

MID SUSSEX DISTRICT COUNCIL

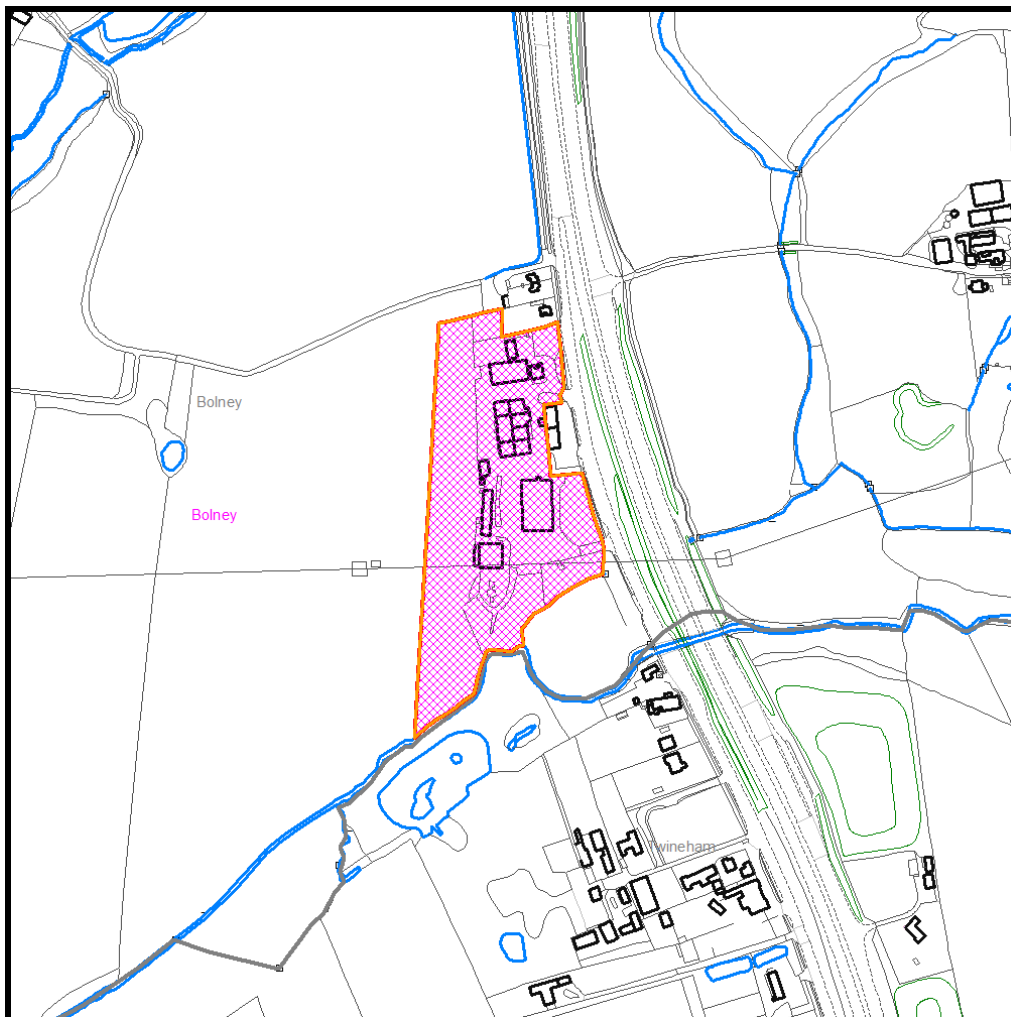
Planning Committee

26 SEP 2019

RECOMMENDED FOR PERMISSION

Bolney

DM/18/4697



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**RICEBRIDGE WORKS BRIGHTON ROAD BOLNEY HAYWARDS HEATH
DEMOLITION OF FIVE EXISTING INDUSTRIAL BUILDINGS (1,153SQ.M),
CONSTRUCTION OF FOUR INDUSTRIAL BUILDINGS,(4,253SQ.M) WITH
MIXED USES OF B2, B8 AND B1, NEW LANDSCAPING SCHEME,
REVISED HARDSTANDING LAYOUT AND PARKING ARRANGEMENTS,
CYCLE PARKING, REFUSE STORAGE AND ASSOCIATED WORKS.
NORRIS BROTHERS LTD**

POLICY: Areas of Special Control for Adverts / Countryside Area of Dev. Restraint / Classified Roads - 20m buffer / Flood Map - Zones 2 and 3 / High Pressure Gas Pipeline / Major Hazard Site / Site / Methane Gas Safeguarding / Aerodrome Safeguarding (CAA) /

ODPM CODE: Smallscale Major Manufacturing

13 WEEK DATE: 31st July 2019

WARD MEMBERS: Cllr Judy Llewellyn-Burke /

CASE OFFICER: Andrew Morrison

PURPOSE OF REPORT

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

EXECUTIVE SUMMARY

This application seeks full planning permission for the demolition of five existing industrial buildings (1,153sq.m), construction of four industrial buildings,(4,253sq.m) with mixed uses of B2, B8 and B1, new landscaping scheme, revised hardstanding layout and parking arrangements, cycle parking, refuse storage and associated works at Ricebridge Works industrial estate, Brighton Road, Bolney.

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 Mid Sussex District Plan and the Bolney Neighbourhood Plan. The National Planning Policy Framework is an important material planning consideration.

The proposed redevelopment and expansion of this existing rural commercial site would provide substantial economic benefits in the form of employment both during the construction period and through the creation of substantial new flexible use business floor space.

Whilst the site is situated within the countryside, the proposal is deemed to be acceptable both in principle and in its detail on the basis of the appropriate scale of development sought, the siting of the new buildings fully within the confines of the existing estate and the high quality of design and associated landscaping. It is considered that the scheme will make a more efficient use of the site and improve its overall appearance whilst not harming the landscape setting, biodiversity, flood risk, neighbouring residential amenity, or highway safety. Sufficient parking is to be provided and the scheme's impact on the Ashdown Forest is deemed acceptable.

Having regard to the above, it is considered that the proposal constitutes a sustainable form of development which complies with the Development Plan as a whole. In this case, there are no material considerations that indicate a decision should be made contrary to the Development Plan.

The application complies with Mid Sussex District Plan policies DP1, DP12, DP14, DP21, DP26, DP29, DP37, DP38, DP39 and DP41 and Bolney Neighbourhood Plan policies BOLD1, BOLE1, BOLE2, BOLB1, and BOLT1 as well as the broader requirements and aspirations of the NPPF and can be supported. It is therefore recommended that planning permission is granted subject to the completion of a satisfactory legal agreement to secure the necessary infrastructure required for this development.

Recommendation

Recommendation A

Recommend that planning permission be granted subject to the completion of a section 106 legal agreement to secure the necessary infrastructure contribution and the conditions listed in Appendix A.

Recommendation B

Recommend that if the applicants have not entered into a satisfactory section 106 agreement to secure the necessary infrastructure contribution by 9 January 2020 then the application should be refused at the discretion of Divisional Leader for Planning and Economy for the following reason:

The proposal fails to provide the required infrastructure contribution necessary to serve the development. The proposal therefore conflicts with policy DP20 of the Mid Sussex District Plan.

SUMMARY OF CONSULTATIONS

West Sussex County Council - Highways

No objection subject to condition
Highways England

No objection subject to condition

MSDC Drainage

No objection subject to condition

West Sussex County Council - Lead Local Flood Authority

No objection

Environment Agency

No objection

WSSC Infrastructure

Total Access Demand contribution requested

MSDC Urban Designer

No objection subject to conditions

MSDC Tree Officer

No objection subject to condition

MSDC Environmental Protection and Contaminated Land

No objection subject to conditions

Consultant Landscape Architect

No objection subject to conditions

Consultant Ecologist

No objection subject to condition

BOLNEY PARISH COUNCIL

No objection.

INTRODUCTION

This application seeks full planning for the demolition of five existing industrial buildings (1,153sq.m), construction of four industrial buildings,(4,253sq.m) with mixed uses of B2, B8 and B1, new landscaping scheme, revised hardstanding layout and parking arrangements, cycle parking, refuse storage and associated works at Ricebridge Works industrial estate, Brighton Road, Bolney.

RELEVANT PLANNING HISTORY

There is an extensive history of applications to extend, rebuild or change the use of individual buildings on the site since the 1980s, the most recently permitted of which dates from 2016 for the formation of a D2 use class gymnasium.

SITE AND SURROUNDINGS

Ricebridge Works is an industrial estate located on the west side of Brighton Road (A2300) which serves as a slip-road to the northbound A23 on the northern outskirts of Hickstead. It accommodates 4,125 square metres of employment floor space. The developed area of the site measures approximately 1.7 hectares, whereas the wider site area subject of this application measures approximately 3.4 hectares.

The site is a low density, multi-let industrial estate which has been incrementally developed such that it currently comprises a mixed range of light industrial, general industrial, storage and office buildings in the form of small to medium sized units of one and two storeys in height. There is also a small retail business currently operating from a portacabin and a construction equipment and machinery yard spread across the southwestern corner of the site.

The buildings are of varying footprint, height and form but are generally of brickwork and cladding appearance below shallow pitched metal roofs. They are surrounded by large areas of hardstanding for vehicle circulation and parking. An assortment of low amenity value trees are dispersed across the site.

There are two existing vehicle access points onto the A2300 to the east which serve the different parts of the estate. There is then a vegetation buffer between the A23 and A2300 which largely obscures view of the site from the A23.

The western part of the site is an undeveloped grassed area beyond the existing buildings and is bounded by chain link fencing. Beyond this is a large arable field. There is a large electricity pylon within this adjacent field; the presence of this and its associated cables which cross over the site significantly influence the locality's semi-rural character.

To the north are three dwellings fronting onto Brighton Road and beyond this a public footpath which follows a track along the north side of the large adjacent field.

To the south the ground level drops with vegetation cover to the River Adur and beyond this are a variety of industrial and retail uses and scattered dwellings.

There is a gentle fall in ground levels across the site towards the south east.

The site is located within the countryside as defined by the Mid Sussex District Plan and Bolney Neighbourhood Plan. It is however free from other designations or constraints. The nearest bus stop is approximately half a mile to the south.

APPLICATION DETAILS

The five buildings proposed for demolition are situated on the periphery of the three largest buildings on the site which are themselves to be retained in their current form. Three of these buildings together with porta cabins are situated towards the west of the site and are of low quality construction and appearance. The area vacated by these together with surrounding undeveloped curtilage land provides the space for the proposed expansion. The other two buildings to be removed, one of

which is a converted former dwelling, are situated adjacent to the northern-most retained building and would be replaced by one of the parking areas.

The proposed buildings are therefore all to be located within the rear western part of the site and with the exception of the southern-most would be largely sited behind the three retained buildings. They are proposed to be of mixed industrial use (Use Classes B1, B2 and B8) to allow flexibility and to reflect the existing mixed use of the estate. The applicant states that the approximate ratio of uses anticipated is general industrial B2 (60%), storage B8 (20%) and office B1 (20%).

The new buildings have a combined gross internal floor area of 4,253 square metres. The new additional floor area following the demolitions is 3,100 square metres. The detailed accommodation schedule is as follows:

Retained existing units:

- Unit A - Ingenia Solutions Ltd: 625sq.m
- Unit B - Altech Engineering Ltd: 1,196sq.m
- Unit C - Flotronic Pumps Ltd: 1,047sq.m
- Total Retained: 2,868sq.m

Proposed new units:

- Unit D - tenant to be confirmed: 1,173sq.m
- Unit E - tenant to be confirmed: 592sq.m
- Unit F - tenant to be confirmed: 1,171sq.m
- Unit G - tenant to be confirmed: 1,317sq.m
- Total New (gross): 4,253sq.m

The buildings are consistently designed with untreated timber (cedar) elevations and shallow pitched sedum roofs into which roof lights are placed. They all measure 8 metres in height; for comparison purposes the three retained buildings measure 6.5 and 6.5 metres in height.

A comprehensive landscaping strategy is proposed which seeks to soften and reduce the visual impact of the industrial estate within its landscape setting and to improve its appearance more generally. Key components of this are a planting scheme of native species, grasscrete parking bays, a central swale and the construction of a vegetated berm and gabion wall at the western boundary which will limit the vertical expression of the new buildings to the open landscape to the west.

No changes are proposed to the existing access arrangements. Existing parking is not clearly marked; a total of 108 parking spaces for the site are proposed as marked out together with cycle parking, motorcycle and lorry parking.

The applicant's supporting statement summarises the scheme as *'the architectural and landscape design proposals engage with the site in a wholesale, master-planned approach to upgrade its functionality, sustainability and attractiveness whilst using currently unused or underused areas to provide additional high quality commercial accommodation and associated landscape design.'*

LIST OF POLICIES

Mid Sussex District Plan 2014-2031

DP1	Sustainable Economic Development
DP12	Protection and Enhancement of Countryside
DP14	Sustainable Rural Development and the Rural Economy
DP21	Transport
DP26	Character and Design
DP29	Noise, Air and Light Pollution
DP37	Trees, Woodland and Hedgerows
DP38	Biodiversity
DP39	Sustainable Design and Construction
DP41	Flood Risk and Drainage

Bolney Neighbourhood Plan 2015-2031

BOLBB1	Built-up Area Boundary
BOLE1	Protect and Enhance Biodiversity
BOLE2	Protect and Enhance the Countryside
BOLD1	Design of New Development and Conservation
BOLT1	Transport Impact of Development

The **National Planning Policy Framework** February 2019 is a material consideration.

This sets out the government's policy in order to ensure that the planning system contributes to the achievement of sustainable development. Paragraph 8 sets out the three dimensions to sustainable development, such that the planning system needs to perform an economic objective, a social objective and an environmental objective. This means ensuring sufficient land of the right type to support growth; providing a supply of housing and creating a high quality environment with accessible local services; and using natural resources prudently.

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

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

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

ASSESSMENT

In determining this application it is considered that the main issues that need to be taken into account are as follows;

- Principle of development
- Visual impact on landscape
- Design and layout
- Trees
- Biodiversity
- Impact on neighbouring residential amenity
- Highways and parking
- Infrastructure
- Sustainability
- Drainage
- Other matters

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.

Using this as the starting point the development plan in Mid Sussex consists of the adopted Mid Sussex District Plan ('MSDP') and Bolney Neighbourhood Plan ('BNP').

The developed part of the site is identified as an existing employment site within Appendix D of the Council's Draft Site Allocations Development Plan Document.

BNP Policy BOLB1 allows for development outside of the defined village built up area boundary under certain circumstances:

*'it is supported by a specific policy elsewhere in the Neighbourhood Plan; or the proposal is in accordance with other planning policies applying to the Parish it relates to necessary utilities infrastructure where no reasonable alternative location is available; or
it is necessary for the purposes of agriculture, or some other use that has to be located in the countryside; and
it maintains or where possible enhances the quality of the rural and landscape character of the parish; and
it takes account of the economic and other benefits of the best and most versatile agricultural land and seeks to use areas of poorer quality land in preference to that of higher quality.'*

Paragraph 4.99 of the BNP sets out a desire to protect existing commercial activities in the parish, plus to support 'limited expansion in appropriate locations'. Bolney Grange Business Park is specifically identified as suitable for expansion (Policy BOLB2 refers) whereas Ricebridge Works is not referred to within the Plan. It should be noted however that business expansion in other locations such as this is not explicitly ruled out by the Plan.

Policy DP1 of the MSDP sets out the Council's commitment to sustainable economic development. The policy cites 'supporting existing businesses, and allowing them room to expand' as one of the means by which the goal of an average of 543 jobs per year is to be realised. The policy refers to an approach of allowing new-small scale economic development in the countryside (in accordance with development in the countryside policies). It is also stated that effective use of employment land and premises will be made by 'Permitting appropriate intensification, conversion, redevelopment and/ or extension for employment uses providing it is in accordance with other policies in the Plan'.

Policy DP12 provides that the countryside 'will be protected in recognition of its intrinsic character and beauty'. This sets out a requirement for non-agricultural development in the countryside to be supported by a specific policy reference and to maintain or where possible enhance the quality of the rural and landscape character of the District.

Under the heading of sustainable rural development and the rural economy, Policy DP14 states:

*'Provided it is not in conflict with Policy DP12: Protection and Enhancement of Countryside and
DP13: Preventing Coalescence:*

- new small-scale economic development, including tourism-related development, within the countryside (defined as the area outside of built up area boundaries as per the Policies Map) will be permitted provided:*

- *it supports sustainable growth and the vitality of the rural economy; and*
- *where possible, utilises previously developed sites.'*

Paragraphs 80 and 83 of the NPPF provides strong support for planning decision which help create the conditions in which businesses can invest, expand and adapt. Economic growth is to be afforded significant weight and with reference to rural areas, decisions should enable business growth and expansion through conversions and well-designed new buildings.

Paragraph 84 goes on to state:

'Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.'

Employment evidence is contained within the applicant's supporting Sustainability Statement. This sets out that the proposed development is anticipated to generate create up to 98 full time equivalent (FTE) new jobs on the site, principally in light industrial and manufacturing sectors plus storage and distribution, based on standard national employment densities from the HCA Employment Density Guide. In addition, an estimated 55 FTE existing jobs at the site will be retained with approximately 22 lost from those units to be demolished. The net total contribution to the local economy, taking into account leakage, displacement and multiplier effects is stated as likely to be 56 jobs. This positive contribution to towards meeting the employment needs of the district is in accordance the policy DP1 above.

The applicant's position is that the planning unit of the industrial estate as identified by the application site red line should all be deemed previously developed land for planning purposes. Previously developed land is defined by the NPPF as *'land which is or was occupied by a permanent structure, including the curtilage of developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure'*.

In this case the proposed development does not encroach into open countryside and is all located within the identifiable confines of the industrial estate (including its surrounding undeveloped areas). Irrespective of whether it is accepted that the entirety of the site should be appropriately treated as 'previously developed', it is considered that the above policy context provides an in-principle level of support for the proposal. This is on the basis that it is considered that the amount of development sought in net terms can be reasonably characterised as 'small-scale' with reference to factors such as its siting within the same planning unit and site boundary, the quantum of development, its site coverage and relationship to existing retained buildings and its visual prominence.

Visual impact on landscape

BNP Policy BOLE2 states:

'Outside the Built-up Area Boundary, development must demonstrate that it does not have an unacceptable impact on the landscape. In particular, development proposals must demonstrate how they have addressed the requirements of BOLD1 of the Neighbourhood Plan.'

'Major development which has an unacceptable impact on the landscape and scenic beauty of the High Weald Area of Outstanding Natural Beauty shall be refused, unless it can be demonstrated that there are exceptional circumstances and that it is in the public interest'

MSDP Policy DP12 has already been identified as seeking to protect the countryside in recognition of its intrinsic character and beauty. Furthermore, Policy DP26, while dealing with design matters requires developments to demonstrate that they are sensitive to the countryside. The site is not located within a national designated area (i.e. AONB or National Park).

The Mid Sussex Landscape Capacity Study 2007 identifies the site as within Crosspoint Southern Weald Landscape Character Area, a part of the district which is concluded has a low / medium landscape capacity.

There is very little vegetative screening along the site's exposed western boundary to open countryside beyond and so the existing buildings are highly visible from the west, including from public footpath 22Bo. Existing planting across the site is sporadic and most heavily concentrated at its south-eastern corner as well as adjacent to the eastern-most building. As identified above, excepting the undeveloped grassed area as forming the western part of the site, the majority of the rest of the site is characterised by a disparate collection of buildings surrounded by large areas of hard surfacing.

The application is supported by a Landscape and Visual Appraisal (Scarp; November 2018). This provides an assessment of the effects of the proposed development on existing views and visual amenity as well as impacts on the landscape character. In addition a Landscape Design Statement (Turkington Martin; January 2019) has been submitted which sets out a Landscaping Masterplan, including sections of the earth berm to partially screen the new buildings and is associated retaining gabion wall, a schedule of planting and hard surfacing materials.

The LVIA makes the following conclusion on the impact of the proposed development;

'There would be very low level overall changes to the local landscape. These would be both negative and positive. There would be an increase in the amount of built development on the site. However, the industrial characteristics of the site, including large sheds, amenity planting, mown grass and peripheral native and ornamental tree/shrub planting would remain unchanged. The existing incoherent array of low

quality buildings and temporary structures would be replaced by larger, high-quality buildings (with timber cladding and sedum roofs). There would be an increase in the amount of on-site native tree/shrub vegetation with a resultant net enhancement in the vegetated character and ecological value of the site. The proposed peripheral tree/shrub planting and new earth bunds, together with the design of the proposed buildings, would successfully integrate the proposed development into the local rural landscape.

Existing views from the northwest of an incoherent array of low quality buildings, temporary structures and parked vehicles would also be partially replaced by new larger buildings that would be better integrated into the existing rural view by virtue of their materials (untreated cedar cladding and sedum roofs), colours and textures. However, the proposed buildings would occupy a wider horizontal visual extent of the site. New native tree planting on the proposed earth bund (not shown in the visualisation) would also be provided alongside the western site boundary to visually integrate the proposed buildings into the rural character of the views. There would be a net enhancement to the character and visual amenity of views obtained by high sensitivity recreational footpath users.

The proposed development would cause negligible change to views from the northeast, east, southeast and south. The proposed development would not be visible from any publicly accessible viewpoints located to the west and southwest.'

The Council's Consultant Landscape Architect has reviewed the application and raises no objection to the proposal in landscape impact terms, subject to the use of conditions to secure landscaping and the protection of existing trees. Full comments can be found at Appendix B.

Officers are in broad agreement with this recommendation, albeit it is not considered necessary that understorey planting be secured as recommended by the Consultant in order to make the scheme acceptable in landscape impact terms. Overall it is considered that the proposal will not harm the intrinsic character and beauty of the countryside in this location and that accordingly the application complies with policies DP12 and DP26, BOLB1 and BOLE2 in this regard.

Design and Layout

MSDP Policy DP26 requires all development to be well designed and that the applicant demonstrates that proposals are of high quality (both in terms of design and layout) and include appropriate landscaping. Proposals should also positively contribute to the public realm and protect the character and scale of the surroundings.

BNP Policy BOLD1 similarly requires new development to be of a high quality design and to respond to Bolney's rural nature and character by way of considerations including building height, scale, spacing, layout, materials, and appearance of public realm, land contours and existing landscape features.

The application is supported by a Design and Access Statement (Urban Infill, November 2018). This sets out that the new buildings have been positioned to best

relate to the existing (retained) units, allow for the most practical access and servicing, whilst best delivering the new landscaping principles.

Each building's plan contains reception, office, amenity and plant space with the remaining floor area open offering flexibility of use for a range of potential occupiers. The building envelopes each comprise a series of shallow pitched sedum roofs over a timber clad steel portal frame. All ridges run on an east-west axis, providing the opportunity for northern slope roof lights and the potential installation of solar pv panels. Bound gravel surfaced thresholds surround and connect the buildings and grasscrete is proposed for the parking areas. The main vehicle circulation areas are to be formed by a tarmac surface.

The Statement summarises the scheme as follows:

'Through considered scale, massing and positioning, the proposed units offer an improved working environment for light industrial companies, whilst respectfully enhancing the site. It is believed that the proposed development shall not only prolong Ricebridge Works' status as a important local employment centre but also set a precedent for similar proposals for future development in the area, schemes that look to not only enhance working environments but also acknowledge sustainability and context beyond levels previously achieved by light industrial sites.'

The Council's Urban Designer has provided the following observations:

'The overall strategy and approach can be commended. The proposed buildings have been thoughtfully designed in terms of their consistent rhythm, cedar cladding, sedum roof and orientation. The incorporation of earth bunding and tree planting on the western boundary and the loss of the scrappy-looking existing sheds should also help to enhance the appearance of the development especially in terms of the visible vantage from the adjacent public right of way that extends across the countryside to the west.

The proposed buildings are angled-on to the red line / western boundary generating an inconsistent depth of buffer zone which become narrow in some areas. Further section drawings and a full western elevation have been provided that now show how the bunding and landscaping works throughout this boundary demonstrating there will be a level of screening throughout. I also note that Irene Fletcher feels that the additional tree planting is appropriate and has raised no objections (I am glad to see oak trees included although there might be space for more in the large gaps between the tree groupings behind blocks E and F).

In conclusion, I have no objections to this planning application but as the elevations have limited detail, I would recommend the decision is subject to the approval of: (a) facing materials and (b) large scale vignette drawings (elevation and section) showing the elevational finish to secure the quality of the design (and ensure they fulfil the aspirations of page 37 of the DAS).'

Officers consider that the proposal has good merit in design terms and that the scheme's layout, scale, materiality and associated landscaping measures demonstrate a suitably high quality and sensitive approach. It is therefore

considered that the application complies with the requirements of policies DP26 and BOLD1.

Trees

As identified above BNP Policy BOLD1 requires new development to sensitively incorporate natural features such as trees. MSDP Policy DP37 sets out that the District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. Proposals for new trees, woodland and hedgerows should be of suitable species, usually native.

The application is supported by an Arboricultural Report and Tree Condition Survey (Ruskins Tree Consultancy; November 2018). This sets out that whilst the proposed layout has been designed where possible to retain the vegetation within the site, a number of trees are identified for removal to facilitate development or due to their poor condition. The 14 trees to be removed are relatively small trees growing internally within the site and as a consequence their removal will not have any impact on the public amenity of the tree resource when viewed from the public realm or within the wider area. They are all categorised as BS Category C. From a public amenity point of view the most significant trees are trees located at the front of Ricebridge Works on the eastern boundary. These will be unaffected by the proposed development. Furthermore, the proposed demolition works can be undertaken without any incursions into the theoretical root protection area of any trees identified to be retained. The report also sets out protection measures and plan for existing trees in accordance with BS5837 (2012).

The Council's Tree Officer has reviewed the Arboricultural Report together with the proposed planting plan for additional trees across the site and raises no objection to the proposal subject to suitable conditions. On this basis it is considered that the application can be considered compliant with the above policies.

Biodiversity

BNP Policy BOLE1 and MSDP Policy DP38 concern the protection, and where possible, enhancement of biodiversity by ensuring development does not result in loss or harm to protected and sensitive species. Unavoidable damage to biodiversity must be offset through ecological enhancements and mitigation measures.

The application was originally supported by a Preliminary Ecological Appraisal (CSA Environmental; November 2018). This Appraisal identified that additional investigation/survey work was required to inform suitable ecological impact avoidance, mitigation and/or compensation measures and assessment of residual impacts on bats, reptiles and great crested newts.

The Council's Consultant Ecologist advised that the results of the recommended bat, great crested newts and reptile surveys was required together with an ecological impact assessment in order to robustly assess the application.

In response to this advice, more recently Phase II Ecological Surveys and an Ecological Mitigation & Enhancement Strategy have been prepared (Ecosupport

Limited; May 2019). The results of this survey firstly identified a small number of slow worms and a single grass snake. The survey results do not indicate that the site is a 'Key Reptile Site' as defined by appropriate guidance (HGBI, 1998) therefore the site is considered to be of local value for Reptiles.

In respect of bats, none were recorded as roosting within the building identified in the Preliminary Ecological Appraisal as appropriate for such further investigation. It is therefore considered highly unlikely roosting bats will be negatively impacted by proposals. Relatively low levels of activity were recorded during the survey.

With respect to great crested newts, assessment work of a nearby pond whereby the landowner granted access confirmed the likely absence of this species. A rapid risk assessment was undertaken on the only other nearby pond which was not accessible and this illustrates that it is highly unlikely newts would be negatively impacted and Natural England would not require a license for works.

The Ecological Mitigation & Enhancement Strategy sets out a range measures to protect and promote site ecology. This includes the formation of log piles to encourage invertebrates and enhance foraging resources and the erection of a series of bat boxes. The document concludes that *'The Mitigation Strategies detailed within this document have been developed to ensure development is in line with the applicable legislation and to ensure species utilising the site are adequately protected. By introducing numerous features acting as both compensation and enhancement, it is considered the development will result in a net gain for biodiversity in line with national and local policy.'*

The Council's Consultant Ecologist has reviewed this latest information and recommends that there is no biodiversity policy reason for refusal or amendment of the proposals, subject to a condition requiring full implementation of the above Strategy.

There is no evidence in front of officers to suggest that the proposal would have a detrimental impact on the ecological value of the site and as such the application is deemed to comply with the above policies.

Impact on neighbouring residential amenity

Part of the MSDP Policy DP26 protects neighbouring residential amenity from significant harmful effects arising from new development. MSDP Policy DP29 and BNP Policy BOLD1 protect the environment and the quality of people's life from unacceptable levels of noise, air and light pollution.

The nearest residential occupiers are Little Garston and Little Garston Cottages to the north and Wayside Cottage which has a greater separation distance to the south.

The application is supported by a Desktop Noise Assessment (Temple; November 2018). This identifies that the site currently operates from 7:00 to 18:00 Monday to Friday and no change is proposed to this for the new development. It is predicted that the redevelopment of the site will lead to approximately a doubling of movements using the northern and southern access in the morning and afternoon

peak hours. Given the wider context of existing road traffic on the A2300 and A23 it is unlikely that any minor increase in noise level from this increase in movements would be noticeable such to cause detriment to amenity. The Assessment concludes that it is anticipated that any resulting change in noise levels from the proposal will not have a significant impact on the nearby residential properties.

The applicant's Planning Statement sets out that for any new sources of noise arising from the tenants of the industrial units in due course, appropriate noise assessments will be undertaken in accordance with the applicable British Standard and any mitigation provided as required. Any future external plant and extraction equipment will require separate planning permission in its own right and so the Council will be able to assess and control the noise impact of any such equipment.

The Council's Environmental Protection Officer has provided the following comments on the application:

'It is agreed that the impact from the increased road traffic noise is likely to be minimal.'

'I note in the report that the site operates between 07:00 to 18:00 hours. As the potential impact of operation during night hours has not been assessed, the hours should be restricted. If in the future premises at the site did want to look at opening later, then additional information would need to be provided to show the potential impacts, and how they would be mitigated if required.'

'Additionally while no plant and machinery has been confirmed, it is recommended that a condition be attached to ensure any machinery will not impact on sensitive receptors. Given the very high background noise levels of the area such a condition will likely be easily met by most plant and machinery.'

No objection is therefore raised by the Council's EPO Officer subject to suitable conditions. Given however that no air conditioning units are proposed through this application it is not considered that a condition can be suitably applied as suggested.

The northern-most proposed building (D) is sited no closer to the nearest neighbouring dwellings than the existing retained northern-most building. Between these buildings and the garden curtilage boundary for Little Garston is a proposed parking area which is to be constructed in part replacement for two existing buildings.

It is not considered that the siting, layout and massing of the proposed development will give rise to any significantly harmful impacts upon existing levels of light, privacy and outlook currently afforded to neighbouring residents.

Subject to recommended conditions, the application is considered to comply with the above policy requirements for the protection of neighbouring amenity.

Highways and parking

MSDP Policy DP21 and BNP Policy BOLT1 deal with transport matters including considerations of traffic generation and congestion, safety of access and parking.

There are no proposed changes to the existing vehicular access points into the site, which have good visibility. The application is supported by a Transport Assessment (TTP Consulting; November 2018). A Road Safety Audit has been carried out and a designer's response is included. This does not identify any issues which need to be addressed to make the development acceptable.

The Assessment sets that the proposed increase in floor space is expected to result in an additional 36 trips in the morning peak hour and 32 in the evening peak hour. The Assessment concludes that this amount of increase would not have a harmful impact in highway capacity or congestion terms in respect of the A23, A2300 and nearby junctions.

The Assessment also identifies the availability of existing opportunities for access to the site by sustainable measures such as by foot, cycle and public transport.

The new buildings will be accessed through the construction of an extension to the existing hardstanding access routes. The scheme incorporates appropriate turning and circulation spaces for large vehicle deliveries and servicing.

Existing parking spaces across the estate are not clearly delineated but space for 80 spaces has been approximated on site at present. A total of 108 car parking spaces (including 5 disabled spaces) will be provided in formalised locations across the site. This amount of provision has been broadly based on parking standards as set out by West Sussex County Council and Mid Sussex District Council for B2 use and is considered appropriate given that flexibility across B classes uses is proposed. 9 lorry, 11 motorcycle and 36 cycle parking spaces are also to be provided.

The Local Highway Authority and Highways England have been consulted on this application and neither raises an objection to the proposal in transport terms. Full comments are provided in Appendix B. Both consultees recommend a condition securing a Construction Management Plan.

Overall on this matter it is considered that the proposal is acceptable and accords with the requirements of the above policies.

Infrastructure

MSDP Policy DP20 seeks to ensure that development is accompanied by the necessary infrastructure, which will be secured through the use of planning obligations.

The Council's Development Infrastructure and Contributions SPD which sets out the overall framework for planning obligations.

The NPPF sets out the government's policy on planning obligations in paragraphs 54 and 56 which state:

'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:

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

- *necessary to make the development acceptable in planning terms;*
- *directly related to the development; and*
- *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 nature of the proposal is such that there are no District Council contributions applicable. West Sussex County Council has however requested a Total Access Demand (TAD) contribution of £85,081 in order to mitigate the impacts of the subject proposal in terms of demand on Highways and Sustainable Transport that would arise in relation to the proposed development.

The contributions generated by this proposal shall be spent on a cycling improvement scheme between Sayers Common and Hassocks, a high priority scheme in the WSCC Walking and Cycling Strategy (ID 286) to link local communities and provide alternative means of travel to the site. The contribution is justified on the basis that the development is providing an increase in B1a, B2 and B8 floor space, an additional 28 spaces (108 in total) which will require an additional 98 full time employees (according to the application form). This will therefore equate to an increased use of the road network in the vicinity of the development. The scheme identified will encourage employees to utilise alternative forms of transport other than cars, in order to reduce the impact on the highway network that is created as a direct result of the development.

The development is likely to employ people from the local area, this will include those coming from the south of the site from Hassocks, Hurstpierpoint and Albourne. The creation of a safe cycle route leading to Sayers Common will encourage employees living in these areas to utilise alternative forms of transport to get to the site. There is already a cycle route in place from Sayers Common to the site along the A23, so the addition of the scheme from Hassocks to Sayers Common will create a safe cycle route the entire distance from Hassocks through Hurstpierpoint and up to the site.

The applicant has indicated that there are prepared to enter into a section 106 agreement to secure the above contribution.

It is considered that the above contributions are justified having regard to this Council's Development and Infrastructure SPD and would meet the test of the CIL Regulations.

Sustainability

MSDP Policy DP39 seeks to improve the sustainability of development and proposals should, where appropriate and feasible, incorporate measures to reduce energy consumption and carbon emissions.

The application is supported by a Sustainability Statement (Temple; November 2018) which covers a range of sustainability considerations which have informed the proposal:

- Energy efficiency, building design and orientation. Specifically the new buildings have been designed to achieve good thermal performance with insulation, external timber cladding, sedum roofs and double glazed windows and doors on all units. Passive heating and cooling design measures include north facing roof lights whilst provision is made for potential solar PV on the south facing roofs.
- Sustainable drainage measures including swales and permeable paving to assist in the management of surface water
- Water efficient fittings/appliances
- Comprehensive planting scheme to promote biodiversity

It is considered that the applicant has demonstrated that they are suitably incorporating sustainable measures where appropriate and feasible and as such the proposals complies with the above policy.

Drainage

The majority of the site is situated within Flood Zone 1, however there is a small part at its southern end adjacent to the river in Flood Zones 2 and 3. This area does not however include the extent of the proposed development.

The application is supported by a Flood Risk Assessment & Drainage Strategy and a Foul & Surface Water Drainage Strategy (SWP Ltd; November 2018). This concludes that the risk of flooding from all sources has been assessed and is considered to be low.

In respect of surface water, it is proposed that the development will attenuate this on site through a range of measures before discharging at a controlled rate into the watercourse to the south of the site utilising an existing discharge point.

In respect of foul water it is proposed to install a new foul water drainage treatment plant to serve the development, which will discharge to the existing watercourse at the development's southern boundary, making use of the existing connection.

The Council's Drainage Engineer has reviewed the proposals and raises no objection to the strategy in principle. A condition is recommended to secure full

details and on this basis it is considered that the application complies with Policy DP 41 of the Mid Sussex District Plan.

Other Matters

Contamination

The applicants have provided a Ground Investigation Report (Jomas Associates; February 2018). The report identifies ground contamination, asbestos fibres and potential ground water and grassing risks and therefore recommends further investigation of the site prior to the creation of a remediation plan, and therefore construction on site.

The Council's Contaminated Land Officer has considered this report and has confirmed that it meets current standards. He has advised that a phased contaminated land condition and separate precautionary condition should be attached to ensure the site is safely developed for its end use. Such a condition would meet the tests set out paragraph 178 of the NPPF and would be appropriate.

Ashdown Forest

Under the Conservation of Habitats and Species Regulations 2017/1012 (the 'Habitats Regulations'), the competent authority - in this case, Mid Sussex District Council - has a duty to satisfy itself that any plans or projects that they regulate (including plan making and determining planning applications) is not likely to have a significant effect on a European site of nature conservation importance. For most developments in Mid Sussex, the European sites of focus are the Ashdown Forest Special Protection Area (SPA) and Ashdown Forest Special Area of Conservation (SAC). Where the likelihood of significant effects exists the District Council must carry out an Appropriate Assessment, and only grant planning permission if satisfied that there would be no adverse effect on the integrity of the sites concerned, unless certain strict conditions are met.

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

A HRA screening assessment for the development has, however, been undertaken. The outcome is that there is not considered to be a significant in combination effect on the Ashdown Forest SAC. The screening assessment is available to view on the planning file. 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.

PLANNING BALANCE AND CONCLUSION

This application seeks full planning permission for the demolition of five existing industrial buildings (1,153sq.m), construction of four industrial buildings,(4,253sq.m) with mixed uses of B2, B8 and B1, new landscaping scheme, revised hardstanding

layout and parking arrangements, cycle parking, refuse storage and associated works at Ricebridge Works industrial estate, Brighton Road, Bolney.

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 Mid Sussex District Plan and the Bolney Neighbourhood Plan. The National Planning Policy Framework is an important material planning consideration.

The proposed redevelopment and expansion of this existing rural commercial site would provide substantial economic benefits in the form of employment both during the construction period and through the creation of substantial new flexible use business floor space.

Whilst the site is situated within the countryside, the proposal is deemed to be acceptable both in principle and in its detail on the basis of the appropriate scale of development sought, the siting of the new buildings fully within the confines of the existing estate and the high quality of design and associated landscaping. It is considered that the scheme will make a more efficient use of the site and improve its overall appearance whilst not harming the landscape setting, biodiversity, flood risk, neighbouring residential amenity, or highway safety. Sufficient parking is to be provided and the scheme's impact on the Ashdown Forest is deemed acceptable.

Having regard to the above, it is considered that the proposal constitutes a sustainable form of development which complies with the Development Plan as a whole. In this case, there is no material considerations that indicate a decision should be made contrary to the Development Plan.

The application complies with Mid Sussex District Plan policies DP1, DP12, DP14, DP21, DP26, DP29, DP37, DP38, DP39 and DP41 and Bolney Neighbourhood Plan policies BOLD1, BOLE1, BOLE2, BOLB1, and BOLT1 as well as the broader requirements and aspirations of the NPPF and can be supported. It is therefore recommended that planning permission is granted subject to the completion of a satisfactory legal agreement to secure the necessary infrastructure required for this development.

APPENDIX A – RECOMMENDED CONDITIONS

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

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

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

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

Pre commencement conditions

3. 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 and Policy DP41 of the Mid Sussex District Plan 2014 - 2031.

4. No development above slab level shall be carried out unless and until samples/a schedule of materials and finishes to be used for external walls / roofs / fenestration of the proposed buildings have been submitted to and approved by the Local Planning Authority. The works shall be carried out in accordance with the approved details unless otherwise agreed with the Local Planning Authority in writing.
Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

5. No development above slab level shall take place until a 1:20 scale elevation (vignette) and section drawing showing the elevational finish to secure the quality of the design of the buildings have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details unless otherwise agreed with the Local Planning Authority in writing.

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

6. 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,
 - the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),

- details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area and to accord with Policy DP21 of the Mid Sussex District Plan 2014-2031.

7. 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. Where possible the laboratory analysis for permanent gases and Volatile Organic Compounds (VOCs) should be accredited by the Environment Agency's Monitoring Certification Scheme (MCERTS). 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 person¹ to oversee the implementation and completion of the works.

Construction phase

8. 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.

Reason: 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 and to comply with paragraph 178 of the NPPF.

9. The Ecological Mitigation and Enhancement Strategy by Ecosupport (May 2019) shall be implemented in full unless otherwise agreed in writing with the local planning authority.

Reason: To protect the ecological value of the site and to accord with policy DP38 of the Mid Sussex District Plan.

10. The development shall be carried out in full accordance with the Arboricultural Report and Tree Condition Survey by Ruskins Tree Consultancy (November 2018) including accompanying Tree Protection Plan.

Reason: To ensure the appropriate protection of existing retained trees on the site and to comply with Policy DP37 of the Mid Sussex District Plan 2014-2031.

11. Operating times shall be restricted to 07:00 to 20:00 hours.

Reason: To preserve the amenity of neighbouring residents and to comply with Policy DP26 of the Mid Sussex District Plan 2014-2031.

12. Construction 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 preserve the amenity of neighbouring residents and to comply with Policy DP26 of the Mid Sussex District Plan 2014-2031.

13. 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 preserve the amenity of neighbouring residents and to comply with Policy DP26 of the Mid Sussex District Plan 2014-2031.

14. 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

Reason: To preserve the amenity of neighbouring residents and to comply with Policies DP26 and DP29 of the Mid Sussex District Plan 2014-2031.

Pre occupation conditions

15. 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 (7)b that any remediation scheme required and approved under the provisions of conditions (7)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: 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 and to comply with paragraph 178 of the NPPF.

16. The approved Landscaping Masterplan and Materials and Planting Strategy shall be carried out in full prior to the occupation of any part of the development or in accordance with the programme agreed by the Local Planning Authority. Any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity and of the environment of the development and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

17. The building(s) shall not be occupied until the vehicle parking spaces shown on the submitted plans have been provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the parking of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways and to accord with Policy DP21 of the Mid Sussex District Plan 2014 - 2031.

18. The building(s) shall not be occupied until the cycle parking spaces shown on the submitted plans have been provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the parking of cycles.

Reason: To provide for a facility which is likely to reduce traffic and promote sustainable methods of transport in accordance with Policy DP21 of the Mid Sussex District Plan 2014 - 2031.

INFORMATIVES

1. The proposed development will require formal address allocation. You are advised to contact the Council's Street Naming and Numbering Officer before work starts on site. Details of fees and developers advice can be found at www.midsussex.gov.uk/streetnaming or by phone on 01444 477175.
2. In accordance with Article 35 Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning

policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

3. You are advised that this planning permission requires compliance with a planning Condition(s) before development commences. You are therefore advised to contact the case officer as soon as possible, or you can obtain further information from: <https://www.gov.uk/guidance/use-of-planning-conditions#discharging-and-modifying-conditions> (Fee of £116 will be payable per request). If you carry out works prior to a pre-development condition being discharged then a lawful start will not have been made and you will be liable to enforcement action.
4. You are encouraged to plant a native shrub understorey to the approved tree planting upon the landscaped berm, such to provide for a more naturalistic woodland cover and enhanced habitat potential.

Plans Referred to in Consideration of this Application

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

Plan Type	Reference	Version	Submitted Date
Location Plan	0492-PL	001	20.11.2018
Existing Site Plan	0492-PL	001	20.11.2018
Existing Sections	0492-PL	002	20.11.2018
Existing Elevations	0492-PL 041	Unit A	20.11.2018
Existing Elevations	0492-PL 042	Unit B	20.11.2018
Existing Elevations	0492-PL 043	Unit C	20.11.2018
Existing Site Plan	0492-PL 101	Demo	20.11.2018
Sections	0492-PL 102		20.11.2018
Existing Elevations	0492-PL 141	Unit V	20.11.2018
Existing Elevations	0492-PL 142	Unit W	20.11.2018
Existing Elevations	0492-PL 143	Unit X	20.11.2018
Existing Elevations	0492-PL 144	Unit Y	20.11.2018
Existing Elevations	0492-PL 145	Unit Z	20.11.2018
Proposed Site Plan	0492-PL 201		20.11.2018
Proposed Sections	0492-PL 202		20.11.2018
Proposed Floor Plans	0492-PL 211	Unit D	20.11.2018
Proposed Roof Plan	0492-PL 211	Unit D	20.11.2018
Proposed Elevations	0492-PL 212	Unit D	20.11.2018
Proposed Sections	0492-PL 212	Unit D	20.11.2018
Proposed Elevations	0492-PL 213	Unit D	20.11.2018
Proposed Sections	0492-PL 213	Unit D	20.11.2018
Proposed Floor Plans	0492-PL 221	Unit E	20.11.2018
Proposed Roof Plan	0492-PL 221	Unit E	20.11.2018
Proposed Elevations	0492-PL 222	Unit E	20.11.2018
Proposed Sections	0492-PL 222	Unit E	20.11.2018
Proposed Floor Plans	0492-PL 231	Unit F	20.11.2018
Proposed Roof Plan	0492-PL 231	Unit F	20.11.2018
Proposed Elevations	0492-PL 232	Unit F	20.11.2018
Proposed Sections	0492-PL 232	Unit F	20.11.2018
Proposed Elevations	0492-PL 233	Unit F	20.11.2018
Proposed Sections	0492-PL 233	Unit F	20.11.2018

Proposed Floor Plans	0492-PL 241	Unit G	20.11.2018
Proposed Roof Plan	0492-PL 241	Unit G	20.11.2018
Proposed Elevations	0492-PL 242	Unit G	20.11.2018
Proposed Sections	0492-PL 242	Unit G	20.11.2018
Proposed Elevations	0492-PL 243	Unit G	20.11.2018
Proposed Sections	0492-PL 243	Unit G	20.11.2018
Illustration	TM361-L01	#	20.11.2018
Landscaping Details	TM361-L02	#	20.11.2018
Levels	TM361-L03	#	20.11.2018

APPENDIX B – CONSULTATIONS

Parish Consultation

No objection.

Trees And Landscape

No objections.

Additional trees appropriate and will supplement existing planting.

Condition adherence to arboricultural report and require replacements should trees die or become diseased within 5 years.

WSCC Highways

The A2300 Brighton Road forms part of the strategic road network (SRN), and Highways England are responsible for maintaining this section of highway. As such the case officer should consult Highways England regarding this application.

WSCC in its capacity as the County Highway Authority has considered the impact of this development and raise no objection in an advisory capacity.

The Site

Ricebridge Works is located off the A2300 slip road which runs parallel to the A23, and known as Brighton Road. It meets the public highway to the south via a pair of roundabouts in a 'dumbbell' arrangement, via a link road over the A23. These roads are known as Hickstead Lane, Jobs Lane Link Road (over the A23) and Dumbrells Farm Way.

Some of the existing buildings at Ricebridge will be demolished to make way for 5 new industrial units creating a net increase of 3,194sqm. As such the impact this increase will bring in terms of parking demand and vehicle movements has been assessed by WSCC.

Access

The site provides two access and egress points onto the A2300 slip road. No changes are proposed and these will continue to provide access to the site. A speed survey was undertaken and the current speeds northbound are 60.6mph northbound and 48.5mph southbound. Existing visibility plays at the access points have been measured and are 2.4m x 215m which are appropriate for the recorded speeds along this road.

Parking

There will be an increase in the number of parking spaces provided by the new units. An additional 28 car parking spaces will be provided for the additional 3,194sqm of B1/B2 and B8 space. This parking combined with the existing parking layout will create a total of 108 spaces for the entire site. 5 of these will be designated for disabled use and will be wider to accommodate this. The layout of the parking areas are perpendicular and a 6m aisle width is provided and therefore will allow good access in and out of the spaces. 9 loading bays are also provided (11m x 3m).

WSCC car parking standards have been consulted based on 3,194sqm of new floor space broken down as, 60% B2, 20% B8 and 20% B1. Lorry Parking spaces has also been considered.

B2 - 1 space per 40sqm = 47 spaces

Lorry parking 1 space plus 1 space per 500sqm = 3 spaces

B8 - 1 spaces per 100sqm = 6 spaces

Lorry parking 1 space plus 1 space per 500sqm = 1 spaces

B1 - 1 space per 30sqm = 21 spaces, no lorry parking required.

Therefore a total of 74 car parking spaces and 4 lorry parking spaces are required. Given the site can offer a total of 108 spaces and 9 lorry parking spaces parking for the proposed units can be accommodated within the site.

It should be noted that any additional site parking demands from the existing units has not been included and should be considered to ensure all units have ample parking for their demands.

Cycle Parking

Space has been provided which is secure and covered in line with current standards for B2 use class.

Road Safety Audit

As the proposal will see an increase in trips to and from the site a Road Safety Audit has been undertaken in accordance with HD19/15 and completed in accordance with WSCC Road Safety Audit Policy. A signed and dated designer's response is included.

The audit provides two points for recommendation.

1. South and North site accesses. Risk of blocking lanes. It is recommended that the designer should check any longer vehicles that could be associated with the new development and adjust the gate positions if found necessary.
2. North Site Access. Risk of over-running centre line. The exit radius at the northern access was assessed at 3m. This could cause larger vehicles left turning out of the site to overrun the centre line at risk of clipping a southbound vehicle.

Road Casualty and Collision Data

An interrogation of WSCC Road Casualty and Collision Database has been undertaken and there have been no incidents recorded at the access or on the slip road in the last five years. Further away from the access on the eastern roundabout, there have been a few recorded incidents of which none were attributed to any highway defect.

Vehicle Movements

A Transport Assessment has been produced by TTP consulting confirming the impact of the proposal will not create any significant increase in traffic to the network. The additional traffic increase on the slip road would create an additional movement every 20mins during the morning peak and 1 every 5 minutes in the evening.

Junction modelling of the near-by roundabout network was undertaken using Junctions 9, and the outputs have been checked by WSCC and these show minimal changes to the operation of both roundabouts, to require any mitigation.

Tempo growth factors were also used to understand the effect the development would have in a future year scenario of 5 years, which was shown to be low.

In summary the proposed demolition and redevelopment of the Ricebridge Works site on Brighton Road, has been considered and no significant highway safety or capacity impacts are expected. No objection.

Conditions

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,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area.

Highways England

Having examined the information provided, while Highways England does not entirely agree with the Transport Assessment, we have determined that there is no reason for Highways England to object to the development proposals on the basis that they will not result in a severe impact on the Strategic Road Network. It should be noted however, that in reviewing the Transport Assessment, the Road Safety Audit (RSA) in Appendix E states that it has been carried out in accordance with HD 19/15 but this is incorrect as Highways England has not approved the audit team or brief. Indeed, it is also noted that the RSA has been undertaken on an existing road layout that will not be altered as a result of the development proposals. As such, the RSA is rejected but this does not have a consequence upon our decision, which is that we are satisfied that the development proposals can be achieved, subject to certain necessary conditions, without detriment to the safe and efficient operation of the Strategic Road Network. Accordingly, I attach our formal conditional response.

Referring to the planning application referenced above (consultation received 28 November 2018) in the vicinity of the A23 and A2300 (which form part of the Strategic Road Network), notice is hereby given that Highways England's formal recommendation is that we recommend that a condition should be attached to any planning permission that may be granted:

1) No works shall commence on site until a Construction Management Plan, to include details of numbers and routeing of construction vehicles, has been submitted to and approved in writing by the Local Planning Authority (who shall consult with Highways England). The construction of the development shall be carried out in accordance with the approved Construction Management Plan unless otherwise agreed in writing by the Local Planning Authority (who shall consult with Highways England).

Reason: To ensure that construction of the development does not result in avoidable congestion on the A23 and A2300, to ensure that the 23 and A2300 continue to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

WSCC Infrastructure

Summary of Contributions:

Net Population Increase	0.0
Net Parking Spaces	28
Net Commercial Floor Space sqm	3100
Total Access (commercial only)	92.9856
Number of fire hydrants	be secured under Condition

Total TAD Contribution due

£85,081

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 in terms of demand on Highways and Sustainable 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, 2019.

All TAD (Total Access Demand) 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 3,100 sqm of Class B1(a), B2, B8 floor area, and an additional 28 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>).

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 2020. This may include revised occupancy rates if payment is made after new data is available from the 2021 Census.
- d) Review of the contribution towards the provision of Transport and Sustainable Infrastructure 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 a cycling improvement scheme between Sayers Common and Hassocks, a high priority scheme in the WSCC Walking and Cycling Strategy (ID 286) to link local communities and provide alternative means of travel to the site.

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 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, parking spaces, nature or tenure, may generate a different contribution requirement and thus require re-assessment of contributions. Such re-assessment should be sought as soon as the altered figures are known and not be left until signing of the section 106 Agreement is imminent.

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.

Should you require further information in relation to the calculation of the contributions, please see below:

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 rely 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 2019/2020 is £1,407 per parking space.

Infrastructure contributions = Car parking spaces x £1,407

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 (£703).

Sustainable transport contribution = (net car parking - occupancy) x 703

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

MSDC Planning Policy

Ricebridge Works is an existing industrial estate adjacent to the A23, covering approximately 1.7ha.

Policy DP1: Sustainable Economic Development of the adopted Mid Sussex District Plan reflects the Council's aspirations for sustainable economic growth - providing for the residents of Mid Sussex to work locally and reducing the need to commute.

The policy encourages high quality development of land and premises to meet the needs of 21st century businesses and supports existing businesses by allowing them room to expand. The proposal subject to this planning application is supported by the aims of this policy.

The Council recognises the importance of protecting existing employment land and premises as well as making more efficient use of existing sites. Policy DP1 permits appropriate intensification, conversion, redevelopment and/or extension for employment uses (in accordance with other policies within the Plan) in order to allow existing businesses to expand and to ensure that employment premises within the district is fit for purpose and appropriate for the range of businesses that operate within the district. The proposal involves intensification by redevelopment of an existing employment site, which is therefore supported by DP1.

The existing site is predominantly B2 use (around 60%), with smaller proportions of B1 and B8 (20% each). This is an appropriate mix for this location, noting the requirements of NPPF paragraph 82 which recognises the locational requirements of different sectors; and paragraph 84 which recognises that local business needs may be found beyond existing settlement boundaries. The proposal seeks an increase in floorspace, but retains the same proportions of B2, B1 and B8 uses, which is supported.

The Council are currently preparing a Site Allocations DPD. The DPD will allocate housing and employment sites. As part of the background work for the DPD, a number of housing and employment sites have been included within the Strategic Housing and Economic Land Availability Assessment (SHELAA).

Ricebridge Works has been assessed within the SHELAA (site reference 863), and the assessment concludes that it will progress to Stage 2. For existing employment sites, Stage 2 will include an assessment of the potential for expansion, intensification or redevelopment with a view to supporting these mechanisms for increasing employment land within the district if appropriate.

Consideration needs to be given to the effects of this proposed development on the Ashdown Forest SAC and a Habitats Regulations Assessment needs to be undertaken. Information in the Planning Statement and the Transport Assessment submitted alongside the planning application suggests that the majority (90%) of traffic will be travelling to/ from the site from a north or south direction via the A23 with the remaining 10% travelling to/ from the site from the east. This 10% represents 3-4 vehicle trips that could potentially be across the Ashdown Forest SAC, however, the applicant anticipates the majority would originate from locations to the west of Ashdown Forest. The site is located approximately 10km from the Ashdown Forest SAC. On the basis of the information submitted, it is considered that the predicted number of vehicle trips that could potentially travel across the Ashdown Forest SAC is small and the Habitats Regulations Assessment should take this information into account.

In conclusion, the principle of this proposal is supported in planning policy terms as it increases economic land in accordance with DP1: Sustainable Economic Development and the NPPF.

MSDC Tree Officer

No objections.

Additional trees appropriate and will supplement existing planting.

Condition adherence to arboricultural report and require replacements should trees die or become diseased within 5 years.

MSDC Urban Designer

The overall strategy and approach can be commended. The proposed buildings have been thoughtfully designed in terms of their consistent rhythm, cedar cladding, sedum roof and orientation. The incorporation of earth bunding and tree planting on the western boundary and the loss of the scrappy-looking existing sheds should also help to enhance the appearance of the development especially in terms of the visible vantage from the adjacent public right of way that extends across the countryside to the west.

The proposed buildings are angled-on to the red line / western boundary generating an inconsistent depth of buffer zone which become narrow in some areas. Further section drawings and a full western elevation have been provided that now show how the bunding and landscaping works throughout this boundary demonstrating there will be a level of screening throughout. I also note that Irene Fletcher feels that the additional tree planting is appropriate and has raised no objections (I am glad to see oak trees included although there might be space for more in the large gaps between the tree groupings behind blocks E and F).

In conclusion, I have no objections to this planning application but as the elevations have limited detail, I would recommend the decision is subject to the approval of: (a) facing materials and (b) large scale vignette drawings (elevation and section) showing the elevational finish to secure the quality of the design (and ensure they fulfil the aspirations of page 37 of the DAS).

MSDC Contaminated Land Officer

Main comments

The application looks to redevelop an existing industrial site, demolish five building that currently take up 1,153sq.m, and constructing four industrial buildings that will cover 4,253sq.m.

As part of the application a ground investigation report for contamination by Jomas (ref: P1331J1284), dated 15th February 2018 has been submitted. This report has been assessed and has been found to meet current standards.

The report assesses the proposed site for redevelopment as either commercial or residential use, as the se have differing assessment criteria's.

In terms of ground contamination, elevated concentrations of benzo(b)fluoranthene, benzo(a)pyrene and dibenzo(ah)anthracene were all found to exceed screening criteria for the currently proposed commercial end use. Additionally, asbestos fibres were found within 3 of the 10 sample of made ground tested.

In terms of controlled water risk, the report recommends that further ground water sampling and analysis is undertaken if the site is to be re-developed.

In terms of gassing, a single ground gas monitoring visit was undertaken that showed high levels methane (10.5%) and carbon dioxide (6.6%) levels at WS1, close to the sewage beds. If the proposed re-development was to go ahead, then this area would be redeveloped. As such further assessment of the risk from gassing is required.

Given the report recommends further investigation of the site prior to the creation of a remediation plan, and therefore construction on site, it is recommended this be conditioned.

Additionally, any ground investigation cannot rule out the presence of further hotspots between sampling points. For that reason a discovery strategy should also be attached, so that in the event that contamination not already identified through the desktop study is found, that works stop until such time that a further assessment has been made, and further remediation methods put in place if needed.

Recommendation: Approve with conditions:

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. Where possible the laboratory analysis for permanent gases and Volatile Organic Compounds (VOCs) should be accredited by the Environment Agency's Monitoring Certification Scheme (MCERTS). 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 person¹ to oversee the implementation and completion of the works.

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):

- c. Description of remedial scheme
- d. as built drawings of the implemented scheme
- e. photographs of the remediation works in progress
- f. 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:

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.

MSDC Environmental Protection Officer

Main Comments:

The application looks to increase the size of the site.

As part of the application a noise assessment has been undertaken by Temple Group Ltd (ref: T4276-R001-NJB), dated the 19th November 2018. This report looked at the likely increased road traffic noise levels as from the increased use of the site.

It is agreed that the impact from the increased road traffic noise is likely to be minimal.

I note in the report that the site operates between 07:00 to 18:00 hours. As the potential impact of operation during night hours has not been assessed, the hours should be restricted. If in the future premises at the site did want to look at opening later, then additional information would need to be provided to show the potential impacts, and how they would be mitigated if required.

Additionally while no plant and machinery has been confirmed, it is recommended that a condition be attached to ensure any machinery will not impact on sensitive receptors. Given the very high background noise levels of the area such a condition will likely be easily met by most plant and machinery.

Recommendation: Approve with conditions

1. Noise associated with the air conditioning units incorporated within the development shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed the existing LA90 background noise level. Rating Level and existing background noise levels to be determined as per the guidance provided in BS 4142:2014.

Reason: To preserve the amenity of neighbouring residents.

2. Operating times shall be restricted to 07:00 to 20:00 hours.

Reason: To preserve the amenity of neighbouring residents.

3. Construction 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.

4. 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

5. 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

MSDC Drainage Engineer

Recommendation: No objection subject to condition

Flood Risk

The proposed development is within flood zone 1 and is deemed to be at low fluvial flood risk. The proposed development is within an area identified as having possible surface water (pluvial) flood risk. 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 Proposal

It is proposed that the development will attenuate surface water on site before discharging at a controlled rate into the watercourse to the south of the site utilising an existing discharge point.

Foul Water Drainage Proposal

It is proposed that the development will construct a new foul water treatment plant to service the entire site before discharging treated effluent into the watercourse to the south of the site utilising an existing discharge point.

Consultation Response

The proposed development is supported by a flood risk assessment and drainage strategy. The flood risk assessment states existing surface water flow routes will be incorporated into the proposed surface water drainage system as well as utilising an existing ditch on the western boundary of the site.

The surface water drainage strategy has calculated existing and proposed runoff rates for the 1 in 2, 1 in 30 and 1 in 100 year storm event. The runoff rates including a +40% allowance for climate change have also been provided. The surface water drainage strategy proposes to attenuate surface water up to the 1 in 100 year +40% storm event within a singular attenuation tank before releasing water into the watercourse at a rate of 30 l/s for all events up to the 1 in 100 year event. The proposed discharge rate is based on the existing 1 in 2 year runoff rate.

We would advise the applicant that we aim for discharge rates to be limited to the 1 in 1 year Greenfield runoff rate. However the principle of the proposed surface water drainage strategy is considered acceptable.

Further information into our requirements for foul and surface water drainage are included within the 'further drainage advice' section.

We would also advise the applicant that details into how the proposed development will manage the existing surface water flood risk on site, ensuring flood risk is not increased elsewhere will also be required.

Suggested Condition

1. 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.

Surface Water Drainage Advice

The following information will be required for the proposed development. It is acceptable for these details to be provided at discharge of conditions stage.

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

As this is for a commercial site, 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.

WSCC Lead Local Flood Authority

West Sussex County Council (WSCC), in its capacity as the Lead Local Flood Authority (LLFA), has been consulted on the above proposed development in respect of surface water drainage.

The following is the comments of the LLFA relating to surface water drainage and flood risk for the proposed development and any associated observations and advice.

Flood Risk Summary

Modelled surface water flood risk: Moderate risk

Comments:

Current surface water mapping shows the majority of proposed site to be at low risk from surface water flooding although there are areas within and adjacent to the site at high risk.

This risk is based on modelled data only and should not be taken as meaning that the site will/will not definitely flood in these events.

However the surface water management strategy should consider this risk and suitable mitigation measures with any existing surface water flow paths across the site maintained.

Reason: NPPF paragraph 163 states - 'When determining any planning application, local planning authorities should ensure flood risk is not increased elsewhere.'

Therefore, a wholesale site level rise via the spreading of excavated material should be avoided.

Modelled ground water flood risk susceptibility: Low risk

Comments:

The area of the proposed development is shown to be at low risk from ground water flooding based on the current mapping.

Ground water contamination and Source Protection Zones.

The potential for ground water contamination within a source protection zone has not been considered by the LLFA. The LPA should consult with the EA if this is considered as risk.

Records of any historic flooding within the site? No

Comments:

We do not have any records of historic flooding within the confines of the proposed site. This should not be taken that this site has never suffered from flooding, only that it has never been reported to the LLFA.

Ordinary watercourses present? Yes

Comments:

Current Ordnance Survey mapping shows ordinary watercourses running along the southern and northern boundaries of the site as well as a main river along the southern boundary.

Local or field boundary ditches, not shown on Ordnance Survey mapping, also around the site. If present these should be maintained and highlighted on future plans.

Works affecting the flow of an ordinary watercourse will require ordinary watercourse consent and an appropriate development-free buffer zone should be incorporated into the design of the development.

Future development - Sustainable Drainage Systems (SuDS)

The Flood Risk Assessment and Drainage Strategy for this application proposes that sustainable drainage techniques (permeable paving, swales and below ground attenuation,

with a restricted discharge to the local watercourse or main river) would be used to control the surface water from this development.

This method would in principle, meet the requirements of the NPPF and associated guidance documents although where attenuation is required, above ground, rather than below ground, attenuation is preferable. SuDS landscaping, could significantly improve the local green infrastructure provision and biodiversity impact of the developments whilst having surface water benefits and ease of access for maintenance.

It is recommended that this application be reviewed by the District Council Drainage Engineer to identify site specific land use considerations that may affect surface water management and for a technical review of the drainage systems proposed (including the culverting of the ditch).

As part of the site is within flood zones 2 and 3 and it is unclear whether the surface water outfall is to Ordinary Watercourse or Main River, it is recommended that the EA are consulted.

In line with Defra's non-statutory technical standards for sustainable drainage systems, for a brownfield site such as this, the peak runoff rate and runoff volume should be as close as reasonably practicable to the Greenfield runoff rate/volume from the development for the same rainfall event. If this is not possible, significant betterment, at least 50% reduction in rate from the peak pre-redevelopment rate, should be achievable.

Please refer to our Policy for the Management of Surface Water
https://www.westsussex.gov.uk/media/10391/ws_llfa_policy_for_management_of_surface_water.pdf

Development should not commence until finalised detailed surface water drainage designs and calculations for the site, based on sustainable drainage principles, for the development have been submitted to and approved in writing by the Local Planning Authority. The drainage designs should demonstrate that the surface water runoff generated up to and including the 1 in 100 year, plus climate change, critical storm will not exceed the run-off from the current site following the corresponding rainfall event.

Development shall not commence until full details of the maintenance and management of the SUDs system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved designs.

Please note that Schedule 3 of the Flood and Water Management Act 2010 has not yet been implemented and WSCC does not currently expect to act as the SuDS Approval Body (SAB) in this matter.

Environment Agency

We have no objection to the proposal as submitted as the development site is located in Flood Zone 1 (Low Risk) and outside of the climate change extent.

Advice to Local Planning Authority/Applicant:

Flood Risk Activity Permit

If new surface water outfalls in the River Adur East Branch are proposed, or any works in over under or within 8 meters of the river, a Permit for Flood Risk Activities may be needed.

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Consultant Landscape Architect

1) Summary Recommendation: Recommend for approval in principle subject to the imposition of conditions

The proposal could comply with NPPF Section 15 policies for conserving and enhancing the natural environment.

The proposal could comply with Paragraph 170 which requires planning policies and decisions to contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan).
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;

Subject to satisfactory detailed design the proposal could comply with Section 12 of the NPPF, Achieving well-designed places.

2) Reason for Recommendation :

Policy Context

1. The NPPF Section 15 provides policies for conserving and enhancing the natural environment.

Paragraph 170 states that :

'Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan).
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and

other benefits of the best and most versatile agricultural land, and of trees and woodland;

c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and

f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

2. The NPPF Section 12, Paragraph 130 requires that:

'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.

Landscape Character and Visual Context

3. The Landscape and Visual Appraisal (Scarp, November 2018) submitted to support the application provides an accurate assessment of the baseline landscape and visual context of the site and surrounding area.

4. West Sussex County Council Landscape Character Assessment.

The development would be located in the Eastern Low Weald character area and the relevant key

characteristics for this area are:

- Gently undulating low ridges and clay vales.
- Views dominated by the steep downland scarp to the south and the High Weald fringes to the north.
- Arable and pastoral rural landscape, a mosaic of small and larger fields,
- scattered woodlands, shaws and hedgerows with hedgerow trees.
- Quieter and more secluded, confined rural landscape to the west, much more development to the east, centred on Burgess Hill.
- Biodiversity in woodland, meadowland, ponds and wetland.
- Crossed by north-south roads with a rectilinear network of narrow rural lanes.

5. The key issues and landscape sensitivities for this character area in WSCC Landscape Character Assessment are:

- Growing impact of development in the east.
- Continuing amalgamation of small fields, severe hedgerow loss, and the ageing and loss of hedgerow and field trees.
- Visual impact of new urban and rural development including modern farm buildings, horse riding centres and paddocks.
- Increasing pervasiveness of traffic movement and noise, particularly around Burgess Hill and busy use of some rural lanes.
- Gradual loss of locally distinctive building styles and materials.
- Gradual suburbanisation of the landscape including the widespread use of exotic tree and shrub species.

- Woodland cover and the mosaic of shaws and hedgerows contribute strongly to the essence of the landscape.
- Pockets of rich biodiversity are vulnerable to loss and change.
- Parts of the area are highly exposed to views from the downs with consequently high sensitivity to the impact of new development and the cumulative visual impact of buildings and other structures.

6. The landscape management Guidance from the WSCC Landscape Character Assessment which

are most relevant to this proposed development are as follows:

- Avoid skyline development and ensure that any new development has a minimum impact on views from the downs and is integrated within the landscape.
- Where appropriate, increase tree cover in and around villages, agricultural and other development and on the rural urban fringe of suburban areas and Burgess Hill, including along the approach roads to settlements and along busy urban routes including the A23 Trunk Road.
- Conserve and replant single oaks in hedgerows to maintain succession.
- Maintain and manage all lakes and ponds and their margins for their landscape diversity and nature conservation value.
- Minimise the effects of adverse incremental change by seeking new development of high quality that sits well within the landscape and reflect local distinctiveness

Potential impacts on Landscape Character and Views

7. The Landscape and Visual Appraisal concludes that the development would have an overall beneficial impact on local landscape character and views. The design and layout for the site has been considered in the context of local landscape sensitivities.

8. The removal of existing detracting features on the site would provide an opportunity to improve the appearance and character of the industrial estate. The building layout, use of timber cladding and green roofs would further mitigate the proposed development.

9. The Landscape masterplan as proposed would help to integrate the development into the local landscape. The proposal to use earth bunds retained by gabion walls would help to reduce the scale of the buildings in the landscape.

10. It is recommended that the proposed tree planting is under planted with a shrub layer of native plants including some holly to give an evergreen cover. This would provide a more naturalistic woodland and understorey effect and enhanced habitat potential.

11. If the planning authority is minded to approve the application it is recommended that the following mitigation measures be considered in order to conserve local landscape character and views:

- The full implementation of the landscape masterplan as proposed.
- The inclusion of a shrub understorey to the proposed tree planting.
- Protection of existing trees to be retained on the site in accordance with BS 5837:2012, Trees in Relation to Design, Demolition and Construction.

Conclusion and Summary Recommendations

12. It is recommended that the proposed development can be supported in principle subject to consideration of the suggested conditions as outlined above.

Consultant Ecologist

In my opinion, there are no biodiversity policy reasons for refusal or amendment of the proposals, subject to the following conditions:

1. The Ecological Mitigation and Enhancement Strategy by Ecosupport (May 2019) shall be implemented in full unless otherwise agreed in writing with the local planning authority.

Reason: To protect the ecological value of the site and to accord with policies DP38 of the Mid Sussex District Plan and para 175 of the NPPF.