

School Contributions = TPR x cost multiplier

a) TPR- Total Places Required:

TPR is determined by the number of year groups in each school category multiplied by the child product.

TPR = (No of year groups) x (child product)

Year groups are as below:

- Primary school - **7** year groups (aged 4 to 11)
- Secondary School - **5** year groups (aged 11 to 16)
- Sixth Form School Places - **2** year groups (aged 16 to 18)

Child Product is the **adjusted education population** multiplied by average amount of children, taken to be 14 children per year of age per 1000 persons (average figure taken from 2001 Census).

Child Product = Adjusted Population x 14 / 1000

Note: The adjusted education population for the child product excludes population generated from 1 bed units, Sheltered and 55+ Age Restricted Housing. Affordable dwellings are given a 33% discount.

b) Cost multiplier- Education Services

The cost multiplier is a figure released by the Department for Education. It is a school building costs per pupil place as at 2018/2019, updated by Royal Institute of Chartered Surveyors' Building Cost Information Service All-In Tender Price Index. Each Cost multiplier is as below:

- Primary Schools - **£17,920 per child**
- Secondary Schools - **£27,000 per child**
- Sixth Form Schools - **£29,283 per child**

2. Library Infrastructure

There are two methodologies used for calculating library infrastructure Contributions. These have been locally tailored on the basis of required contributions and the nature of the library in the locality, as below:

Library infrastructure contributions are determined by the population adjustment resulting in a square metre demand for library services. The square metre demand is multiplied by a cost multiplier which determines the total contributions as below:

Contributions = SQ M Demand x Cost Multiplier

a) Metre Demand

The square metre demand for library floor space varies across the relevant districts and parishes on the basis of library infrastructure available and the settlement population in each particular locality. The **local floorspace demand (LFD)** figure varies between 30 and 35 square metres per 1000 people and is provided with each individual calculation.

Square Metre Demand = (Adjusted Population x LFD) / 1000

b) Cost Multiplier- Library Infrastructure

WSCC estimated cost of providing relatively small additions to the floorspace of existing library buildings is **£5,252** per square metre. This figure was updated by Royal Institute of Chartered Surveyors' Building Cost Information Service All-In Tender Price Index for the 2018/2019 period.

3. TAD- Total Access Demand

The methodology is based on total access to and from a development. An **Infrastructure Contribution** is required in respect of each occupant or employee provided with a parking space, as they would be more likely to use the road infrastructure. The **Sustainable Transport Contribution** is required in respect of each occupant or employee not provided with a parking space which would be likely to reply on sustainable transport.

TAD = Infrastructure contribution + Sustainable Transport contribution

a) Infrastructure Contribution

Contributions for Infrastructure are determined by the new increase in car parking spaces, multiplied by WSCC's estimated cost of providing transport infrastructure per vehicle

Infrastructure cost multiplier. The Infrastructure cost multiplier as at 2018/2019 is £1,373 per parking space.

Infrastructure contributions = Car parking spaces x Cost multiplier

b) Sustainable Transport Contribution

This is derived from the new car parking increase subtracted from the projected increase in occupancy of the development. The sustainable transport contribution increases where the population is greater than the parking provided. The sustainable transport figure is then multiplied by the County Council's estimated costs of providing sustainable transport infrastructure cost multiplier (£686).

Sustainable transport contribution = (net car parking - occupancy) x 686

Note: occupancy is determined by projected rates per dwelling and projected people per commercial floorspace as determined by WSCC.

Amended comments

The difference between the two sums, and therefore the contributions we are requesting are;

Primary - £20,099 to be spent on additional equipment at Handcross Primary

Secondary - £21,631 to be spent on supporting the National Curriculum at Warden Park Secondary Academy

Libraries - £1,346 to be spent on additional stock at Haywards Heath Library

TAD - £12,875 to be spent on traffic calming measures in the parish of Slaugham to reduce the speed of traffic and to improve safety for the pedestrians and cyclists.

Please let me know if you need anything else.

Highway Authority

Original comments

The above proposal has been considered by WSCC as the CHA, no objection is raised in principle to the development of 8 dwellings; however more information regarding the number of allocated visitor parking spaces and where they will be located must be provided. Conditions are attached.

The proposal will create a small increase in trips to and from the site on a daily basis but this would not create any significant material capacity impacts. The existing access has also been visited by WSCC in July last year and no highway safety issues were found, in Emma Waters comments she states:

'The LHA would raise no concerns to visibility. It was observed while on site that splays could benefit by some of the vegetation being trimmed back out of the highway boundary.'

'Visibility has been demonstrated as 120m from a 2.4m set back to the right (in the leading direction) and 75m to the left. From visiting the site the LHA are satisfied that these splays are achievable and adequate for the proposed residential use given the sites previous use, location and the rural nature of Staplefield Road.'

It should be noted here that the sites previous use involved being a police training centre seeing much higher daily vehicle movements. Emma goes on to state:-

'Slaugham Place roadway leading into the site is generally wide enough for slow moving vehicles to pass one and other. There are passing opportunities where it is not. Given the sites previous uses and the low associated speeds along with flows of traffic the LHA would not raise any concern to the access roadway.'

Therefore from a highway safety and capacity point of view we raise no issues. We are mindful the location of the use is not considered sustainable and the site being rural in nature will place a heavy reliance on the use of the private motor vehicle. This has been acknowledged in Emma's response, 'In these respects the proposal does not meet paragraph 29 of the National Planning Policy Framework (NPPF). The Planning Authority should consider matters of accessibility on balance against other matters that may weigh in favour of the development.'

Car Parking

Each dwelling will be provided with one car parking space. Plans submitted show the houses to also provide a garage 2.7m x 7.4m. This would give each dwelling two parking spaces. As this is a rural development on a site which already has some housing and parking WSCC would like to understand where visitors will park on-site. WSCC car parking calculator has been used to understand the expected demand and the result show there should be some visitor parking provided. Depending on the number of allocated spaces provided will determine how many additional free spaces for visitors are required. The table below displays this information and also shows the development requires between 15 and 19 spaces in total.

In summary; whilst no objection is raised in principle more information is required.

Allocated		Parking Demand				
Spaces per unit	Allocated no.	Unallocated for residents		Unallocated for visitors		Total Demand
		Per unit	Total	Per unit	Total	
2	16	0	1	0	2	19
1	8	1	5	0	2	15

(figures above taken from WSCC car parking calculator 14/03/2019)

Conditions

Cycle parking

No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

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

Parking

No part of the development shall be first occupied until the car parking spaces have been constructed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. These spaces shall thereafter be retained at all times for their designated use.

Reason: To provide car-parking space for the use.

Turning space

No part of the development shall be first occupied until the vehicle turning space has been constructed within the site in accordance with the approved site plan. This space shall thereafter be retained at all times for their designated use.

Reason: In the interests of road safety

Construction Management Plan

No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,

Amended plans received:

- Location Plan
- Proposed Parking Layout (1440 D.003.)
- Transport Technical Note

The above documents have been re-submitted to include the additional visitor parking requirements set out in WSCC previous highways response. All matters responded to in the original response remain however the revised parking for 16 spaces (2 per dwelling) and 11 visitor spaces has been accepted. The condition below shall ensure the parking spaces both in number and layout are provided.

Car parking space (details approved)

No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan (1440 D.003). These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use [...]

Community Leisure Officer

Thank you for the opportunity to comment on the plans for the development of 8 residential dwellings at Slaugham Manor, Slaugham Place, Slaugham on behalf of the Head of Corporate Resources. The following leisure contributions are required to enhance capacity and provision due to increased demand for facilities in accordance with the District Plan policy and SPD which require contributions for developments of five or more dwellings.

CHILDRENS PLAYING SPACE

Staplefield Common, owned and managed by the Parish Council, is the nearest Local Area for Play area to the development site. This small facility will face increased demand from the new development and a contribution of £17,480 is required to make improvements to play equipment (£9,500) and kickabout provision (£7,980).

FORMAL SPORT

In the case of this development, a financial contribution of £10,880 is required toward formal sport facilities at Warninglid Recreation Ground.

COMMUNITY BUILDINGS

The provision of community facilities is an essential part of the infrastructure required to service new developments to ensure that sustainable communities are created. In the case of this development, a financial contribution of £6,240 is required to make improvements to Staplefield Village Hall.

In terms of the scale of contribution required, these figures are calculated on a per head formulae based upon the number of units proposed and average occupancy (as laid out in the Council's Development Infrastructure and Contributions SPD) and therefore is commensurate in scale to the development. The Council maintains that the contributions sought as set out are in full accordance with the requirements set out in Circular 05/2005 and in Regulation 122 of the Community Infrastructure Levy Regulations 2010.

Housing Officer

I understand that the applicant is now proposing to provide 4 additional residential family homes on the above site by altering the consented 4 detached houses to form 8 semi detached houses and that Landivar Architects state in their letter dated 18th Dec 2018 that "the applicant agrees to increase the contribution towards affordable housing, in line with the LPA formula, if the current application is approved".

As a result if planning consent is to be granted for the new proposals a contribution in the sum of £785,000 (as calculated below) will be required towards local affordable housing provision to reflect the fact that the total number of consented units will be increased from 25 to 29.

29 dwellings x 30% affordable = 9 dwellings
2 x 2 bed flats at £63,000 = £126,000
4 x 2 bed houses at £89,000 = £356,000
3 x 3 bed houses at £101,000 = £303,000
Total = £785,000

This revised figure of £785,000 will be included in the new section 106 agreement and will be required to be paid in full before occupation of the 11th dwelling.

Drainage Engineer

Recommendation: No objection subject to conditions

Advice

Summary and overall assessment

Whilst this is a separate application, it is also an alteration to the already approved DM/16/2531 Hybrid Application, which is currently at condition clearance stage DM/18/0388.

DM/19/0060 looks to alter four of the dwellings under DM/16/2531- DM/18/0388, by changing them to eight semi-detached dwellings. There is no significant change to the actual impermeable area when comparing the original 4 to the proposed 8, so there is no differing flood risk concern.

It has been proposed that the 8 dwellings will utilise soakaway for managing surface water. This has been evidenced with percolation testing, and is acceptable. And in order to meet with a drainage condition, it will need to be shown that:

- The system is able to cater for the 1 in 100 year storm event plus extra capacity for climate change.
- The system will have a half drain time of less than 24 hours.

Looking at the submitted plan for the 8 dwellings



It is shown that the soakaway system is intended to be linked and shared across different private boundaries. This is not acceptable, and could lead to responsibility disputes in the future. Therefore, whilst we accept the method as acceptable, for any future condition clearance, we would only consider the following:

- Private soakaways located within the boundary of, and serving only, the one individual property. Or,
- Shared soakaways, only located within public areas

The submitted plan shows that the foul drainage will be linked with, and drain to, the proposed development under DM/16/2531-DM/18/0388. Whilst this is acceptable in principle, there is an issue of sequentially, whereby DM/19/0060 relies upon the completion of DM/16/2531-DM/18/0388 in order to have an appropriate means of drainage. Therefore, this application has two options that can be managed at condition clearance stage, either:

1. It proposes its own stand-alone drainage system that does not link with DM/16/2531-DM/18/0388, or
2. The intended drainage under DM/16/2531-DM/18/0388 is approved and constructed prior to approving any condition associated with DM/19/0060.

There is a flood risk concern associated with the access road into the site. As part of any future condition, we will need to see how safe access and egress for emergency vehicles will be maintained for the lifetime of the development at this particular location.

Moving forward, this proposed development will still 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.

As this is for multiple dwellings, we will need to see a maintenance and management plan that identifies how the various drainage systems will be managed for the lifetime of the development, who will undertake this work and how it will be funded.

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 as low fluvial flood risk.

The proposed development is not within an area identified as having possible pluvial flood risk. The access road is at risk of fluvial flooding, and this could be a concern for access and egress for emergency services.

There are not any historic records of flooding occurring on this site and in this area. This does not mean that flooding has never occurred here, instead, that flooding has just never been reported.

Surface Water Drainage Proposals

It is proposed that the development intends to utilise soakaway.

Foul Water Drainage Proposals

It is proposed that the development intends to drain to the yet-to-be complete adjacent development of DM/16/2531-DM/18/0388.

Suggested Conditions

C18F - Multiple Dwellings

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. No building shall be occupied until all the approved drainage works have been carried out in accordance with the approved details. The details shall include a timetable for its implementation and a management and maintenance plan for the lifetime of the development which shall include arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. Maintenance and management during the lifetime of the development should be in accordance with the approved details.

Reason: To ensure that the proposal is satisfactorily drained and to accord with the NPPF requirements, Policy CS13 of the Mid Sussex Local Plan, Policy DP41 of the Pre-Submission District Plan (2014 - 2031) and Policy ...'z'... of the 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. Additional information may be required under specific site conditions or development proposals.

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)

Pre-app	Outline	Full	Reserved	Discharge	Document submitted
		✓		✓	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)
		✓	✓	✓	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.

Environmental Protection Officer

Main Comments:

This proposed development presents no major concerns from an Environmental Protection team perspective. I would draw attention to the potential for noise disturbance to existing nearby residential premises during both the demolition and construction phases, particularly if any of the following activities take place: piling, concrete breaking and vibrational rolling. I therefore recommend a noise management plan condition to ensure that good practice is followed to minimise disturbance.

It is noted that a Desktop Study and Preliminary Site Assessment was previously undertaken by Southern Testing (ref: J12662), dated 27th May 2016 for the site. This initial testing found some elevated levels of contaminants on site, and has recommended that further testing be undertaken on site if the land is to be redeveloped. It is recommended that further tests, remediation and verification of the site be conditioned, in order to ensure the site is made suitable for its end use.

Additionally, a discovery strategy should also be attached, so that in the event that contamination not already identified through the desktop study on intrusive investigation is found, that works stop until such time that a further assessment has been made, and further remediation methods submitted and approved to the local planning Authority.

Recommendation:

1) No works pursuant to this permission shall commence until there has been submitted to and approved in writing by the Local Planning Authority before development commences or within such extended period as may be agreed with the Local Planning Authority:

a) A site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk study created in accordance with BS10175:2011+A1:2013 and BS 8576:2013 Guidance on investigations for ground gas. Permanent gases and Volatile Organic Compounds (VOCs); the laboratory analysis should be accredited by the Environment Agency's Monitoring Certification Scheme (MCERTS) where possible; the report shall refine the conceptual model of the site and state either that the site is currently suitable for the proposed end-use or that will be made so by remediation;

and, unless otherwise agreed in writing by the LPA,

b) A remediation method statement detailing the remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. For risks related to bulk gases, this will require the production of a design report and an installation report for the gas as detailed in BS 8485:2015 - Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings. The scheme shall consider the sustainability of the proposed remedial approach. It shall include nomination of a competent person to oversee the implementation and completion of the works.

2) The development hereby permitted shall not be occupied/brought into use until there has been submitted to and approved in writing by the Local Planning Authority verification by the competent person approved under the provisions of condition (1)b that any remediation scheme required and approved under the provisions of conditions (1)b has been implemented fully in accordance with the approved details (unless varied with the written agreement of the LPA in advance of implementation). Unless otherwise agreed in writing by the LPA such verification shall comprise a stand-alone report including (but not be limited to):

- a) Description of remedial scheme
- b) as built drawings of the implemented scheme
- c) photographs of the remediation works in progress
- d) certificates demonstrating that imported and/or material left in-situ is free of contamination, and records of amounts involved.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under conditions (i)c.

Reason (common to all): To ensure that the risks from land contamination to the future users of the land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

In addition, the following precautionary condition should be applied separately:

3) If during construction, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the LPA), shall be carried out until a method statement identifying, assessing the risk and proposing remediation measures, together with a programme, shall be submitted to and approved in writing by the LPA. The remediation measures shall be carried out as approved and in accordance with the approved programme. If no unexpected contamination is encountered during development works, on completion of works and prior to occupation a letter confirming this should be submitted to the LPA. If unexpected contamination is encountered during development works, on completion of works and prior to occupation, the agreed information, results of investigation and details of any remediation undertaken will be produced to the satisfaction of and approved in writing by the LPA.

4) Construction and demolition hours: Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times:

- Monday to Friday: 08:00 - 18:00 Hours
- Saturday: 09:00 - 13:00 Hours
- Sundays and Bank/Public Holidays: no work permitted

Reason: To protect the amenity of local residents.

5) Deliveries: Deliveries or collection of plant, equipment or materials for use during the demolition/construction phase shall be limited to the following times:

- Monday to Friday: 08:00 - 18:00 hrs
- Saturday: 09:00 - 13:00 hrs
- Sundays and Bank/Public Holidays: None permitted

Reason: To protect the amenity of local residents

6) Construction Environmental Management Plan: Prior to the demolition and commencement of the development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include amongst other matters details of: temporary site security fencing, measures to control noise or vibration affecting nearby residents; artificial illumination; dust control measures; pollution incident control and site contact details in case of complaints. The construction works shall thereafter be carried out at all times in accordance with the approved Construction Environmental Management Plan, unless any variations are otherwise first submitted to and approved in writing by the Local Planning Authority.

Reason: To protect neighbouring residents and residences from noise and vibration.

7) No burning materials: No burning of demolition/construction waste materials shall take place on site.

Reason: To protect the amenity of local residents from smoke, ash, odour and fume.

Urban Designer

The house design is now fine and the repeated semi-detached arrangement provides underlying rhythm that sits well with the formality of Slaugham Manor, the walled garden, and the houses on plots 1-4,6-9.

However, plot 16/17's position unfortunately introduces asymmetry by being no longer on the central axis (as achieved on previous layouts) of the walled garden. Also plots 18 and 19 have small gardens because of the closer proximity of the rear boundary with the back of the houses, that also reduces the opportunity to soften/screen the rear boundary at this point. Plot 19 also intrudes significantly into the RPA of the retained tree. These problems can be addressed if plots 14-19 are pulled together by omitting the gaps between the garages and conjoining them; moving 16/17 3m eastwards will allow it to align with the central axis and moving 18-19 6m eastwards will allow all the gardens to be more equally sized and provide more space for a tree screen on the site boundary.

Please note there is an incomplete set of plans on the electronic file and they have been incorrectly entered as the landscaping plan is not featured.

Tree Officer

It would appear that the only tree of value is the atlantic cedar which has already been compromised by previous excavations, soil piling and hard surfacing.

There is the possibility that the tree may survive, however, the proximity of the proposed house will put further pressure on this tree. If it survives, it will have a lifespan of approximately 400 years; development so close to the tree will put future pressure on the tree and compromise light in the already extremely small, cramped garden.

The tree does not tolerate pruning and I consider that the development should be sited further from the tree.

Should permission be granted, please attach a condition requiring a replacement tree elsewhere on the site and condition adherence to AIA, particularly with regard to soil improvement and easing of compaction around the tree.