

**Minutes of a meeting of District Planning Committee
held on Thursday, 3rd October, 2019
from 2.00 pm - 4.08 pm**

Present: R Salisbury (Chair)
D Sweatman (Vice-Chair)

R Bates
P Chapman
E Coe-
Gunnell White
S Hatton

R Jackson
C Laband
A Peacock
N Walker

R Webb
R Whittaker

Also Present: Councillor A MacNaughton

1. TO RECEIVE APOLOGIES FOR ABSENCE.

None as all Members were present.

2. TO RECEIVE DECLARATIONS OF INTEREST FROM MEMBERS IN RESPECT OF ANY MATTER ON THE AGENDA.

Two Councillors declared a personal interest in item 4. Councillor Jackson declared that he is a Member for Hurstpierpoint and Sayers Common Parish Council. Councillor Chapman declared that he had received a one off payment from Homes England to promote the consultation for the development on his website in 2018.

3. TO CONSIDER ANY ITEMS THAT THE CHAIRMAN AGREES TO TAKE AS URGENT BUSINESS.

None.

4. DM/18/5114 - BURGESS HILL NORTHERN ARC LAND NORTH AND NORTH WEST OF BURGESS HILL BETWEEN BEDELANDS NATURE RESERVE IN THE EAST AND GODDARD'S GREEN WASTE WATER TREATMENT WORKS IN THE WEST.

The Chairman confirmed that all Members had received the Agenda Update Sheet.

A comprehensive, phased, mixed-use development comprising approximately 3,040 dwellings including 60 units of extra care accommodation (use class C3) and 13 permanent gypsy and traveller pitches, including a centre for community sport with ancillary facilities (use class D2), three local centres (comprising use classes A1-A5 and B1, and stand-alone community facilities within use class D1), healthcare facilities (use class D1), and employment development comprising a 4 hectare dedicated business park (use classes B1 and B2), two primary school campuses and a secondary school campus (use class D1), public open space, recreation areas, play areas, associated infrastructure including pedestrian and cycle routes, means of

access, roads, car parking, bridges, landscaping, surface water attenuation, recycling centre and waste collection infrastructure with associated demolition of existing buildings and structures, earthworks, temporary and permanent utility infrastructure and associated works.

The Chairman confirmed that all Committee Members had received the Agenda Update Sheet and that they had all visited the site. He noted that this is a large site with a complex report. He reminded the Committee that the site had already been allocated in the District Plan and had been accepted by the Inspector at public examination, having first been identified as land for potential development within the Burgess Hill Town Wide Strategy.

Tom Clark, Solicitor to the Council advised the Members that this is a site that is allocated under policy DP9 in the Council's District Plan. 460 of the homes in that policy were given outline permission earlier this year at Freeks Farm, Burgess Hill and the remaining 3,040 are the subject of this outline application. The principle of the development is established by the District Plan which was the subject of a number of public hearing days before an independent inspector who then endorsed the District Plan for the Council to adopt it in March 2018. Legally, Members start this debate with a site allocated in an up to date District Plan, and which has the benefit of a Masterplan and Infrastructure Delivery Plan & Phasing Strategy which have been approved by the Council as material considerations.

Stuart Malcolm, the Northern Arc Strategic Development Manager highlighted the agenda update sheet. He confirmed that additional representations had been received from Councillor Budgen, Sussex Wildlife Trust, Friends of the Earth, and four other third parties. West Sussex County Council (WSSC) has confirmed it's requirements for the provision of a secondary school, and the WSSC Gypsy and Traveller Manager is content with the proposed provision and size of the permanent gypsy and traveller site. He confirmed that condition 28 had been deleted as it was no longer required, additional conditions detailed protection measures for the river Adur and the use of sports pitches for community and public use. He also confirmed that Highways England were not raising any objections subject to conditions on matters that were already secured within the draft legal agreement.

He advised that in 2011 the Burgess Hill Town Wide Strategy detailed projects to help achieve the vision of Burgess Hill becoming a fully sustainable 21st Century town supported by the necessary community facilities, employment opportunities and access to green open space. The Town Wide Strategy identified housing developments would be required to achieve the vision and subsequently identified the requirement of 3500 homes on land to the north and North West of Burgess Hill. The Burgess Hill Neighbourhood Plan was made in January 2016 and states that it is inextricably linked to the 20 year vision for Burgess Hill set out in the Town Wide Strategy area. He confirmed that the District Plan was adopted in March 2018 and the Northern Arc development is allocated within the Plan so the principle of development has been established.

He highlighted that the application makes up most but not all of the land identified in Policy DP9, the exceptions include the employment land to the west (The Hub) and Freeks Farm, both of which have been subject to separate applications, and some other land near Maple Drive. He confirmed that Policy DP9 and DP7 are referenced extensively throughout the report and, along with the policies referenced on pages 44 - 46 of the report, they form the development plan for the assessment of this application. He confirmed that Members will be aware that planning legislation

requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

He explained that two of those material planning considerations are the Northern Arc Masterplan and the Northern Arc Infrastructure Delivery Plan and Phasing Strategy (IDP). The Masterplan was approved in September 2018 and shows the location of main land uses, the access points, routes of the primary and secondary roads, pedestrian and cycle routes, as well as the location of key infrastructure (including neighbourhood centres, schools and utilities), and green infrastructure. The IDP was approved in September 2018 as a material consideration and it identifies the infrastructure required to facilitate and support the development.

He drew Members' attention to page 6 of the report and that the 4 hectares of employment land should be treated as a benefit to the scheme in the planning balance, even though there is a shortfall of 6 hectares against the overall policy requirement of 25 hectares in Policy DP9. He quoted the report which states that "whilst this provision of 4 hectares is a shortfall of 6 hectares against the overall policy requirement of 25 hectares in Policy DP9 (with 15 hectares being provided adjacent at The Hub), the overall provision of 4 hectares should be treated as a benefit to the scheme in the planning balance. This is because the shortfall has been accepted within the Masterplan (which is a material planning consideration), has partly been offset by windfall development since the District Plan was adopted, and will be met by new employment sites coming forward through the Sites Allocation Development Plan Document (although this currently has very little weight)."

He noted that the secondary school will come forward in Phase 1 along with the first primary school; the other primary school will come forward in Phase 2. There will be 13 permanent pitches for the gypsy and traveller community. In addition there will be a policy compliant provision of 30% affordable housing and 60 units of extra care accommodation within the total of 3040 dwellings proposed

The Strategic Development Manager confirmed that all of the 14.5 hectares of Ancient Woodland within the site is to be retained and protected by a 15 metre buffer zone of no development. An additional 10 metre buffer zone will also be secured where only limited development will be permitted. He confirmed that the developer's strategy is to provide a biodiversity net gain on the site and a mechanism for achieving this will be secured through the legal agreement. The development will include 3 parks, allotments, a community garden hub, 7 play areas, a multi-use games area, a Centre for Community Sports and large areas of informal open space. He noted that the lower densities and lower buildings would be towards the northern edges of the development. He advised that pages 41 & 42 provided further details and timings of the development with much of the key infrastructure coming forward in Phase 1 with completion of Phase 1 by 2025. He noted that conditions 6 and 7 will ensure that subsequent reserved matters applications are brought forward in accordance with the submitted Design Guide.

The Strategic Development Manager referred to the comments of the Council's Conservation Officer who confirmed her view that the proposals will have an impact on some of the nearby listed buildings and that this would fall within the less than substantial harm category. He stated that it is essential that any degree of harm is given great weight and therefore a condition is recommended in Appendix A that will secure additional and specific mitigation measures aimed at minimising the effects of the development on these nearby listed buildings. The test set out at paragraph 196 of the NPPF is that this harm (less than substantial) should be weighed against the public benefits of the development. The Strategic Development Manager stated that

in this particular case there are clear, substantial, demonstrable and compelling public benefits outlined in this report which are considered to far outweigh the less than substantial harm to the settings of the listed buildings identified.

The Strategic Development Manager also highlighted the northern arc avenue, the Green Circle that is being extended throughout the application site and the Green Super Highway which is a dedicated walking, and cycling route through the development. He stated there are also to be further walking and cycling routes within the site and additional crossing points on the existing roads to connect the site with Burgess Hill

Simon Hall, West Sussex County Council noted the key points of access from the development to the existing local highway network. He advised that traffic modelling based on the Burgess Hill Town Model has been used to identify the impact of the development and it centred on the town, Haywards Heath and a large stretch of the A23. The comprehensive model includes local roads and major junctions and allows modellers to design traffic flows and possible future changes to the infrastructure. The modelling uses a least cost basis. He advised it is important as it shows the difference the development will have with an improved A23 junction. He highlighted that the Northern Arc avenue alignment is designed to facilitate the main public transport corridor and all parts of the development will be within easy access of this corridor. Residents will be a maximum of 400 metres from a bus stop. The development supports the Burgess Hill Transport Strategy and a phased series of bus routes will tie in with phased release of plots. In Phase 1 of the Bus Routing a bus service covering Freeks Farm, the town centre and the railway station will run every 20 mins. In Phase 2 of the Bus Routing two buses run every 30 minutes on different routes and by January 2030 there will be three routes covering the area every 15 mins. The bus service will be self-sustaining and will continue post completion of the development. He noted that the mobility corridors are proposed to link the development with the existing town. He highlighted that other improvements to the local network will mitigate the impacts of the development.

Councillor Janice Henwood, on behalf of Burgess Hill Town Council, spoke against the application and the continued use of fossil fuels. She noted policy DP 39 on renewable energy and sustainability, and suggested that this could be a flagship development incorporating sustainability and renewable energy.

Mark Kosby, Chairman of Copthorne Village Association, spoke against the application. He stated that 13 permanent traveller pitches was not an adequate provision and extra provision should be made on the application site. This is because an off-site location on which to spend the financial contribution secured by the Freeks Farm legal agreement was not identified at the time of the Freeks Farm approval

Kate McBride, applicant, spoke in support of the application. She confirmed that the Northern Arc is being promoted by Homes England. They are committed to the delivery of its largest scheme which will accelerate the delivery of new homes, the provision of a gypsy and travellers' site, new schools, a centre for community sport, public parks, employment areas, and 82 hectares of open space. The transport strategy supporting the development prioritises sustainable transport, the use of public transport and a car club to encourage lower levels of car ownership.

Jim Strike, agent, spoke in support of the application. He confirmed that the Masterplan had been produced following public consultation and discussions with key stakeholders. The scheme is compliant with planning policy DP7 and DP9, and they had consulted Council officers from an early stage. He noted that where the

application differs from the development plan policy, the principle of the change has been accepted through the Masterplan. Any negative impacts during the construction phase will be mitigated against through the use of conditions and key infrastructure will be delivered early in the development.

Justin Sherlock, agent spoke in support of the application. He noted that key stakeholders have been consulted to address any transport issues and the provision is made for a three tier network for walking, horse riding and cycling. The development will have a green super highway, connect to the Green Circle which will be extended through the site and have a cycle network suitable for a mix of age and abilities with routes focused on leisure. There will be connections to key parts of Burgess Hill with a viable bus service. He also confirmed highway improvements to local roads in the vicinity of the site.

The Chairman noted the principle of development had been established through the site allocation in the District Plan, and due to the complexity of the application, he would guide the Members through the report starting discussions with access to the development.

A Member was concerned with the proposed timing of the installation of toucan crossings, for use by pedestrians and cyclists, and whether this would disrupt traffic flows; what improvements would be made to Isaacs Lane to cater for the increased traffic flows and if the equestrian element of the three tier network would provide value for money.

Simon Hall, West Sussex County Council (WSCC) confirmed that to comply with conditions in the legal agreement the toucan crossings would be installed in line with the release of plots. He noted that the installation of new junctions would reduce traffic speed and there are further initiatives for Isaacs Lane including a footway. He confirmed some footpaths on the Green Circle will be upgraded to bridleway standard and upgrades to improve accessibility to Haywards Heath.

In response to Members' questions on road width, speed, congestion and viability of the public transport to be provided by Metro Buses Simon Hall, WSCC confirmed that the road width varied between 6.7ms on the west and 6.5ms on the east side of the development, the road on the eastern side has been designed for lower speed. The width would reduce to 6.1ms at the bridge over the River Adur. The western route would take more strategic traffic and has been designed to reduce the possibility of rat running. The development has been designed to encourage parking away from the spine road but this would be dealt with at the reserved matters application. He confirmed that cycle links will be provided to both Burgess Hill and Wivelsfield railway stations. He highlighted that, separately to this planning application, improvements will be made to Wivelsfield Station to improve access but there were no plans for Burgess Hill Station. Town wide access strategies look at sustainable modes of transport and a road space audit is currently underway to look at parking provision. WSCC want to increase access to key locations by non-car means. He confirmed that developers use the West Sussex traffic model to assess the impact of any development on the highway and WSCC were satisfied with the model output. He highlighted that the dualling of the A2300 would attract traffic away from other local roads and the design, including lighting would be part of the reserved matters application. The parking provision met the minimum standards as operated by WSCC and would be supported by the sustainable transport plan, improved links and uptake of the Car Club. The Chairman asked about future improvements to the single lane bridge over the A2300 and Simon Hall noted that he had no details of this element of the scheme at present.

The Chairman advised that bus companies use a variety of information to forecast the long term viability and usage of bus routes, including looking at similar housing developments. He reminded Members that some of their concerns were related to reserved matters and were not relevant for this Committee.

The Chairman asked whether there would be separation of the users on the multiple use tracks; this was confirmed by Simon Hall, WSCC.

One Member noted that the development would take up to 15 years to deliver and with separate applications for the parcels of land asked how this would be managed.

The Northern Arc Strategic Development Manager confirmed that Homes England will be the master developer and each parcel of land will be built by individual developers. He noted that Homes England will have the role of master developer for the whole time frame of the development.

A Member showed concern on the traffic impact to Burgess Hill town centre and Simon Hall, WSCC confirmed that this would be mitigated by improvements to the junctions around the area, this would speed flows around the town centre.

The Chairman expressed concern over the protection of water courses during construction of the development and asked what mitigation measures would be put in place.

The Northern Arc Strategic Development Manager confirmed this would be addressed through the detailed design, and the requirement for conditions at each appropriate reserved matters stage. He drew Members attention to the additional condition on the agenda update sheet for specific measures for the protection of the River Adur. He also highlighted condition 8 in Appendix A which requires a Construction Environmental Management Plan to set out in detail mitigation measures during the construction phase and condition 27 on page 164 which refers to preservation of water courses, ponds and other natural bodies of water.

A Member commented that he was impressed with the design principles of the development.

The Chairman noted that there are no listed buildings within the development and 12 within 500ms of the site and a Member asked what mitigation measures would be in place to lessen the impact on these listed buildings.

The Northern Arc Strategic Development Manager advised that mitigation might include particular consideration being given to the size, scale and siting of new buildings nearest to these listed buildings along with the inclusion of additional soft or hard landscaping to create new or reinforce any existing screening. . He confirmed this would be part of the relevant reserved matters applications as secured by the mitigation condition.

The Chairman noted that the reduction of employment land provision on the site had been offset by windfall employment and other sites in the Sites Allocation Development Plan Document as set out within the report. He confirmed 7 play areas and asked whether Local Areas of Equipped Play (LEAPS) are still effective and popular.

Rob Anderton, Divisional Leader for Commercial Services and Contracts, confirmed that- whilst the Council does not favour the provision of unequipped Local Areas for Play (LAPS) due to their limited play value, LEAPS are considered an effective means of providing opportunities for play. In response to a Member's question he noted that the Council wanted to ensure the Centre for Community Sport would have the right provision to meet the demand of the Northern Arc and the wider area. He confirmed that a Playing Pitch Strategy was currently in preparation, and this will inform the sport provision within the Centre for Community Sport.

The Chairman confirmed that the play areas were policy compliant and large areas of open space have been provided.

A Member noted that the public would have access to school playing fields and asked how this would be ensured in the long term. The Northern Arc Strategic Development Manager advised that it would be a condition of planning, as well as secured by the legal agreement, that details of such community/public use would be required, and noted it was necessary in order to achieve a greater community benefit by allowing wider access to sporting facilities.

A Member highlighted that there was a desire for a running track in the locality. The Chairman advised this was a reserved matters issue and as Mid Sussex District Council would be taking over the facility they may be able to influence the final provision on the site. He added that Sports England's objection would be resolved as the Section 106 agreement was ready to be signed as soon as planning approval had been granted.

In response to a query on the provision of permanent travellers' pitches within the District and the need for additional pitches, Sally Blomfield, Divisional Leader for Planning and Economy, confirmed that a range of existing sites were safeguarded in DP33; that this Policy also identifies an additional need to accommodate 23 households across the District by 2031. She confirmed that WSCC were content with the proposed provision within the planning application as confirmed in the Update Sheet. The Chairman noted that the financial contribution towards 3 off site pitches secured by the Freeks Farm planning consent were separate to the provision being made on this development. . It was confirmed that the Northern Arc site allocation in its entirety generates a need for 16 gypsy and traveller pitches. As a financial contribution had been secured for 3 pitches through the Freeks Farm permission there is a residual requirement of 13 pitches to be secured by this application.

Helen Blackith, Housing Enabling Team Manager advised Members that the application met the Council's policy for affordable housing, the extra care accommodation would have a higher specification and 4% of the affordable housing would be wheelchair accessible.

The Chairman stated that under the Aviation assessment, Gatwick had no objections and odour control had previously been an issue in this area but mitigation measures were now being put in place.

Several Members expressed concern for the existing woodland, grassland, trees and hedgerows and specifically asked why buffer zones were not provided for the woodland areas to the east of the site. The Divisional Leader for Commercial Services and Contracts explained that the grassland in this area will be maintained as a countryside/ conservation site similar to Bedelands Nature Reserve and it was therefore not necessary to prescribe the provision of buffer zones around the ancient

woodland in these areas. The Northern Arc Strategic Development Manager confirmed that condition 19 covered the issues of tree and hedgerow retention and protection. . He also noted that a full survey would be provided at each reserved matters stage which would identify the species, quality and health of those trees and hedgerows. He advised that granting of planning consent overrides any tree preservation orders but the design of the development is aimed at retaining important landscape features and the best trees will be retained where possible. The Chairman advised the Committee that some of the woodland would be in the ownership of the Council and a management company would maintain the remainder and all was secured by the Section 106 legal agreement. The Divisional Leader for Planning and Economy highlighted that the Design Guide, which a condition will ensure future reserved matters applications accord with, contains sections on trees, buffer zones and the future provision of trees. This will provide a strategy for future reserved matters applications.

The Chairman noted that there was no significant impact on the Ashdown Forest and that a mechanism for achieving a biodiversity net gain is secured by the Section 106 legal agreement.

In response to a Member's question on the provision of primary schools and community buildings the Divisional Leader for Planning and Economy advised that Homes England will be providing the land and the buildings. Homes England would be providing the land and a financial contribution for the secondary school which would be delivered by WSCC. The Northern Arc Strategic Development Manager noted there will be 3 neighbourhood centres, in the east, west and central areas, which would also provide space for retail, offices and commercial ventures. He confirmed that both the community buildings in the east and west centres would be transferred to Mid Sussex District Council.

The Chairman stated that the developer is offering a medical facility but it is not guaranteed that the Clinical Commissioning Group would take up the offer in which case the requirement for the applicant to pay a financial contribution for an extension/improvements to an existing facility would apply. The Chairman also stated South East Water has a legal obligation to provide a fresh water supply to the development.

In response to a query on the overhead powerlines the Northern Arc Strategic Development Manager advised the Committee that condition 47 on page 168 secures the removal of the pylons.

The Members had no comments on the principle of development in the countryside, South Downs Park, High Weald AONB, coalescence, retail and Burgess Hill town centre, housing type and mix and air quality.

As there were no further questions the Chairman moved to the Recommendation as set out in the report and the amendments to the conditions in the Agenda Update Sheet. The recommendations were unanimously approved.

RESOLVED

The Committee agreed to the recommendation:

It is recommended that, subject to the completion of a satisfactory S106 planning obligation securing the necessary infrastructure and affordable housing, planning

permission be granted subject to the conditions set out in Appendix A and the Agenda Update Sheet.

5. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 10 DUE NOTICE OF WHICH HAS BEEN GIVEN.

None.

The meeting finished at 4.08 pm

Chairman