

MID SUSSEX DISTRICT COUNCIL

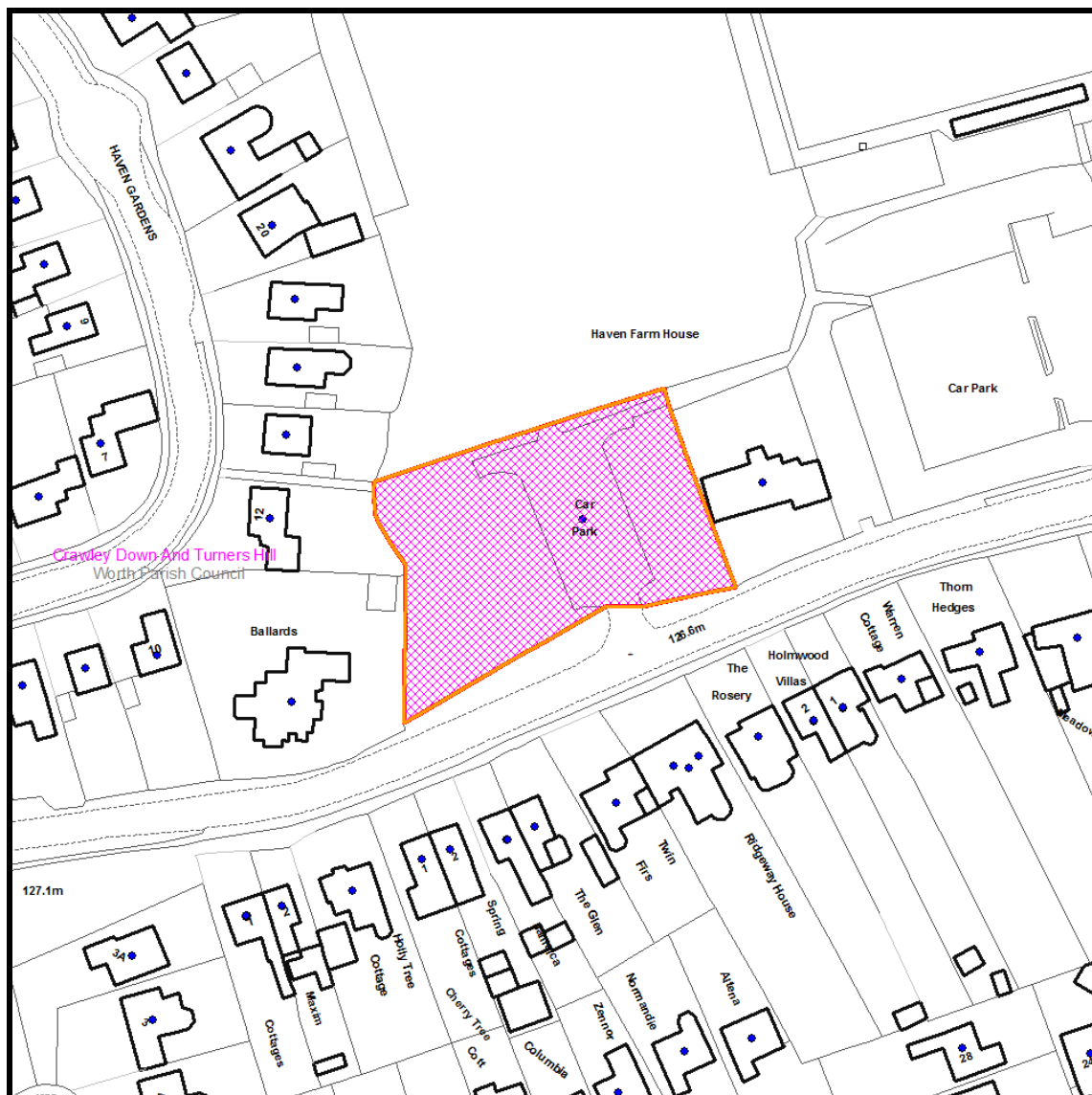
Planning Committee

26 SEP 2019

RECOMMENDED FOR PERMISSION

Worth Parish Council

DM/19/2671



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**THE HAVENS SPORTSFIELD CAR PARK THE HAVEN CENTRE
HOPHURST LANE CRAWLEY DOWN
VILLAGE HALL WITH ASSOCIATED PARKING,
THE TRUSTEES**

POLICY: Areas of Special Control for Adverts / Ashdown Forest SPA/SAC / Built Up Areas / Countryside Area of Dev. Restraint / Classified Roads - 20m buffer / Aerodrome Safeguarding (CAA) / Trees subject to a planning condition /

ODPM CODE: Minor Other

8 WEEK DATE: 30th September 2019

WARD MEMBERS: Cllr Phillip Coote / Cllr Ian Gibson / Cllr Roger Webb /

CASE OFFICER: Andrew Watt

PURPOSE OF REPORT

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

EXECUTIVE SUMMARY

Full planning permission is sought for a new building within the western part of the car park site to provide a new village hall. This will replace the existing facility on Turners Hill Road.

The application is being determined at committee level as Mid Sussex District Council is the landowner of the site.

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

It is considered that the proposal is necessary to provide an improved facility for the village and therefore this is a significant benefit. It is of an appropriate design and scale and is relatively sustainably located. There will be no highway safety issues, and drainage and sustainability matters can be handled by condition. Impact on neighbouring residents in terms of noise and disturbance during construction and once the use comes into being can also be controlled using conditions.

The loss of trees on this site is regrettable but replacement planting can be carried out on site to mitigate this impact.

There will be no likely significant effect on the Ashdown Forest SPA and SAC.

For the above reasons, the proposal is deemed to comply with Policies DP12, DP13, DP17, DP21, DP25, DP26, DP28, DP29, DP37, DP39 and DP41 of the Mid Sussex District Plan, Policies CDNP06, CDNP08 and CDNP10 of the Crawley Down Neighbourhood Plan and the objectives of the National Planning Policy Framework. Planning permission should therefore be granted.

RECOMMENDATION

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

CONSULTATIONS

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

MSDC Drainage Engineer

No objection, subject to condition.

MSDC Environmental Protection Officer

No objection, subject to conditions.

MSDC Tree Officer

Objects on arboricultural grounds, however it is a matter for the planning officer to balance the impact of the loss of the trees with the benefits to the community.

WSCC Highways

No objection, subject to conditions.

Gatwick Airport Ltd

No objection.

PARISH COUNCIL OBSERVATIONS

This application was discussed at the Planning and Highways Committee on 29th July. Over one hundred residents were present at the meeting, there was a mixture of support and objection to the proposals from those present in the public gallery.

The Parish Council objects to the proposals on the following grounds

Parking and Access

The Council is of the opinion that the proposals are contrary to CDNP4.3 Loss of Existing Parking. It notes that the building is to be sited on a grass area, not on the car park itself, but there will be a net increase of users of the facilities on site (the new hall, the Haven Centre, and the playing fields) with no additional parking being provided.

This may lead to an increase in on street parking, which would be contrary to CDNP5h)

The access is on a bend where visibility is poor. WSCC Highways comments of 25th July pertaining to visibility splays and requesting additional information in relation to predicted traffic movements were noted and endorsed. Therefore, the proposals are contrary to CDNP10 a), Promoting Sustainable Transport.

The removal of mature trees is noted. However, the building will be very close to trees that are intended to be retained, which the Council believes will encroach onto root protection zones as per the Appendix 3 of the Arboricultural Impact Assessment. Therefore, the proposals are contrary to CDNP9 d) and e)

Declarations of Interest at the Meeting

It should be noted that Cllr Budgen declared a prejudicial interest in the application and left the room during discussion. Cllrs Hitchcock and Webb declared personal interests, Cllr Hitchcock left the room during discussion.

When the response was considered, Cllrs Webb, Phillips, Coote and Dorey abstained.

The Council asks that you take these comments into account when considering this application

LETTERS OF REPRESENTATIONS

56 letters of objection:

- Backs onto the alleyway which is used in late evenings for people coming from the Haven Centre, so will be used more
- Haven Centre should be utilised more as it is underused
- Will affect house prices
- Proposal has not been thought through: why compete with the Haven Centre just 100m away
- Both organisations struggle to keep enough users and will introduce competition, such that one will eventually fail
- Would have been better to extend/improve the Haven Centre with monies from sale of the present village hall
- Football club uses adjacent sportsfield car park and overflow car park which is completely full on Saturdays and Sundays, so parking will be a big issue
- Duplication of resources

- Do not need a new village hall
- Original village hall has historic value
- Will result in overflow parking to adjacent residential roads
- Waste of public money
- Existing building is an eyesore
- Council should force purchase of The Royal Oak and develop as a multi-use facility
- No assessment made of alternative sites
- The Bar and café of the Haven Centre may fail as a result with consequent negative economic impact on the village community
- With no social outlet, will add to level of anti-social behaviour
- Trees are under threat of felling (due to building operations)
- Impact on wildlife
- Significant congestion at weekends
- Plans for new village hall large and imposing
- No traffic survey has been undertaken to curb speeding traffic
- Opening hours of the facility must be set out
- Independent noise assessment must be carried out
- Damage to Sussex countryside
- Application was pre-decided without input from residents
- Pavement is on opposite side of road with cracks and a poor walking space
- Parking nightmare onto surrounding streets
- Noise and disturbance to local residents
- Loss of trees will adversely affect appearance of area, which also provide privacy and coverage for neighbouring homes
- Speeding traffic makes access point dangerous
- Hophurst Lane well used by pedestrians
- Why have other sites been discounted?
- Is there an intention to apply for drinks licence?
- No case has been made of economic benefits or minimum capacity to break even
- Appears that development of the former Palmer's site is the catalyst for the existing proposals
- Design centres around provision of sports hall but no changing rooms and 3 large storage areas and kitchen, which seems excessive
- Footprint of building seems loaded towards one particular sport, and allotted space for non-sporting meetings and activities looks pinched and only intended for small group activities
- Does not appear to be a viable proposition
- Significant impact to local residents both during the build and when fully operational
- Damage to tree roots in neighbouring properties through digging foundations
- Why risk damage to a successful community group which encourages children to exercise and keep fit
- No consideration given for green energy generation, which in my view is a must for any community building of this size
- Concern as to where funds will come from, particularly if reliant on selling the old site
- Pollution

- Block access for emergency vehicles / refuse vehicles / buses
- Increased noise and music from hirers arriving and leaving, which may be exacerbated by windows / doors left open
- Anti-social behaviour will be a problem in the twitten between the site and Haven Gardens
- Village hall website says it lets out the hall for large parties, weddings and discos, not ideal in a residential area
- Loss of outlook
- Direct competition with The Haven Centre
- Having community facilities around the edge of the village detracts from a village community atmosphere
- Reading minutes put forward by Village Hall committee, they admit that even if parking was found, the [existing] building needs money spent on it
- Jobs at risk at the Haven Centre
- Design not in keeping with village hall
- Overlooking from additional function rooms and kitchen facilities
- Impact on late night noise and implications for minimum rest period during work shifts
- Light pollution
- Air pollution
- What security measures will be in place?
- Why was permission obtained from MSDC so quickly to lease the land?
- Conflict with Neighbourhood Plan
- Size of building squeezed between two existing dwellings not in keeping with the road
- Not clear how proposed parking spaces will be accommodated within the same space envelope
- Plant and animal life will be lost
- Impact of heave on neighbouring properties by removal of several mature trees not been factored in
- Site of the Royal Oak would be a better location
- Headlights causing light nuisance from cars leaving
- Grossly oversized
- One large domestic house would be left in the middle of the new site
- Site address is incorrect: it is adjacent to Haven Farm House, not the Haven Centre
- Contrary to MSDC Policy DP12
- Building will require security lighting and alarm systems
- Concern about lack of maintenance in future years due to lack of hire/use, so hall will rapidly become dated like the existing
- Not a viable development
- Not sustainable under the NPPF and actually threatens to reduce social, environmental or economic value to the community
- Not an appropriate use for an MSDC owned site, as it would be an 'incompatible or unacceptable' use of the site, a material planning consideration
- Late evenings in the car park is also used as one of three drug distribution centres within the village
- Village infrastructure already does not cope with existing residents

- Does not enhance local green space
- Already have to listen to noise from skatepark
- Business plan absent, so risk of white elephant
- Replacement trees will pose risk to neighbouring property
- Existing hall is 212 sq m and proposed is 441 sq m, so more than 100% increase in size
- No traffic survey

22 letters of support:

- A centrally located village hall will be an asset for the village
- Users of present hall are aware of danger of increased traffic along Turners Hill Road
- Lack of parking at existing hall (only 3)
- Time to use the funds allocated for building a new village hall to build one which allows access to all
- More accessible
- Safer, so will attract more bookings
- Reduction in bookings has negatively impacted on income of the existing village hall
- The Haven Centre was approved (in the 1980s) on the basis that there was sufficient business in the village for a third venue, which is more true today than then
- Priority of the village hall is to provide a safe place to facilitate groups and individuals who are currently using the hall
- Will provide continued effective use of a village hall
- Will continue fulfilment of the original trust attached to the village hall and given to the villagers
- Proposed location solves both usage and parking problems in a convenient location
- A project looking to the future for generations to come
- Insufficient flexibility from existing facilities to support range of activities that are required in this village
- Village hall will be a complementary, not a competing asset in the life of the village
- Hope that new building will still resemble the lovely 1900s style of the existing village hall
- Old village hall has been badly hit by excessive housebuilding developments
- Crawley Down needs this hall
- Existing Glebe Centre is too small and has inadequate kitchen facilities
- Haven Centre is well past its best with little appeal to villagers wishing to hold social occasions
- More space for social functions is needed
- Suspect The Ark is the only place which may actually lose a small amount of custom
- Social life of the village is in serious need of upgrading
- Glebe Centre is a long walk from the car park for less mobile members of the club, especially during bad weather

- Present village hall is now in the wrong place and not viable
- Crawley Down deserves a village hall not affiliated to any organisations
- A new build would facilitate the requirements of a growing village without encroaching on usage of other establishments, whose functions are different to those existing users
- Ever increasing need for expansion of facilities to be fully maintained and enable help with both health and mental state of mind of the residents
- Site has development potential, as listed in the Neighbourhood Plan evidence base
- Existing village hall has no historically interesting features it is simply a very old building with significant maintenance issues looming
- Neighbourhood Plan gives equal status to all three community centres, so to now suggest that the village hall is no longer required and is a threat to other facilities is disingenuous

1 letter of comment:

- Would like to see zebra crossing opposite bus stop and Haven Centre, as most of the village lives to the south, yet the community facilities are to the north of Hophurst Lane
- Drivers should be reminded this is a residential 30mph road

INTRODUCTION

Full planning permission is sought for a new building within the western part of the car park site to provide a new village hall. This will replace the existing facility on Turners Hill Road.

RELEVANT PLANNING HISTORY

None.

SITE AND SURROUNDINGS

The site consists of a car park and grassed/vegetated area, located on the northern side of Hophurst Lane in Crawley Down. It is associated with recreational land immediately north, including a skate park and floodlit football pitch to the north-east. The western boundary adjoins residential properties at Haven Gardens, with a footway linking across the northern part of the site to the community facilities. Immediately east is Haven Farm House, a 2-storey detached dwelling with front and rear gardens. East of this is The Haven Centre, a large community building with an extensive car park. Opposite to the south, is a ribbon development of residential dwellings.

The built-up area boundary adjoins the western boundary of the site and runs along the southern edge of Hophurst Lane, so the application site, Haven Farm House, The Haven Centre and The Beckers residential development further east, are all

located within designated countryside. The site also lies within a Strategic Gap between Crawley and East Grinstead and within the 7km zone of the Ashdown Forest.

APPLICATION DETAILS

Full planning permission is sought for a new building within the western part of the car park site to provide a new village hall. This will replace the existing facility on Turners Hill Road.

The building will be located on the grassed/vegetated area to the far west of the site and will measure 27.7m at its maximum depth by 18.1m at its maximum width, providing 441 sq m of floorspace. It will house a badminton court, a meeting/function hall, a kitchen, store rooms, a committee room and WCs. Due to the internal height required for a community standard badminton court (7.4m), the building has been designed as a double-height building of 11.6m in this section (with gabled ends front and rear) and a single-height building wrapping round this section to the rear and side (to a height of 5.4m with dummy pitched roof). Materials will be facing bricks, UPVC windows and powder coated aluminium or timber doors beneath antique brown plain roof tiles.

There are currently 14 car parking spaces on this site, the proposal will result in 17 spaces being provided (including 1 disability space) and 5 cycle parking spaces.

The proposal will result in the loss of 5 trees from the site (2 x Hornbeams, 2 x Beech and 1 x Oak).

POLICY CONTEXT

Mid Sussex District Plan (Mar 2018)

The Mid Sussex District Plan 2014-2031 was adopted by Full Council on 28 March 2018. Relevant policies include:

Policy DP12: Protection and Enhancement of Countryside

Policy DP13: Preventing Coalescence

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

Policy DP21: Transport

Policy DP25: Community Facilities and Local Services

Policy DP26: Character and Design

Policy DP28: Accessibility

Policy DP29: Noise, Air and Light Pollution

Policy DP37: Trees, Woodland and Hedgerows

Policy DP39: Sustainable Design and Construction

Policy DP41: Flood Risk and Drainage

Development Infrastructure and Contributions Supplementary Planning Document (Jul 2018)

Crawley Down Neighbourhood Plan (Jan 2016)

Mid Sussex District Council formally 'made' the Crawley Down Neighbourhood Plan part of the Local Development Plan for the Neighbourhood Plan area of Crawley Down as of 27 January 2016. The policies contained therein carry full weight as part of the Development Plan for planning decisions within the Crawley Down Neighbourhood Plan area.

Relevant policies include:

Policy CDNP06: Sustainable Drainage Systems

Policy CDNP08: Prevention of Coalescence

Policy CDNP10: Promoting Sustainable Transport

National Policy and Other Documents

National Planning Policy Framework (NPPF) (Feb 2019)

The National Planning Policy Framework (NPPF) 2019 is also a material consideration and paragraphs 8 (overarching objectives), 11 (presumption in favour of sustainable development), 12 (status of development plan), 38 (decision-making), 47 (determining applications), 54 and 55 (use of conditions), 102 and 103 (promoting sustainable transport), 108 and 109 (highways matters), 124 and 127 (design), 148 (transition to low carbon future), 153 and 154 (sustainability), 155, 158, 159, 160, 161 and 163 (flood risk), 170 (enhancing the natural and local environment), 175 (biodiversity and ancient woodland), 177 (habitats sites) and 180 (noise and light pollution) are considered to be relevant to this application.

Planning Practice Guidance

ASSESSMENT

The main issues for consideration are:

- The principle of development
- Coalescence
- The design and visual impact on the character of the area
- The impact on neighbouring amenity
- Highways matters
- Drainage
- Sustainability
- The impact on trees
- Habitats Regulations
- Accessibility
- Other matters, and
- Planning Balance and Conclusion

Principle of development

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

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

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

- *The provisions of the development plan, so far as material to application,*
- *Any local finance considerations, so far as material to the application, and*
- *Any other material considerations.'*

Section 38(6) of the 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.'

The overarching policy relating to countryside uses is expressed in Policy DP12 of the Mid Sussex District Plan, which states (in part):

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

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

The proposal is not necessary for agriculture, but is supported by a policy elsewhere in the District Plan, namely DP25, which states:

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

The applicant has submitted detailed comments to justify the need for this application and responding to public concerns, which can be viewed on the public file. In summary:

- Alternative options to enable the existing village hall facility to remain at the current location were pursued but ultimately rejected - which date back to 2014
- The village hall cannot be incorporated into the Haven Centre, as the latter could not accommodate all the bookings from the village hall

- This is not a new village hall, rather it is a replacement facility - there exists an informal system in the village whereby if activities cannot be accommodated in the Haven Centre, enquiries may be referred to the village hall or the Glebe
- The village hall was constructed in 1906 and does not meet the needs of the village in the same manner as originally built for
- Consultation on this process has taken place across the village
- The site is not an overflow car park to the Haven Centre as it does not belong to the Haven Centre
- With regard to overflow car parking at busy times, there is no anticipation of the site being used for large groups of people who cannot park on site - a minibus service is available for village hall members to be taxied to the site
- Proposed village hall should enable any existing anti-social behaviour to be abolished on the site, as it is for daytime sports and meetings, not for late night events or loud behaviour
- Its cost is not a material planning consideration
- The building should not overlook or cause air pollution to neighbouring properties

The applicant has further agreed to the opening hours for the building to be between 0830hrs and 2230hrs every day.

In broad terms, therefore, the principle of providing improved facilities is considered acceptable in accordance with Policies DP12 and DP25 of the District Plan, subject to details.

Coalescence

Policy DP13 of the District Plan and Policy CDNP08 of the Neighbourhood Plan seek to prevent coalescence between settlements.

Policy DP13 states:

'The individual towns and villages in the District each have their own unique characteristics. It is important that their separate identity is maintained. When travelling between settlements people should have a sense that they have left one before arriving at the next.'

Provided it is not in conflict with Policy DP12: Protection and Enhancement of the Countryside, development will be permitted if it does not result in the coalescence of settlements which harms the separate identity and amenity of settlements, and would not have an unacceptably urbanising effect on the area between settlements.'

Local Gaps can be identified in Neighbourhood Plans or a Site Allocations Development Plan Document, produced by the District Council, where there is robust evidence that development within the Gap would individually or cumulatively result in coalescence and the loss of the separate identity and amenity of nearby settlements. Evidence must demonstrate that existing local and national policies cannot provide the necessary protection'

Policy CDNP08 states:

'Development outside the village boundary will only be permitted if it can be demonstrated that:

- a. It does not detract significantly from the openness and character of the landscape.*
- b. It does not contribute to 'ribbon development' along the roads or paths linking the village to neighbouring settlements of Copthorne, Felbridge, Turners Hill and Crawley.*
- c. It does not significantly reduce the gaps between the village and neighbouring settlements of Copthorne, Felbridge, Turners Hill and Crawley.'*

The proposed building will be located between a residential housing estate to the west, a ribbon development of housing to the south, an existing dwelling and a community hall and car parking area to the east, and a formal sports pitch to the north-east. In this context, the green space between Haven Gardens to the west and The Beckers to the east (currently occupied by the football club pitch, skatepark, The Haven Centre, car park and Haven Farm House) would not be compromised by the infilling of the vegetated space to the site. It is considered that the building will be viewed in context with the built development in the area and would therefore not impact on the gap between Crawley Down and East Grinstead/Felbridge.

Accordingly the application would comply with the above policies.

Design and visual impact on the character of the area

Policy DP26 of the Mid Sussex District Plan states (in part):

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

- is of high quality design and layout and includes appropriate landscaping and greenspace*
- creates a sense of place while addressing the character and scale of the surrounding buildings and landscape*
- protects open spaces, trees and gardens that contribute to the character of the area*
- protects valued townscapes and the separate identity and character of towns and villages*
- positively addresses sustainability considerations in the layout and the building design.'*

It is considered that the siting and scale of the proposed building is acceptable in the context of the surrounding area. By siting the building to the west, the existing entrance and tarmacked car parking area in the centre of the site will be retained,

allowing views through to the green space and trees in the far distance from Hophurst Lane (as currently exist). It also allows the retention of the vegetation screen to the rear of Haven Gardens and allows the eastern grassed area adjacent to Haven Farm House to be retained.

The building will retain a gap of 20m to the corner of the nearest properties in Haven Gardens (Ballards and 12 Haven Gardens) and 30.8m to Haven Farm House, which are considered to be comfortable distances between buildings in this area. Haven Farm House is 8.2m in height, so although the proposed building will be 3.4m taller at its maximum, it is noted that the roof pitches away from this existing dwelling and therefore would not be out of keeping with the street scene - especially given the presence of the larger Haven Centre further east, which is oriented towards (as opposed to side-on) Hophurst Lane.

It is considered that the above policy would be met - detailed landscaping and sustainability measures are discussed below.

Impact on neighbouring amenity

Policy DP26 of the Mid Sussex District Plan states (in part):

'All applicants will be required to demonstrate that development:

- *does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP29)'*

The main properties affected by the proposal would be Ballards and 12 and 14 Haven Gardens to the west, Haven Farm House to the east, and properties opposite the site on Hophurst Lane to the south (Jamaica, The Glen, Twin Firs and Ridgeway House in particular).

Although the tree screen on the site will be thinned out, the boundary trees and vegetation will be retained, so the distance of 20m from the corner of both Ballards and 12 Haven Gardens to the side elevation of the proposed building will not result in a significant loss of amenity to these occupiers in terms of being overbearing or resulting in overlooking.

The double-height elevation of the proposed building will be located nearest to the side elevation of Haven Farm House at a distance of 30.8m. Although there is a solid mixed hedge on this boundary, which screens the ground floor from wider views, it is only to a height of around 2.5m, so the upper floors are visible from the site. However, there are no side windows on this upper floor, only windows front and rear, and it is not considered with this distance that the proposed building will be significantly harmful to the amenities of these occupants in terms of being overbearing or causing overlooking. The car parking area will be retained as per its current usage but the noise and disturbance would not be deemed overly harmful given this existing situation.

The southern boundary of the site fronting onto Hophurst Lane possesses a similar height mixed hedge, which will be retained. Although the tree screen to this frontage will be thinned, the Oak and Ash will be retained, and at a minimum front-to-front distance of 29m, it is not considered that this relationship would be harmful in terms of overlooking or being overbearing.

All neighbouring residents in the locality would be affected to varying degrees by the construction phase, the intensification of the usage of this site and the resultant activity within the building. The council's Environmental Protection Officer has considered the scheme and her detailed comments are set out in Appendix B. She raises no objection to the proposal, subject to various conditions being applied to any planning permission.

Accordingly, it is considered that the scheme would comply with Policies DP26 and DP29 of the Mid Sussex District Plan.

Highways matters

Policy DP21 of the Mid Sussex District Plan states (in part):

'Decisions on development proposals will take account of whether:

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

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

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

Policy CDNP10 of the Neighbourhood Plan states:

'Development that does not conflict with other Policies will be permitted provided that it promotes sustainable transport within the Neighbourhood Area by:

- a) Providing safely located vehicular and pedestrian access with adequate visibility.*
- b) Demonstrating that adequate sustainable transport links to the principal village facilities including the village centre, the primary school, Health Centre and recreation open space already exist or will be provided.*
- c) Identifying and undertaking appropriate measures, such as highway improvements, to address any transport infrastructure inadequacies.*
- d) Where development would add to traffic congestion in the village or inappropriate traffic on rural lanes, proposals should be brought forward to mitigate any traffic impact or contribute funding towards local transport schemes.*
- e) Development proposals for new developments should include secure cycle storage and ideally storage for children's buggies and mobility scooters where appropriate.*
- f) Development proposals would maintain or enhance the existing public footpaths, rights of way, bridle paths and twittens.*
- g) A full transport assessment is provided using current data and identified issues addressed developments of more than 50 houses.'*

Although the site is located at a northern end of the village, it is nevertheless relatively sustainably located with bus stops and lit footways. This means that patrons can travel to the facility not just by car (utilizing the car park on site) but by bus, walking or cycling (with 5 spaces being provided). The Highway Authority has raised no objection to the application in terms of its access. Following a site visit, the Highway officer observed that sufficient visibility is achievable in both directions. Further information was requested from the applicant concerning number of existing vehicle movements to and from the site. The Highway Authority acknowledges that the existing village hall currently only has 2 car parking spaces and operates a minibus service for some activities. This will continue. Overall, it is not anticipated that a large proportion of visitors to the site would be users who have specifically diverted to Crawley Down, in other words, the majority will be local people.

Accordingly the scheme would comply with the above policies.

Drainage

Policy DP41 of the Mid Sussex District Plan states:

'Proposals for development will need to follow a sequential risk-based approach, ensure development is safe across its lifetime and not increase the risk of flooding

elsewhere. The District Council's Strategic Flood Risk Assessment (SFRA) should be used to identify areas at present and future flood risk from a range of sources including fluvial (rivers and streams), surface water (pluvial), groundwater, infrastructure and reservoirs.

Particular attention will be paid to those areas of the District that have experienced flooding in the past and proposals for development should seek to reduce the risk of flooding by achieving a reduction from existing run-off rates.

Sustainable Drainage Systems (SuDS) should be implemented in all new developments of 10 dwellings or more, or equivalent non-residential or mixed development unless demonstrated to be inappropriate, to avoid any increase in flood risk and protect surface and ground water quality. Arrangements for the long term maintenance and management of SuDS should also be identified.

For the redevelopment of brownfield sites, any surface water draining to the foul sewer must be disconnected and managed through SuDS following the remediation of any previously contaminated land.

SuDS should be sensitively designed and located to promote improved biodiversity, an enhanced landscape and good quality spaces that improve public amenities in the area, where possible.

The preferred hierarchy of managing surface water drainage from any development is:

- 1. Infiltration Measures*
- 2. Attenuation and discharge to watercourse, and if these cannot be met,*
- 3. Discharge to surface water only sewers.*

Land that is considered to be required for current and future flood management will be safeguarded from development and proposals will have regard to relevant flood risk plans and strategies.'

Policy CDNP06 of the Neighbourhood Plan states:

'Development proposals will be expected to demonstrate that they include sustainable drainage systems designed to manage the risk of surface water flooding within their boundaries, and that they will not increase flood risk elsewhere in the Parish. Examples of sustainable drainage systems include permeable driveways and parking areas, water harvesting and storage features (rain/grey), green roofs and soakaways. The preferred hierarchy of managing surface water drainage from any development is:

- 1) infiltration measures*
- 2) attenuation and discharge to watercourses*
- 3) discharge to surface water only sewers.*

Such measures should protect the amenity and security of other properties and should not adversely affect the water table and associated aquifers or ancient

woodland. Arrangements for the maintenance of drainage systems shall be required as a condition of planning permissions and these arrangements shall include details of who will manage and fund the maintenance for the lifetime of the development.'

The means of drainage to serve the proposed development could be controlled by condition, as confirmed by the council's Drainage Engineer, and hence the proposal would comply with Policy DP41 of the Mid Sussex District Plan and Policy CDNP06 of the Neighbourhood Plan.

Sustainability

Policy DP39 of the Mid Sussex District Plan states:

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

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

The applicant has provided a Sustainability Statement that sets out the following measures which will be incorporated into the development:

- High efficiency insulation
- Energy efficient light bulbs fitted throughout
- Rainwater harvesting to be employed to mitigate water waste
- Heating provided by high efficiency rated combination boiler

These measures are considered acceptable and can be secured by condition to ensure compliance with Policies DP26 and DP39 of the Mid Sussex District Plan and paragraphs 153 and 154 of the NPPF.

Impact on trees

Policy DP37 of the Mid Sussex District Council states:

'The District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected.'

Development that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or character of an area, and/ or that have landscape, historic or wildlife importance, will not normally be permitted.

Proposals for new trees, woodland and hedgerows should be of suitable species, usually native, and where required for visual, noise or light screening purposes, trees, woodland and hedgerows should be of a size and species that will achieve this purpose.

Trees, woodland and hedgerows will be protected and enhanced by ensuring development:

- incorporates existing important trees, woodland and hedgerows into the design of new development and its landscape scheme, and*
- prevents damage to root systems and takes account of expected future growth, and*
- where possible, incorporates retained trees, woodland and hedgerows within public open space rather than private space to safeguard their long-term management, and*
- has appropriate protection measures throughout the development process, and*
- takes opportunities to plant new trees, woodland and hedgerows within the new development to enhance on-site green infrastructure and increase resilience to the effects of climate change, and*
- does not sever ecological corridors created by these assets.*

Proposals for works to trees will be considered taking into account:

- the condition and health of the trees, and*
- the contribution of the trees to the character and visual amenity of the local area, and*
- the amenity and nature conservation value of the trees, and*
- the extent and impact of the works, and*
- any replanting proposals.*

The felling of protected trees will only be permitted if there is no appropriate alternative. Where a protected tree or group of trees is felled, a replacement tree or group of trees, on a minimum of a 1:1 basis and of an appropriate size and type, will normally be required. The replanting should take place as close to the felled tree or trees as possible having regard to the proximity of adjacent properties.

Development should be positioned as far as possible from ancient woodland with a minimum buffer of 15 metres maintained between ancient woodland and the development boundary.'

As stated above, the proposal will result in the loss of 5 trees from the site (2 x Hornbeams, 2 x Beech and 1 x Oak).

The council's Tree Officer has objected to the proposal, although none of the trees are subject to Preservation Orders and could be removed at any time. Alternative sites to this were explored by the applicant elsewhere in the village (which can be viewed on file) and an alternative location for the building on this site was explored at the pre-application stage. However, while the loss of any trees is regrettable, this matter needs to be weighed up in relation to the benefits of the scheme as a whole, and the direct impacts mitigated as far as possible. In this case, it is possible to provide some replacement tree planting on site, close to the removed trees and this is sought through a condition of any consent.

With this condition in place, it is considered that the proposal would comply with Policy DP37 of the Mid Sussex District Plan.

Impact on Ashdown Forest

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

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

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

Recreational disturbance

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

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

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

Atmospheric pollution

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

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

Conclusion of the Habitats Regulations Assessment screening report

The screening assessment concludes that there would be no likely significant effects, alone or in combination, on the Ashdown Forest SPA and SAC from the proposed development.

No mitigation is required in relation to the Ashdown Forest SPA or SAC.

A full HRA (that is, the appropriate assessment stage that ascertains the effect on integrity of the European site) of the proposed development is not required.

Accessibility

Policy DP28 of the Mid Sussex District Plan states (in part):

'All development will be required to meet and maintain high standards of accessibility so that all users can use them safely and easily.'

This will apply to all development, including changes of use, refurbishments and extensions, open spaces, the public realm and transport infrastructure, and will be demonstrated by the applicant.

With regard to listed buildings, meeting standards of accessibility should ensure that the impact on the integrity of the building is minimised.'

It is considered that the resultant accommodation would provide a high standard of accessibility for the occupiers.

Other matters

All the other issues raised during the consultation period have been taken into account and these other issues are either considered not to warrant a refusal of permission, are items that could be dealt with effectively by planning conditions or other legislation or are not even material planning considerations. In particular, competition between prospective uses is not a planning matter that can be taken into account.

PLANNING BALANCE AND CONCLUSION

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

It is considered that the proposal is necessary to provide an improved facility for the village and therefore this is a significant benefit. It is of an appropriate design and scale and is relatively sustainably located. There will be no highway safety issues, and drainage and sustainability matters can be handled by condition. Impact on neighbouring residents in terms of noise and disturbance during construction and once the use comes into being can also be controlled using conditions.

The loss of trees on this site is regrettable but replacement planting can be carried out on site to mitigate this impact.

There will be no likely significant effect on the Ashdown Forest SPA and SAC.

For the above reasons, the proposal is deemed to comply with Policies DP12, DP13, DP17, DP21, DP25, DP26, DP28, DP29, DP37, DP39 and DP41 of the Mid Sussex District Plan, Policies CDNP06, CDNP08 and CDNP10 of the Crawley Down Neighbourhood Plan and the objectives of the National Planning Policy Framework. Planning permission should therefore be granted.

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. **Approved Plans**

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

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

Pre-commencement conditions

3. No development above ground floor slab level shall be carried out until a schedule and/or samples of materials and finishes to be used for the external walls and roofs of the proposed building 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 in writing with the Local Planning Authority.

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

4. No development shall commence unless and until there has been submitted to and approved in writing by the Local Planning Authority full details of both hard and soft landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of those to be retained, together with measures for their protection in the course of development, plus details of replacement tree planting (size, species, maintenance and aftercare (planting, support and feeding)), and these works shall be carried out as approved. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority. Any trees or plants which, within a period of 5 years from the completion of the 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 Policies DP26 and DP37 of the Mid Sussex District Plan.

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

Reason: To ensure that the proposal is satisfactorily drained and to accord with the NPPF requirements and Policy DP41 of the Mid Sussex District Plan and Policy CDNP06 of the Crawley Down Neighbourhood Plan.

6. No development shall take place until details of the existing and proposed site levels have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Reason: For the avoidance of doubt and to ensure that the development does not prejudice the amenities of adjacent residents or the appearance of the locality and to accord with Policy DP26 of the Mid Sussex District Plan.

7. Prior to the commencement of the development a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include amongst other matters details of:

- o measures to control noise affecting nearby residents (in accordance with BS5228:2014 Code of practice for noise and vibration control on construction and open sites - with particular regard to the noisiest activities, typically piling, earthmoving, concreting, vibrational rollers and concrete breaking);
- o dust management plan.
- o site contact details in case of complaints.

The construction works shall thereafter be carried out at all times in accordance with the approved Construction Management Plan, unless any variations are otherwise first submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenity of local residents from noise and dust emissions during construction and to accord with Policies DP26 and DP29 of the Mid Sussex District Plan.

Construction phase

8. No work for the implementation of the development hereby permitted shall be undertaken on the site on Sundays or Bank/Public Holidays or at any time other than between the hours 8am and 6pm on Mondays to Fridays and between 9am and 1pm Saturdays.

Reason: To safeguard the amenities of nearby residents and to accord with Policies DP26 and DP29 of the Mid Sussex District Plan.

9. Deliveries or collection of plant, equipment or materials for use during the construction phase shall be limited to the following times:

Monday to Friday: 08:00 - 18:00 hrs;
Saturday: 09:00 - 13:00 hrs
Sunday and Public/Bank holidays: None permitted

Reason: To protect the amenity of local residents and to accord with Policies DP26 and DP29 of the Mid Sussex District Plan.

Pre-occupation conditions

10. The development hereby permitted shall not be brought into use until a scheme for the installation of equipment to control the emission of fumes and odour from the premises has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such. The submitted odour control scheme shall be in accordance with best practice, and shall include a risk assessment for odour, as well as maintenance and monitoring schedules for the odour control system, to ensure adequate control of odours, to align with the manufacturer's instructions.

Reason: to protect the amenity of neighbouring residents and to accord with Policies DP26 and DP29 of the Mid Sussex District Plan.

11. The lighting scheme installation shall comply with the recommendations of the Institution of Lighting Professionals (ILP) "Guidance Notes for the Reduction of Obtrusive Light" (GN01:2011) for zone E2. Thereafter the approved installation shall be maintained and operated in accordance with zone E2 requirements unless the Local Planning Authority gives its written consent to a variation.

Reason: To protect the amenity of local residents and to comply with Policy DP26 of the Mid Sussex District Plan.

12. The development hereby permitted shall not be brought into use until a scheme for the installation of equipment to ventilate the premises has been submitted to and

approved in writing by the Local Planning Authority. The scheme shall be implemented in strict accordance with the approved details prior to the operation of the development and shall thereafter be retained as such.

Reason: to protect the amenity of neighbouring residents and to comply with Policy DP26 of the Mid Sussex District Plan.

13. No operational use of any plant and machinery shall commence until measures have been implemented in accordance with a scheme first submitted to, and approved in writing by, the Local Planning Authority, to prevent air-borne noise from the operational activities of the plant and machinery from adversely affecting neighbouring residents. The applicant shall submit evidence, in writing, agreed by the Local Planning Authority before operational use commences, that the plant and machinery will obtain a sound level of 5 dB below the existing background sound level (LA90) during the operation of the plant and machinery, as measured one metre from the boundary of any nearby residential dwellings. All measurements shall be defined and derived in accordance with BS4142: 2014.

Reason: to protect the amenity of neighbouring residents and to comply with Policy DP26 of the Mid Sussex District Plan.

14. Prior to the development hereby permitted being occupied and used, a Noise Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Noise Management Plan shall then be implemented as approved.

Reason: to safeguard the amenity of neighbouring residents and to comply with Policy DP26 of the Mid Sussex District Plan.

15. No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development and to comply with Policy DP21 of the Mid Sussex District Plan and CDPN10 of the Crawley Down Neighbourhood Plan.

16. The development shall be carried out in accordance with the Sustainability Statement submitted as part of the application. On completion of the development, an independent final report shall be prepared and submitted to the Local Planning Authority to demonstrate that the proposals in the Statement have been implemented.

Reason: To ensure that measures to make the development sustainable and efficient in the use of energy, water and materials are included in the development, in accordance with the NPPF requirements, Policies DP26 and DP39 of the Mid Sussex District Plan.

Post-occupation monitoring / management conditions

17. No part of the development hereby permitted shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the approved plans. These facilities shall thereafter be retained for their designated use.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies and to comply with Policy DP21 of the Mid Sussex District Plan.

18. Use of the commercial unit shall be limited to the following times:
Monday to Sunday 8.30hrs to 22:30hrs

Reason: to protect the amenity of local residents and to comply with Policy DP26 of the Mid Sussex District Plan.

19. No commercial goods or commercial waste shall be loaded or unloaded onto or from a delivery or collection vehicle except between the hours of:

Monday to Friday 08:00 - 18:00 Hours
Saturdays 09:00 - 13:00 Hours
Sundays and Bank holidays, none permitted.

Reason: to protect the amenity of local residents and to comply with Policy DP26 of the Mid Sussex District Plan.

INFORMATIVES

1. In accordance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. 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.
3. Your attention is drawn to the requirements of the Environmental Protection Act 1990 with regard to your duty of care not to cause the neighbours of the site a nuisance. Accordingly, you are requested that:
 - No burning of materials shall take place on site at any time.

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

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

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 and Block Plan	2116-01	REV A	05.07.2019
Proposed Floor and Elevations Plan	2116-01	REV A	05.07.2019
Proposed Floor Plans	2116-03		03.07.2019

APPENDIX B – CONSULTATIONS

Parish Consultation

This application was discussed at the Planning and Highways Committee on 29th July. Over one hundred residents were present at the meeting, there was a mixture of support and objection to the proposals from those present in the public gallery.

The Parish Council objects to the proposals on the following grounds

Parking and Access

The Council is of the opinion that the proposals are contrary to CDNP4.3 Loss of Existing Parking. It notes that the building is to be sited on a grass area, not on the car park itself, but there will be a net increase of users of the facilities on site (the new hall, the Haven Centre, and the playing fields) with no additional parking being provided.

This may lead to an increase in on street parking, which would be contrary to CDNPSh)

The access is on a bend where visibility is poor. WSCC Highways comments of 25th July pertaining to visibility splays and requesting additional information in relation to predicted traffic movements were noted and endorsed. Therefore, the proposals are contrary to CDNP10 a), Promoting Sustainable Transport.

The removal of mature trees is noted. However, the building will be very close to trees that are intended to be retained, which the Council believes will encroach onto root protection zones as per the Appendix 3 of the Arboricultural Impact Assessment. Therefore, the proposals are contrary to CDNP9 d) and e)

Declarations of Interest at the Meeting

It should be noted that Cllr Budgen declared a prejudicial interest in the application and left the room during discussion. Cllrs Hitchcock and Webb declared personal interests, Cllr Hitchcock left the room during discussion.

When the response was considered, Cllrs Webb, Phillips, Coote and Dorey abstained.

The Council asks that you take these comments into account when considering this application

MSDC Drainage Engineer

SURFACE WATER DRAINAGE PROPOSAL

It is proposed that the development will utilise soakaway.

FOUL WATER DRAINAGE PROPOSAL

It is proposed that the development will utilise existing local foul arrangements.

Consultation Response

In light of the explanatory email from Les Humphrey 30/09/2019, which clearly explains the methodology of the use of soakaway, we are happy for this proposed development should not create or exacerbate flood risk.

SUGGESTED CONDITIONS

C18D

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

Reason: To ensure that the proposal is satisfactorily drained and to accord with the NPPF requirements, Policy CS13 of the Mid Sussex Local Plan, Policy DP41 of the Pre-Submission District Plan (2014 - 2031) and Policy ...'z'... of the Neighbourhood Plan.

MSDC Environmental Protection Officer

This application seeks to provide a new village hall adjacent to a main road in Crawley Down in a residential area close to an existing community facility used by a local football club which operates a bar, a café and which offers rooms for hire allowing various uses including exercise classes and functions such as weddings and other celebrations. Although the village hall will be introducing a new noise source into this area, given the proposed location alongside an existing community facility, Environmental Protection is of the opinion that provided the following recommend conditions are applied to any planning permission granted, the amenity of local residents will not be significantly affected during the construction or operation of this premises.

Activities such as exercise classes to music or functions at the new hall could potentially generate noise however, Environmental Protection has received confirmation from the applicant that suitable air conditioning will be provided to the halls and entrance lobby which should ensure that these areas can be used without the need to have windows and doors open to assist ventilation. Environmental Protection would recommend that a Noise Management Plan be provided outlining measures to mitigate disturbance to local residents. Possible measures could include requiring use of air conditioning during exercise classes and functions involving music rather than opening doors and windows, limiting the volume of

music played on site and the provision of signage requesting that guests be considerate to neighbours when using the car park or leaving the site.

Construction phase:

Construction hours: Works of construction, 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.

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

Monday to Friday: 08:00 - 18:00 Hours
Saturday: 09:00 - 13:00 Hours
Sunday and Public/Bank holidays: None permitted

Reason: to protect the amenity of local residents.

Construction Management Plan: Prior to the commencement of the development a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include amongst other matters details of:

- measures to control noise affecting nearby residents (in accordance with BS5228:2014 Code of practice for noise and vibration control on construction and open sites - with particular regard to the noisiest activities, typically piling, earthmoving, concreting, vibrational rollers and concrete breaking).
- dust management plan.
- site contact details in case of complaints.

The construction works shall thereafter be carried out at all times in accordance with the approved Construction Management Plan, unless any variations are otherwise first submitted to and approved in writing by the Local Planning Authority.

Reason: to protect the amenity of local residents from noise and dust emissions during construction.

Operational phase:

Hours of use: Use of the commercial unit shall be limited to the following times:

Monday to Sunday 8.30hrs to 22:30hrs

Reason: to protect the amenity of local residents.

Deliveries (Operational): No commercial goods or commercial waste shall be loaded or unloaded onto or from a delivery or collection vehicle except between the hours of:

Monday to Friday 08:00 - 18:00 Hours

Saturdays 09:00 - 13:00 Hours

Sundays and Bank holidays, none permitted.

Reason: to protect the amenity of local residents.

Lighting: The lighting scheme installation shall comply with the recommendations of the Institution of Lighting Professionals (ILP) "Guidance Notes for the Reduction of Obtrusive Light" (GN01:2011) for zone E2. Thereafter the approved installation shall be maintained and operated in accordance with zone E2 requirements unless the Local Planning Authority gives its written consent to a variation.

Reason: To protect the amenity of local residents

Odour: The development hereby permitted shall not be brought into use until a scheme for the installation of equipment to control the emission of fumes and odour from the premises has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such. The submitted odour control scheme shall be in accordance with best practice, and shall include a risk assessment for odour, as well as maintenance and monitoring schedules for the odour control system, to ensure adequate control of odours, to align with the manufacturer's instructions.

Reason: to protect the amenity of neighbouring residents.

Ventilation: The development hereby permitted shall not be brought into use until a scheme for the installation of equipment to ventilate the premises has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in strict accordance with the approved details prior to the operation of the development and shall thereafter be retained as such.

Reason: to protect the amenity of neighbouring residents.

Plant and Machinery: No operational use of any plant and machinery shall commence until measures have been implemented in accordance with a scheme first submitted to, and approved in writing by, the Local Planning Authority, to prevent air-borne noise from the operational activities of the plant and machinery from adversely affecting neighbouring residents. The applicant shall submit evidence, in writing, agreed by the Local Planning Authority before operational use commences, that the plant and machinery will obtain a sound level of 5 dB below the existing background sound level (LA90) during the operation of the plant and machinery, as measured one metre from the boundary of any nearby residential dwellings. All measurements shall be defined and derived in accordance with BS4142: 2014.

Reason: to protect the amenity of neighbouring residents.

Noise Management Plan: Prior to the development hereby permitted being occupied and used, a Noise Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Noise Management Plan shall then be implemented as approved.

Reason: to safeguard the amenity of neighbouring residents.

Informative:

Your attention is drawn to the requirements of the Environmental Protection Act 1990 with regard to your duty of care not to cause the neighbours of the site a nuisance. Accordingly, you are requested that:

No burning of construction waste materials shall take place on site.

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

MSDC Tree Officer

I visited the above site on 30 August and have the following comments:

- It is not clear from the plans I have seen whether T2 - Category A Hornbeam is to be removed. The habit of a hornbeam with branches growing wide and low would make it difficult to crown lift or cut back to accommodate the development. I cannot therefore envisage that it is possible to retain this tree in its current state prior to or during construction. In addition, if T2 were to be retained there would be future pressure to prune or fell this tree.
- The development would result in the loss of four category B trees comprising of two beech (T7, T8), one English oak (T9), one other hornbeam (T10), and the possibility of one category A hornbeam (T2) (above). Removal of moderate/ high quality native trees (Category B or above) is a significant loss and not recommended. If the loss is unavoidable replacement should be on a minimum one for one basis as close to the original position as possible.
- The area as a 'whole' is of high amenity value, being visible from the street and surrounding recreation areas, and clearly is of great value as wildlife habitat.
- As with T2, there will inevitably be future pressure on all the retained trees. There needs to be allowance and space for future growth and maintenance, alongside consideration to shading, direct damage and seasonal nuisance from the trees.
- T1 - a large oak sits at the entrance to the development and may come under future pressure due to visibility constraints.
- There are incursions into the RPA of T4, T14 and T15. The impact and protection measures for these trees should be addressed in an Arboricultural Method Statement (AMS).

Consequently I would object to the development based purely on arboricultural grounds, however it is a matter for the planning officer to balance the impact of the loss of the trees with the benefits to the community.

If the development is permitted, an Arboricultural Method Statement (AMS) should be submitted and agreed prior to development commencing as detailed in s7.1.2 of AIA.

WSCC Highways

This proposal is for the erection of a village hall with associated parking. The village hall is proposed to replace the existing village hall on Turner's Hill Road. The site is located on Hophurst Lane, a C-classified road subject to a speed limit of 30mph.

This application has been identified in the MSDC RAG (Red, Amber, and Green) Report as "Amber" and therefore a site visit was undertaken to assess the existing access arrangements and context of the nearby road network.

The LHA has been re-consulted on this application following a request for additional information from the applicant in order to adequately assess the proposal. The applicant was

requested to provide maximum achievable visibility splays at the existing access, taking into account the presence of the existing established tree within the highway. The applicant was also requested to provide information pertaining to the number of existing and anticipated vehicle movements to and from the site.

The site will utilise the existing access from Hophurst Lane which currently serves an informal car parking area. The applicant has demonstrated visibility splays of 2.4 x 43m in each direction at the existing access in accordance with the posted speed limit of 30mph. The LHA notes that the splay to the east of the access is drawn to an offset of approximately 2m from the edge of the carriageway. Ordinarily splays must be drawn to the carriageway edge, or a maximum offset of 1m. However, the LHA anticipates that visibility of at least 40m would be achievable to an offset of 1m in this location, taking into consideration the presence of the tree. The LHA conducted a site visit on 31st July to assess visibility at the access and it was observed on site that sufficient visibility is achievable in both directions. In addition, Hophurst Lane has good forward visibility and vehicles travelling along Hophurst Lane would be able to see a vehicle waiting within the access. The applicant was also requested to provide information pertaining to the number of existing vehicle movements to and from the site, and the number of vehicle trips anticipated as result of the proposal. It is acknowledged that quantifying the existing trips associated with the existing use of the car parking area is challenging - the applicant has indicated that no more than three cars have been present at any one time during site visits. Whilst conducting the site visit, the LHA observed three parked cars within the site. The applicant acknowledges that during the football season, the car park is busier, however, no data indicating the number of trips associated with this use has been provided. The applicant has provided a sample of the booking schedule for July and August for the existing village hall. This booking schedule provides no details of the activities going on on site, nor the number of attendees and associated vehicle trips. However, the LHA acknowledges that the existing village hall currently only has two parking spaces and operates a minibus service for a number of activities. This is proposed to continue at the new site to enable access to the site for residents with no cars and to reduce parking pressure. The LHA also acknowledge the local community use of the site, and anticipate that a number of visitors to the proposed use would be local residents who may walk or cycle to the site. The LHA does not anticipate that a large proportion of the visitors to the site would be users who have specifically diverted to Crawley Down for the purpose of visiting the D2 use of the site.

As the village hall already operates within the local community, it is anticipated that a number of trips associated with the proposal will already be occurring and the LHA would not anticipate a capacity issue within the local road network. Furthermore the applicant has indicated that there is no anticipation of the site being used for large groups of people that would result in overspill parking and the minibus service will operate in the event that there is a large group event, to reduce parking pressure. From the provided booking sheet, the applicant does not anticipate that the use of the village hall will significantly clash with the use of the site at weekends for parking for the playing field.

The proposed 18 parking spaces is anticipated to provide sufficient parking provision for the use. The WSCC Parking Guidance (adopted August 2019) anticipates that 21 parking spaces would be required for the D2 use of the site. However, as stated above, the existing village hall operates with 2 parking spaces and would require a minimum of 9 spaces. As such, the proposal provides a significant improvement in parking provision for the use, and the provision of 5 cycle storage spaces and a minibus service further reduces the reliance upon the private car to access the site. The site is connected to the surrounding area by street lit footways opposite, which enable pedestrians to access the site from the village. There are also a number of bus stops within walking distance of the site, providing access to further afield.

The proposed plans indicate that there will be sufficient space for vehicles to turn on site and exit in a forward gear.

Conclusion

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

If the LPA are minded to approve the application, the following conditions should be applied:

Conditions

Vehicle parking and turning

No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development.

Cycle parking

No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the approved plan.

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

Gatwick Airport Ltd

Thank you for your email/letter dated 10 July 2019, regarding the above mentioned consultation.

The proposed development has been examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria. We therefore have no objection to this proposal. We would, however, make the following observation:

Cranes

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