

MID SUSSEX DISTRICT COUNCIL

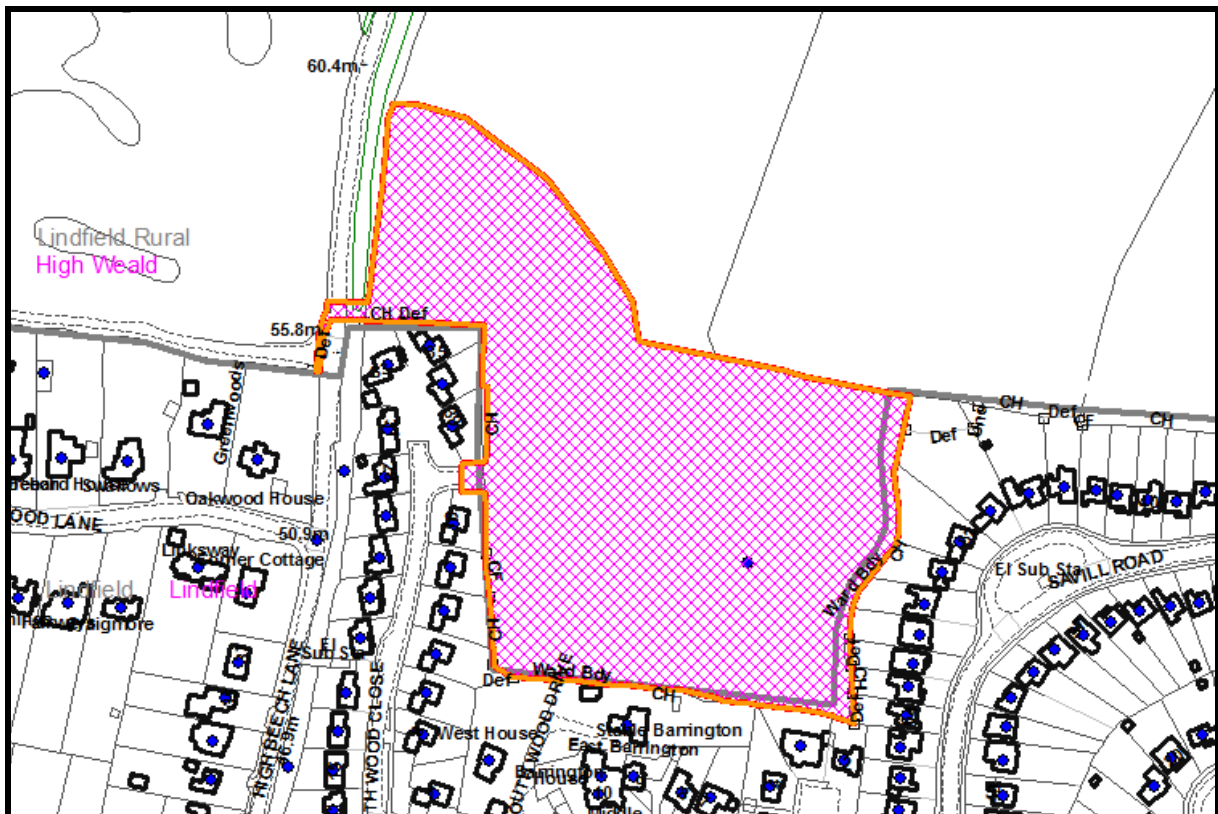
District Wide Committee

21 NOV 2019

RECOMMENDED FOR PERMISSION

Lindfield Rural

DM/19/2845



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LAND TO THE EAST OF HIGH BEECH LANE/ LAND NORTH OF BARRINGTON CLOSE, LINDFIELD RESERVED MATTERS APPLICATION RELATING TO OUTLINE APPROVAL DM/17/2271, FOR THE APPROVAL OF APPEARANCE, LANDSCAPING, LAYOUT AND SCALE FOR 43 DWELLINGS WITH ASSOCIATED WORKS. APPROVAL OF CUSTOM BUILD PLOT LOCATION. AMENDED PLANS RECEIVED SHOWING ALTERATIONS TO DESIGN OF DWELLINGS, INCLUSION OF PLAY AREA AND WIDENING OF ACCESS.
CROUDACE HOMES LTD

POLICY: Asset of Community Value / Areas of Special Control for Adverts / Areas of Townscape Character / Built Up Areas / Countryside Area of Dev. Restraint / Classified Roads - 20m buffer / Planning Agreement / Planning Obligation / Aerodrome Safeguarding (CAA) / SWT Bat Survey / Tree Preservation Order / Tree Preservation Order Points / Trees subject to a planning condition /

ODPM CODE: Smallscale Major Dwellings

13 WEEK DATE: 28th November 2019

WARD MEMBERS: Cllr Linda Stockwell / Cllr Paul Brown /

CASE OFFICER: Joanne Fisher

PURPOSE OF REPORT

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

EXECUTIVE SUMMARY

This application seeks reserved matters consent for the approval of appearance, landscaping, layout and scale for 43 dwellings with associated works and the approval of 3 custom build plot locations at land East of High Beech Lane / Land North of Barrington Close, Lindfield.

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

In this case outline planning permission has been granted for the erection of 43 (one, two, three, four and five bedroom) dwellings and three self/ custom build plots (use class C3) with associated infrastructure, landscaping and access. The means of access into the site has been approved. Therefore the principle of development is established, as is the access into the site from the High Beech Lane.

The design of the development has been amended during the course of the application to improve the scheme. It is considered that the layout of the scheme, including the roads and car parking provision is appropriate and the design of the proposed dwellings is acceptable. All of the dwellings would meet the national minimum space standards and the scheme provides a policy compliant level of affordable housing and a satisfactory mix of housing overall.

It is considered that the layout would avoid significant harm to the amenities of the occupiers of neighbouring properties to the east, south and west of the site. In addition the location of the play area would not cause significant detriment to nearby residents through noise or a loss of privacy.

The scheme has resulted in the removal of a section of trees along the road frontage to provide visibility splays. This has been accepted by virtue of the outline planning permission which approved the access into the site. With regards to trees on the boundaries of the site including those subject to tree preservation orders, the scheme is laid out to avoid harm to trees within the site during construction and it is not felt that the layout will result in undue pressure on trees within the site from future occupiers of the new development.

In light of the above it is considered the application complies with policies DP21, DP26, DP27, DP30, DP31, DP37, DP38, DP39 and DP41 of the District Plan and the provisions of the National Planning Policy Framework (NPPF). As such the reserved matters should be approved.

Recommendation

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

SUMMARY OF REPRESENTATIONS

27 Letters of OBJECTION (many replicated)

- Developer commencing works and destruction of trees and hedges.
- The access to the site may have been widened but there is no indication as to what measures are to be taken to introduce Traffic Calming Measures on High Beech Lane. Query on type of crossing is to be installed and pedestrian safeguards will be put in place.
- Loss of biodiversity.
- Site unstable and complex drainage problems so unsuitable for development.
- Impact on privacy to 52 Savil Road as houses higher level and will be overbearing.
- Overlook 35 Portsmouth Wood Close resulting in loss of privacy;
- Increased noise due to location of access road and footpath resulting in noise and loss of privacy (35 PWC).
- Loss of significant mature trees along highway and above hammer head/turning area of Portsmouth Wood Close.
- Cause a significant intrusion into the countryside.
- No details provided in respect of conditions 8 and 14 of the outline approval relating to drainage and slope stability.
- Overlooking to 16 Portsmouth Wood Close.
- Assessment of flooding and damage risks from water runoff from this site have still not been carried out completely or effectively. New plans place a CAR PARK with a substantial area of hard-standing at the head of Portsmouth Wood Drive, which will inevitably increase the run off of water down what is a small private drive.
- Insertion of window to southern flank of Plot 24 unacceptable as it would result in a total loss of privacy to existing houses immediately south of the southern

boundary, especially Stable Barrington, PWD. The steep nature of the site means that ANY south-facing windows so close to the boundary would have a direct line-of-sight into both neighbouring homes and gardens. Initial proposals and subsequent changes have been inadequately considered.

- There has been insufficient thought given to the design and placement of these houses.
- The custom build plots are wholly undefined. The plan, as it exists, gives free rein to those who would develop these plots.
- Concerns on protection measures to existing substantial and mature hedges and trees around the edge of the site.
- Proposals are included to "crown lift" the mature trees at the edge of my property. These trees are on my property, covered by TPOs and there are no circumstances under which I would allow such work to be undertaken.
- Dangerous nature of the entrance from High Beech Lane.
- Site outside the neighbourhood plan boundary.
- Unmitigated strain that further housing will place on local services.
- Impact to 37 Portsmouth Wood Close - overlooking and overbearing nature due to levels between site and neighbouring property.
- Query whether the proposed footpath is an appropriate pedestrian access. It will be steep and therefore inappropriate for those with mobility issues, for the disabled, for those using buggies and for those walking with small children.
- The footpath and stairs will end at an area known as the "hammerhead" that is in constant use by cars, vans and rubbish collection trucks turning to go back down the hill. It is also used for overflow parking by residents.
- The proposed site of the footpath and stairs is surrounded by protected trees which are deciduous, and the stairs will become slippery and leaves will gather at the bottom. There are no proposals to maintain the access.
- Poor site accessibility. The development will increase pedestrian traffic, but High Beech Lane has no pavement on the East side from the proposed development and past the junction with By Sunte.
- Lack of local infrastructure. The application offers no amenities, simply more dwellings.
- Development will cause significant harm to the natural habitat.
- Overlooking to 68 Savil Road due to levels between house and site.
- Flooding comes from site.
- Overbearing and overlooking to 10 Portsmouth Wood Close.
- Concerns on noise and dust caused by development and hours of work.
- Increase in traffic on the access and road junctions down High Beech Lane.
- Loss of privacy to 50 Savil Road.
- Concern that no safeguards are proposed to protect existing properties from vibrations and noise if piling is required.
- Loss of outlook.
- Further intrusion into the countryside.
- Lack of parking.
- Increase in noise and disturbance through location of parking areas, and access in relation to existing houses.
- Density of housing and overlooking and loss of outlook to 14 Portsmouth Wood Close.

- Proximity of play area to 18 Portsmouth Wood Close. Due to higher level result in loss of privacy and proximity result in noise.

Lindfield Preservation Society

Objects.

Contrary to Policy DP41 of the District Plan. Ignores existing flood risk on land south of the site. As the proposal is to build over a field flood risk can only increase. No details have been provided concerning conditions 8 and 14 attached to the outline approval and how the current proposal will overcome them.

The drainage statement presents no methodology, measurements, discussions or reasoned conclusions.

Fails to demonstrate how it would avoid increasing flooding and how would reduce the risk.

Land stability and flood risk are at the heart of the scheme and potentially threaten the quality of life of nearby residents.

Details should not be discharged behind closed doors and should have public scrutiny as part of application.

SUMMARY OF CONSULTEES (full comments in Appendix B)

WSCC Highway Authority

No objection. Suggested conditions.

WSCC Planning Officer

No comments.

WSCC Flood Risk Management

No comment.

MSDC Urban Designer

No objections. Suggested conditions.

MSDC Sustainability Officer

No objection.

MSDC Housing Enabling & Development Officer

No objection.

MSDC Drainage Officer

No objection.

MSDC Environmental Protection Officer

No objection.

MSDC Leisure

Comments.

MSDC Tree Officer

No objection.

MSDC Landscape Officer

No objection.

MSDC Waste Services

No objection.

Ecology Consultant

Comments.

MSDC Street Name and Numbering Officer

Informative.

LINDFIELD RURAL PARISH COUNCIL COMMENTS

Object.

LRPC has concerns that the social housing should be spread around the location and not placed together.

The Council has had to assume the word "Appearance" as given in the application description as meaning design. My Council has been unable to fully consider this aspect of the application due to the fact there are no site cross sectional drawings to clearly show the design of housing, the resulting overlooking within a sloping site and adjacent properties.

My Council is fully aware that the issue of drainage is not for consideration under this application but was considered at the Outline stage and this was covered by a condition requiring the applicant to submit full detail for the drainage system for the site which has a significant history for flooding properties adjacent to the site. We have also been advised that the LPA are not required to consult on reports submitted

to release conditions, therefore LRPC and local residents are having to rely on the LPA drainage engineer but with no caveat to who may be responsible should local housing suffer flooding.

LINDFIELD PARISH COUNCIL COMMENTS

Whilst this development falls outside Lindfield Parish Council's boundary, it is immediately adjacent to the Parish and where the effect on neighbouring properties will be most keenly felt. Based on the information currently provided on MSDC's Planning portal, the Council has been unable to gain any real perspective of the current proposal on this sloping site as it affects the adjoining properties, due to the absence of suitable cross sectional site drawings or projections. The Council is concerned that the levels of overlooking and consequent overbearing impact and loss of outlook may be significant. Separately, it would seem more appropriate for the affordable housing element within the development to be more effectively integrated across the development rather than concentrated as proposed.

The Council recognises that drainage is not a component of this application and was covered by a condition requiring the applicant to submit full detail to the Planning Authority. The adjoining properties already experience significant run-off issues and the absence of such detailed proposals, alongside the understanding that the Planning Authority will not consult on these once received, is extremely disappointing. All the more so in the context of District Plan Policy 41 "...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." Land stability assessments also appear to be addressed in a similar fashion. Given the complexities of this site, it is hoped that a full independent appraisal of the applicants proposals in these regards (once they are available) will be required by the Planning Authority.

In the circumstances, Lindfield Parish Council objects to the proposals based on the information currently available.

INTRODUCTION

This application seeks reserved matters consent for the appearance, landscaping, layout and scale for 43 dwellings with associated works, and the approval of the location of 3 custom build plots at land to the east of High Beech Lane / land north of Barrington Close, Lindfield.

RELEVANT PLANNING HISTORY

Outline permission has been granted under reference DM/17/2271 for the erection of 43 (one, two, three, four and five bedroom) dwellings and three self / custom build plots (use class C3) with associated infrastructure, landscaping and access. All matters were reserved except for access. This application was heard at District Planning Committee on 19th April, and approval was given on the 26th April following the completion of the S106.

SITE AND SURROUNDINGS

The site itself is a field with vegetation and trees on the boundaries with further fields to the north. The site slopes away to the west and south with a significant change in levels with the dwellings beyond the site at a lower level.

Access is to be from High Beech Lane. This is a classified 'C' road which retains a rural character with trees and vegetation along the highway. The land to the east of this lane is set at a higher level and currently forms fields. Trees and vegetation have been removed where the access and visibility splays have been considered as part of the approved outline permission.

The site is situated on the edge of the development boundary of Lindfield and on the edge of existing housing development to the eastern, western and southern boundaries. These dwellings are set at a lower level and have vegetation on their boundaries. A number of the trees on the southern and western boundaries are subject to Tree Preservation Orders.

The site is contiguous with the development boundary of Lindfield on part of the eastern and western boundaries and along the whole of the southern boundary of the site.

The application site is situated within the countryside as defined in the District Plan and Neighbourhood Plan.

APPLICATION DETAILS

The application seeks reserved matters consent for the erection of 43 dwellings on land to the east of High Beech Lane / north of Barrington Close, Lindfield. Outline planning permission has been granted for the principle of the development and the means of access into the site was approved at the outline stage. This reserved matters application is therefore seeking consent for the layout, scale, appearance and landscaping of the site in relation to the 43 dwellings and the location of 3 custom build plots within the site.

Vehicular access into the site is as approved in the outline scheme (DM/17/2271) off High Beech Lane. The access road would head east / south-east up into the site set within a parkland setting. Adjacent to the vehicular access would be a pedestrian path. The access would head into the site with trees and two dwellings providing an entrance into the site with planting. The access would then form a central loop with houses either side of the access road. To the west of the site would be a pedestrian link into Portsmouth Wood Close.

The plans show a mixture of detached and semi-detached dwellings within the site with attached and detached garaging and off road parking predominantly to the side of dwellings. The affordable units are to be set to the south of the site comprising of a block of 4 flats and also two terraces adjoined by a single storey carport and access leading to a rear parking court.

All of the properties would be two storeys in height. They would be of a traditional design and would feature a palette of brick, tile hanging and plain roof tiles. There are to be various detailing features to the dwellings including stone and lead window cill's, double brick arch headers to some windows, juliet balcony doors, various porches, and various chimney details. There are to be various elevation features including projecting headers, dentil headers and brick quoins with random knapped flint.

The scheme is to provide 29 market dwellings and 14 affordable units (a total of 43 dwellings) with 3 custom build plots.

The scheme would provide for a total of 115 car parking spaces. The car parking serving the dwellings would be to the side or front of the dwellings, with two car parking courts serving the affordable housing to the south of the site set back from the access road. In addition, there would be 4 visitor spaces adjacent to the public open space to the west of the site.

To the west of the site is to be a public open space and a LEAP (Local Equipped Area of Play) comprising of a toddler swing set, a small children's slide, play boulders, timber railway and a bench. This is to be enclosed by a 1.2 metre post and rail fence.

As part of the application, the location of the 3 custom build plots is sought. These are to be located to the southern end of the site between the affordable units and would have an in-out access set off the main access road serving the development.

LIST OF POLICIES

Mid Sussex District Plan

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

- DP21 - Transport
- DP26 - Character and Design
- DP27 - Dwelling Space Standards
- DP30 - Housing Mix
- DP31 - Affordable Housing
- DP37 - Trees, Woodland and Hedgerows
- DP38 - Biodiversity
- DP39 - Sustainable Design and Construction
- DP41 - Flood Risk and Drainage

Mid Sussex Design Guide Supplementary Planning Document (SPD)

The District Council is consulting on the Mid Sussex Design Guide SPD between 9th October and 20th November 2019. Due to it being out at consultation this currently has little weight in the determination of planning applications. However, once adopted this document will be treated as a material consideration in the assessment of all future planning schemes

This Design Guide is intended to inform and guide the quality of design for all development across Mid Sussex District. It sets out a number of design principles to deliver high quality, new development that responds appropriately to its context and is inclusive and sustainable.

Lindfield and Lindfield Rural Neighbourhood Plan

The Lindfield and Lindfield Rural Neighbourhood Plan is a 'made' plan. It carries full weight in the determination of planning decisions but does not itself allocate any housing sites.

There are no relevant policies.

National Policy

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

National Design Guide

Technical Housing Standards: Nationally Described Space Standard (Mar 2015)

ASSESSMENT

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

- The principle of development;
- Design/layout;
- Sustainability;
- Neighbour amenity;
- Access and Transport;
- Housing Mix and Affordable Housing;
- Impact on trees;
- Drainage; 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:

- a) The provisions of the development plan, so far as material to application,*
- b) And local finance considerations, so far as material to the application, and*

c) *Any other material considerations.*'

Section 38(6) Planning and Compulsory Purchase Act 2004 provides:

'If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'

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

In this part of Mid Sussex the development plan comprises the District Plan and the Lindfield and Lindfield Rural Neighbourhood Plan.

In this case outline planning permission has been granted for the erection of up to 46 dwellings on the site and the means of access into the site has been approved. Therefore the principle of development is established, as is the access into the site from High Beech Lane.

Design and layout of the proposal

Policy DP26 of the District Plan relates to character and design and states:

'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;*
- *contributes positively to, and clearly defines, public and private realms and should normally be designed with active building frontages facing streets and public open spaces to animate and provide natural surveillance;*
- *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;*
- *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 DP27);*
- *creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- *incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- *positively addresses sustainability considerations in the layout and the building design;*

- *take the opportunity to encourage community interaction by creating layouts with a strong neighbourhood focus/centre; larger (300+ unit) schemes will also normally be expected to incorporate a mixed use element;*
- *optimises the potential of the site to accommodate development.'*

The NPPF states that *'Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.'* (para 124). In addition, paragraph 127 requires that developments are *'visually attractive as a result of good architecture, layout and appropriate and effective landscaping'* and *'are sympathetic to local character and history, including the surrounding built environment and landscape setting'.*

On the 1st October 2019 the Government published the National Design Guide which addresses the question of how well-designed places are recognised, by outlining and illustrating the Government's priorities for well-designed places in the form of ten characteristics. The underlying purpose for design quality and the quality of new development at all scales is to create well-designed and well-built places that benefit people and communities.

The Secretary of State for the Ministry of Housing, Communities and Local Government issued a Ministerial Statement on the 1st October 2019 stating that *'the National Design Guide is also capable of being a material consideration in planning applications and appeals, meaning that, where relevant, local planning authorities should take it into account when taking decisions. This should help give local authorities the confidence to refuse developments that are poorly designed.'*

Whilst currently out at consultation, the Council has a draft design guide which is considered relevant. This draft document seeks to inform and guide the quality of design for all development across Mid Sussex District. It sets out a number of design principles to deliver high quality, new development that responds appropriately to its context and is inclusive and sustainable.

The design of a number of plots proposed and their facing materials have been amended following negotiation with the officers.

The Council's Urban Design Officer has considered the amended plans and raises no objection to the scheme. He considers that the:

'layout is an improvement upon the outline scheme and works well in most respects. The continuous circular access route provides a legible and connected arrangement that successfully accommodates a well overlooked open space / play area and pedestrian link to Barrington Close. The provision of a play area is important as it should give the open space some level of activity and provide a focus/meeting point for the new community (especially as the nearest play area is some distance away and the sloping nature of the site restricts other recreational opportunities). While the elevations are unimaginative, the site elevations demonstrate that they sit well on the sloping site, and revised elevations have been received that address my initial concerns.'

Officer's agree with the comments of the Urban Designer and consider that the proposed layout of the scheme is acceptable and would provide a well-connected access arrangement and a positive development edge with building frontages facing the access road both into and around the site. Whilst properties to the north would back onto the countryside, there would be low picket fences and vegetation onto the boundary with the field which would soften the impact of the development. In addition, the proposed landscaping and tree planting around the circular access road would soften the development.

The car parking for units would be located predominately to the side of dwellings or to a rear parking court for Plots 20 - 29 and Plots 16-19. This would screen this area of car parking to ensure that the street frontage is not overly dominated by car parking. Whilst there are some plots that would have areas of parking to the front of dwellings, this would however not be overly dominant in the street scene.

With regards to the design of the dwellings, there is to be a mixture in the design and finishing materials for the proposals. It is considered that the proposed design is acceptable and addresses the character of surrounding buildings on the eastern, southern and western boundaries of the site. The site slopes away from the north to the south and also from the north-west to the south-east. Site sections have been submitted as part of the application which shows that the dwellings respond well to the topography of the site with dwellings stepping in an ordered and harmonious manner. In addition, Plots 2, 4, 3, 31, 36 and 37 are to turn corners with two elevations facing the street or the street and public open space. As a result the elevations are to address the public realm and provide overlooking to these spaces responding positively to the street scene.

It is considered that given the above the layout and design of the scheme is acceptable and complies with policy DP26 of the District Plan as well as the requirements of the NPPF and the National Design Guide.

Sustainability

Policy DP21 of the District Plan relates to transport and requires schemes to be *'sustainably located to minimise the need for travel'* and take *'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'*. In addition it requires where *'practical and viable, developments should be located and designed to incorporate facilities for charging plug-in and other ultra-low emission vehicles.'*

Policy DP39 of the District Plan relates to Sustainable Design and Construction and requires development proposals to improve the sustainability of development and should where appropriate and feasible according to the type and size of development and location, incorporate measures including minimising energy use through the design and layout of the scheme; maximise efficient use of resources, including minimising waste and maximising recycling/re-use of materials through both construction and occupation; and also to limit water use to 110 litres/person/day.

Paragraph 148 of the NPPF states:

'The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.'

Paragraph 153 states:

'In determining planning applications, local planning authorities should expect new development to:

- a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and*
- b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.'*

As part of the submitted supporting statements a sustainability statement has been provided as part of the application. This sets out that all dwellings are to be provided with cycle storage and will be provided as a minimum with an external socket to allow users to charge an electric vehicle. It identifies that where possible houses have been orientated with a southern aspect to utilise the energy from the sun and reduce the demand for non-renewable energy to provide heating and lighting. In addition, it states that dwellings will be built with a high level of insulation and homes will be fitted with 'A' rated appliances. With regards to water consumption it identifies that there will be water saving devices and the dwellings will meet Part G of the Building Regulations.

The Council's Sustainability Officer has considered the proposal and welcomes the points set out in the sustainability statement.

The proposal is considered to be acceptable in sustainability terms and complies with policies DP21 and DP39 of the District Plan.

Impact on neighbour amenity

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

The site sits at a higher level than the residential properties of Portsmouth Wood Close on the western boundary, Portsmouth Wood Drive and Barrington Close to the south and Savil Road to the east. On these boundaries are trees and vegetation providing some screening of the site.

A number of properties have raised objections in relation to the proposed development and the impact on their amenities through overlooking, un-neighbourly and an overbearing impact.

35 and 37 Portsmouth Wood Close are sited to the north-west of the site and closest to the entrance and access road, with the rear of no 37 angled towards the proposed side elevation of Plot 1. The submitted site layout and landscape plans shows planting on the rear boundaries of the properties with the parkland setting and access road with no 35 Portsmouth Wood Close. Due to the proposed landscaping and position of the access, it is not considered that the proposed access would cause significant detriment to the amenities of no 35 through a loss of privacy or an increase in noise. With regards to no 37, as set out above, the rear of this property is angled towards the side elevation of Plot 1 which is to be set at a higher level than the existing neighbouring property. There is existing tree screening on this western boundary subject to a tree preservation order. There is to be a back to side relationship between these properties measuring a minimum of some 21 metres. Plot 1 would have one first floor side window serving a bathroom facing the neighbour. It is considered that the relationship between Plot 1 and no 37 Portsmouth Wood Close is acceptable and that there will be no significant detriment through overlooking or an overbearing impact.

14 and 16 Portsmouth Wood Close are situated to the west of the site. There would be a rear to side relationship between the existing and proposed property (Plot 27) with a distance of some 20 metres, and a back to back distance between no 14 and Plots 25 and 26 of some 31 metres. Whilst it is acknowledged that the properties of Portsmouth Wood Close are at a lower level, due to the distances and relationship between the units, and the tree screening on the boundary it is considered that the proposal will not result in a loss of privacy, overlooking or an overbearing impact to the amenities of existing occupiers of 14 and 16 Portsmouth Wood Close.

Due to the siting of 10 Portsmouth Wood Close separated from the site by no 12's rear garden and the dense tree and vegetation screening in the south-western corner of the site, it is considered that the layout and scale of the proposed development would not result in significant detriment to the amenities of this nearby property.

On the southern boundary is Stable Barrington which is set at a lower level than the site. There is to be a side to rear relationship with the closest proposed dwelling (Plot 24) with a distance of some 22 metres between. On this side elevation is to be a ground floor secondary window and a first floor bathroom window. Due to the dense tree and vegetation screening and the relationship between these properties, it is considered that the proposal would not result in significant detriment to the existing neighbouring properties amenities. In addition, the three custom build plots are to be located to the north of this property. The appearance, scale, layout and landscaping for these units are to be subject to a separate reserved matters application once these plots have been purchased. Such a relationship would be considered as part of the determination of these additional schemes.

Concerns have been raised by 18 Portsmouth Wood Close in respect of the location of the LEAP, open space and pedestrian access proposed to the side and rear of

this property and the impact on noise and a loss of privacy. The play area is to be sited some 8.5 metres from the boundary with no 18 and some 15 metres between the rear wall of no 18 with the boundary of the play area. The Council's Leisure Officer advises that there is a limited buffer between the LEAP and the boundary with the nearest dwelling no. 18. The minimum buffer recommended by Fields In Trust (FIT) is 10 metres in depth. As such this falls short of such guidelines in terms of amenity. Notwithstanding this, the LEAP and the equipment proposed is aimed at younger children and so the times of when this would be used would be limited to daytime hours. It is acknowledged that it is difficult to assess the potential impact that such a play area may cause to amenities through noise and disturbance. However it is considered that due to the size of the play area and the equipment proposed that this would not cause a significant detrimental impact given the separation distance. In addition, whilst the application site sits at a higher level than this property there is vegetation and tree screening on the rear boundary of this property with the site providing screening which would provide some mitigation to noise and a loss of privacy. In addition the proposed pedestrian access to the northern side boundary with no 18 would slope away from the site with steps leading down onto Portsmouth Wood Close. A condition could be placed on the reserved matters permission requiring details of the boundary treatment with the path and the neighbouring boundary to ensure that there is suitable screening to prevent overlooking into the neighbouring garden.

Finally a number of properties on Savil Road to the east of the site have raised concerns in respect of the impact on their amenities regarding overlooking, loss of privacy due to the site being at a higher level than properties on Savil Road. Plans show that there is a back to back separation distance in excess of some 30 metres between the proposed dwellings and existing properties on Savil Road with vegetation screening on the boundary. Plots 13-15 are angled and so would not provide direct overlooking to neighbouring properties on Savil Road. In addition Plot 9 would provide a side to rear relationship with no 50 Savil Road with a distance of some 11 metres to the boundary and a first floor bathroom window on the side elevation. As such there would be no loss of privacy to number 50 Savil Road. Whilst the proposed dwellings would be set at a higher level than those on Savil Road, due to the distances between and the orientation of some of the dwellings it is considered that the proposal will not cause significant detriment through an overbearing impact or a loss of privacy to properties on Savil Road.

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

Transport

The means of access into the site has already been approved by the outline planning permission. As such the impact of the development on road capacity and matters of accessibility have already been found to be acceptable. The issues to consider in respect reserved matters relate to the internal layout of the development.

The scheme would provide 115 car parking spaces, with 6 of these being unallocated visitor spaces. This is to be split as 68 allocated parking spaces, 7

allocated car port spaces, 34 allocated garage parking spaces and 4 visitor parking spaces. In addition each dwelling would provide 2 cycle parking spaces within a store located to the rear gardens of each unit. Plots 16-19 which are to be 2-bed flats would benefit from a communal bike store.

It is considered that the internal highway layout and the level of car parking provision is acceptable.

The scheme includes the provision of a pedestrian footway to the west of the site onto Portsmouth Wood Close as well as a footpath adjacent to the access road onto High Beech Lane.

It is considered that the level of car parking and the pedestrian links are acceptable. No objections are raised by the Highway Authority. In light of all the above, the application therefore complies with policy DP21 of the District Plan.

Housing mix and affordable housing

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

As set out in the Design and Access Statement, the housing mix would be as follows:

Market housing

3 x 2 bed house
9 x 3 bed house
15 x 4 bed house
2 x 5 bed house

Affordable housing - to rent

2 x 1 bed flat
4 x 2 bed flat
2 x 2 bed house
3 x 3 bed house

Affordable Housing - shared ownership

2 x 2 bed house
1 x 3 bed house

The Councils Housing Officer has considered the proposal and advises that the proposed housing mix will meet a broad range of housing needs. She advises that the tenure split in respect of the proposed affordable housing complies with current policy, with 75% of the properties to be provided as rented units and 25% as shared ownership. The applicant is adopting a tenure blind approach in order to aid social integration and create a sustainable development.

Lindfield Parish Council has raised concerns in respect of the location of the affordable housing and considers that these should be more effectively integrated

across the development rather than concentrated. The Councils SPD on Affordable Housing states that such units should be integrated into the overall scheme layout in clusters of no more than ten dwellings. The site layout shows that there are to be two separate clusters providing 10 units to the south-western corner and a block providing 4 flats to the south-east of the site separated with the 3 custom build plots and landscaping between the two. The Councils Housing Officer is satisfied in respect of the location of the affordable housing units. As the applicant is adopting a tenure blind approach to the design of these units this would aid integration and ensure that such units are not visually obvious within the site.

The scheme provides a policy compliant level of affordable housing and thereby meets the requirements of Policy DP31 of the District Plan.

The application also shows the location of the 3 no serviced custom build plots to the southern end of the site. As part of the consideration of this application the location of these plots are considered as part of the layout of the development. However, details of their appearance, layout, scale and landscaping would be subject to 3 separate applications. The provision of these custom build units meets the requirements of Policy DP30 which requires housing development to *'meet the current and future needs of different groups in the community including older people, vulnerable groups and those wishing to build their own homes. This could include the provision of bungalows and other forms of suitable accommodation, and the provision of serviced self-build plots'*.

Dwelling space standards

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

All of the dwellings would meet the dwelling space standards.

Impact on trees

Policy DP37 seeks to support the protection and enhancement of trees, woodland and hedgerows. It states that development *'that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or character of an area, and / or that have landscape, historic or wildlife importance, will not normally be permitted.'*

The trees and hedging on the boundary with High Beech Lane has been removed prior to the determination of this application. These were not subject to a tree preservation order and were removed in order to create the visibility splays for the access. Mitigation planting has been proposed by the entrance with a number of trees and additional hedge planting set back within the site along this boundary to soften the appearance.

On the western boundary with Portsmouth Wood Close are a number of preserved trees covered by Tree Preservation Orders LR/02/TPO/08, LF/01/TPO/88,

CU/03/TPO/81 and CU/03/TPO/82. Two trees where the proposed footpath link is to be created have been removed without receiving the necessary consent. As part of the submitted site layout and landscape strategy plans these are to be replaced with two Oak trees. The replacement planting has been negotiated as part of the scheme and the Councils Tree Officer supports this proposed replacement planting.

On the southern boundary the trees are protected by Tree Preservation Orders LF/01/TPO/88 and LR/02/TPO/08. These are to be retained with dwellings set away from these trees.

The proposed dwellings and hardstanding are set away from the boundaries of the site and outside of the Root Protection Areas (RPA's) of these protected trees. Whilst the gardens of Plots 25-27 may have some shading by trees on the south-western corner, due to the orientation of the dwellings and the depth of the gardens, it is considered that this would not cause significant detriment to the amenities of future occupiers and there should not be any undue pressure from future occupiers to carry out works on these trees.

With regards to the protection of trees during construction this is subject to a condition on the outline approval (condition 9) which requires 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 to be submitted and approved prior to the commencement of development. As these trees are subject to a tree preservation order, any future works would then be subject to consent.

With regards to additional planting, the landscape plan shows a number of trees to be planted through the site and adjacent to the access road to soften the development. In addition a number of trees are proposed on the edge of and within the open space to the west of the site. This proposed additional planting is welcomed and would seek to enhance the attractiveness of the site and soften the impact of the development. Notwithstanding this, the application has been submitted with a landscaping plan and will also be required to discharge the landscaping condition that is attached to the outline planning permission. This can ensure that the final details of the proposed landscaping are acceptable.

In light of all the above it is felt that the proposal complies with policy DP37 of the District Plan.

Drainage

Policy DP41 of the District Plan seeks to ensure that sites can be satisfactorily drained and not cause drainage problems off site.

The final details of the means of drainage of the site are controlled by a planning condition attached to the outline consent. However, the Agent has advised that *'Based on the current recommendations, the drainage design uses fully tanked storage facilities to avoid introducing water to the slope. The scope of the works includes 4no rotary boreholes to depths of between 10 and 15m with an associated numerical analysis of the existing slope stability.'*

The Council's Drainage Engineer has no objections to the proposals as outlined in the reserved matters application.

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

Other matters

Concerns have been raised in respect of drainage, levels and slope stability. These details are dealt with by conditions 8 (drainage), 14 (slope stability) and 15 (site levels) under the outline approval where further information is required to be submitted in respect of these matters. These are technical matters which will be considered by the Council's own specialist officers and external independent consultants where required when these details are submitted.

PLANNING BALANCE AND CONCLUSION

Planning legislation requires the application to be determined in accordance with the Development Plan unless material circumstances indicate otherwise. In this part of Mid Sussex the development plan comprises the District Plan and the Lindfield and Lindfield Rural Neighbourhood Plan.

In this case outline planning permission has been granted for the erection of up to 46 dwellings on the site and the means of access into the site has been approved. Therefore the principle of development is established, as is the access into the site from High Beech Lane.

The design of the development has been amended during the course of the application to improve the scheme. It is considered that the layout of the scheme, including the roads and car parking provision is appropriate and the design of the proposed dwellings is acceptable. All of the dwellings would meet the national minimum space standards and the scheme provides a policy compliant level of affordable housing and a satisfactory mix of housing overall.

It is considered that the layout would avoid significant harm to the amenities of the occupiers of neighbouring properties. In addition the location of the play area would not cause significant detriment to nearby residents through noise or a loss of privacy.

The scheme has resulted in the removal of a section of trees along the road frontage to provide visibility splays. This has been accepted by virtue of the outline planning permission which approved the access into the site. With regards to trees on the boundaries of the site including those subject to tree preservation orders, the scheme is laid out to avoid harm to trees within the site during construction and it is not felt that the layout will result in undue pressure on trees within the site from future occupiers of the new development.

In light of the above it is considered the application complies with policies DP21, DP26, DP27, DP30, DP31, DP37, DP38, DP39 and DP41 of the District Plan and the provisions of the National Planning Policy Framework (NPPF). As such the reserved matters should be approved.

APPENDIX A – RECOMMENDED CONDITIONS

1. **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.

2. No development above ground floor slab level shall commence unless and until there has been submitted to and approved in writing by the Local Planning Authority full details of materials and finishes to be used for external walls and roofs of the proposed garages and car ports.

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

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

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

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

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

5. Prior to the first use of the pedestrian footpath leading to Portsmouth Wood Close, details of boundary treatments between the site and the neighbouring garden boundaries of 18 and 39 Portsmouth Wood Close shall be submitted to and approved in writing by the Local Planning Authority. The footpath shall not be brought into use until the boundary treatment has been carried out in accordance with the approved details.

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

6. Prior to the creation of the open space and play area details of sections through the open space that show how the play area will be accommodated on the sloping site shall be submitted to and approved by the Local Planning Authority. Works shall be carried out in accordance with these 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 District Plan 2014 - 2031.

7. Prior to the first occupation of any dwelling the open space and play area shall be made available for public/community use in accordance with the approved plans.

Reason: For the avoidance of doubt and to provide a benefit to the wider public in terms of leisure provision and to accord with Policy DP24 of the District Plan 2014 - 2031.

8. Prior to the first occupation of Plots 16-19, details shall be provided in respect of the communal bin store. The bin store shall be constructed in accordance with the details submitted and approved.

Reason: To ensure the bin store is of a sufficient size to accommodate refuse for the properties and to accord with Policy DP26 of the District Plan 2014 - 2031.

9. The first floor windows serving bathrooms and en-suites on the side elevations of the dwellings shall at all times be glazed with obscured glass fixed to be top vent opening only.

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

INFORMATIVES

1. The applicant's attention is drawn to the conditions attached to the outline planning permission DM/17/2271. In particular, conditions 3, 5, 6, 7, 8, 9, 14 and 15 require further action or submissions by the applicant prior to the commencement of development.
2. In accordance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Plans Referred to in Consideration of this Application

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

Plan Type	Reference	Version	Submitted Date
Planning Layout	DES-144-103	A	02.09.2019
Parking Layout	DES-144-104	A	02.09.2019
Planning Layout	DES-144-105	A	02.09.2019
Planning Layout	DES-144-106	A	02.09.2019

Means of Enclosure	DES-144-107	A	02.09.2019
Planning Layout	DES-144-108	A	02.09.2019
Drainage Details	DES-144-109	A	02.09.2019
Location Plan	DES-144-150	A	02.09.2019
Block Plan	DES-144-151	A	02.09.2019
Street Scene	DES-144-300	A	02.09.2019
Street Scene	DES-144-301	A	02.09.2019
Sections	DES-144-302	A	02.09.2019
Landscaping Details	DES-144-500	C	08.10.2019
Landscaping Details	DES-144-501		12.07.2019
Proposed Floor and Elevations Plan	DES-144-200		12.07.2019
Proposed Floor and Elevations Plan	DES-144-201		12.07.2019
Proposed Floor and Elevations Plan	DES-144-202		12.07.2019
Proposed Floor and Elevations Plan	DES-144-203		12.07.2019
Proposed Floor and Elevations Plan	DES-144-204	A	02.09.2019
Proposed Floor and Elevations Plan	DES-144-205	A	02.09.2019
Proposed Floor and Elevations Plan	DES-144-206	A	02.09.2019
Proposed Floor and Elevations Plan	DES-144-207		12.07.2019
Proposed Floor and Elevations Plan	DES-144-208		12.07.2019
Proposed Floor and Elevations Plan	DES-144-209		12.07.2019
Proposed Floor and Elevations Plan	DES-144-210		12.07.2019
Proposed Floor and Elevations Plan	DES-144-211		12.07.2019
Proposed Floor and Elevations Plan	DES-144-212		12.07.2019
Proposed Floor and Elevations Plan	DES-144-213		12.07.2019
Proposed Floor and Elevations Plan	DES-144-214		12.07.2019
Proposed Floor and Elevations Plan	DES-144-215	A	02.09.2019
Proposed Floor Plans	DES-144-216		12.07.2019
Proposed Elevations	DES-144-217		12.07.2019
Proposed Floor and Elevations Plan	DES-144-218	A	02.09.2019
Proposed Floor and Elevations Plan	DES-144-219	A	02.09.2019
Proposed Floor and Elevations Plan	DES-144-220	A	02.09.2019
Proposed Floor and Elevations Plan	DES-144-221		12.07.2019
Proposed Floor and Elevations Plan	DES-144-222		12.07.2019
Proposed Floor and Elevations Plan	DES-144-223		12.07.2019
Proposed Floor and Elevations Plan	DES-144-224		12.07.2019
Proposed Floor and Elevations Plan	DES-144-225	A	02.09.2019
Proposed Floor and Elevations Plan	DES-144-226		12.07.2019
Proposed Floor and Elevations Plan	DES-144-227		12.07.2019
Proposed Floor and Elevations Plan	DES-144-228		12.07.2019
Proposed Floor and Elevations Plan	DES-144-229		12.07.2019
Proposed Floor and Elevations Plan	DES-144-230		12.07.2019
Proposed Floor and Elevations Plan	DES-144-231		12.07.2019
Location Plan	DES-144-100		12.07.2019
Proposed Site Plan	DES-144-101	C	08.10.2019
Planning Layout	DES-144-102	A	02.09.2019
Other	DES-144-502		02.09.2019
Other	DES-144-150	A	02.09.2019
Other	DES-144-151	A	02.09.2019

APPENDIX B – CONSULTATIONS

Trees And Landscape

MSDC - Sustainability Officer

Solar PV Panels - Where applicable in terms of building orientation and where there is no current shading from trees the integration of solar pv panels are recommended. They would help to reduce the electricity requirements of the buildings and overall carbon emissions.

Electric Vehicle Charging Points (EVCP) - At the very least I would expect all dwelling to be at least 'chargepoint -ready', i.e. all electric cabling and ducting in place and configured in such a way as to be ready for the easy installation of a domestic EVCP. Ideally all homes with driveways should be fitted with a non-tethered EVCP in the appropriate location by an OLEV accredited installer.

Cycle Provision - Would like to see some evidence of the consideration of cycling within and to the site. Ideally all access points to the site should have provision for cycling whether through shared pedestrian/cycle paths, signage and clear sightlines etc. Some evidence of the encouragement of cycling within though signage or road markings would be welcome

WSCC Highway Authority

Final comments

Although there is no detailed breakdown in terms of how parking has been determined, in the unlikely situation of parking being insufficient and in light of the on-site roads remaining under private maintenance, any overspill will be contained within the development site. There would be no consequences to the users of the public highway. The final WSCC point regarding parking is considered to be addressed.

If the Local Planning Authority is minded to approve this application, the following conditions are suggested.

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

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

No dwelling shall be first occupied until the car parking serving the respective dwelling has been constructed in accordance with the approved site plan. Once provided the spaces shall thereafter be retained at all times for their designated purpose.

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

Amended

A number of highway issues were raised the WSCC Highways consultation response from August. Of these, matters relating to pedestrian accessibility have been discussed directly

with the applicants. From these, it seems that there are some considerable level differences. These are resulting in notable gradients between the site and High Beeches Lane.

As a result, various options have been considered to achieve step free access into the site. Of these an option has been provided that achieves a step free footway alongside the access road into the site. The principle of this is acceptable. However, based on the guidance within Inclusive Mobility, gradients along this are still such that it will be unusable for manual wheelchair users. Current guidance (Inclusive Mobility and Manual for Streets) both allow for consideration to be given to the local topography. It is not therefore strictly unacceptable to have a site with pedestrian access arrangements as shown albeit this is undesirable, and in this circumstance unavoidable. In the context of this development, the pedestrian access arrangements are accepted.

Notwithstanding the above, there are conflicting emails submitted from the applicant available for viewing on the MSDC website; one dated 2nd September and another dated the 3rd September. In that of the 2nd, which is accompanied by a longitudinal section of the originally proposed stepped access from High Beeches Lane, it was identified that step free access was not achievable. That of the 3rd however provides the solution as referred to above (a footway alongside the access road). Although the site layout plan is quite clear as to the final option, it would perhaps be appropriate to mark the earlier correspondence as superseded.

Of the other matters raised, no details seem to have been provided in respects of parking provision and how this has been determined. This aspect is therefore outstanding. All other matters have been addressed through the revised layout.

Original

Matters of vehicular access have been approved as part of the outline planning permission. No further comments are made in respects of these at this stage. Details of pedestrian access were also included as part of the outline development. This were shown onto High Beeches Lane and Portsmouth Wood Close.

It is acknowledge that matters of highway adoption are subject to separate consideration directly with the Local Highway Authority. At this stage, it is unknown if the layout will be offered for adoption. For the purposes of the current planning application the highway layout has been viewed on the basis that it will be kept private.

The layout is indicated primarily as a shared surface for vehicles and pedestrians. Footways are only included over a few small sections of the site. The general principle of a shared surface is acceptable given the low traffic, low speed context.

It's unclear what design refuse vehicle has been used or if this is reflective of that operated by Mid Sussex DC. This should be confirmed. It is in principle accepted that a refuse vehicle would occupy much of the carriageway when manoeuvring. It is recommended that the access road is widened to enable a refuse vehicle and an opposing car on the first bend into the site from High Beeches Lane.

With respects to the pedestrian access, as noted above, the general principle of these has been established through the outline planning permission. Further details in the form of longitudinal sections would be requested of the two options. These would be requested as from the layout drawing implies that there would be steps on both. As a result, there would be no level access to the site. Whilst accepted due to the change in levels that step free access may not be possible from Portsmouth Wood Close, level access should be provided from High Beeches Lane. Without step free access from some point, it is questionable if the

site meets the requirements within Inclusive Mobility or the NPPF (specifically paragraphs 108b, 110a and 110b)

Again, with the High Beeches Lane pedestrian access, the layout of this (the long sweeping curve) achieves very little in terms of providing convenient access; the layout as shown is provided more aesthetically pleasing as opposed to actually meeting the needs of pedestrians wanting a direct route into the site. Unless there are good reasons, the footpath into the development should be made more direct.

No details are provided to support or justify the parking provision within the development. This should be assessed against the standards adopted by Mid Sussex DC. In terms of more detailed matters for parking, visitor bays are not evenly distributed across the site; these are clustered in one small area of the site. As a shared surface is provided, parking would need to take place in clearly demarcated spaces that spread across the site.

In summary, further information would be sought to address the above points.

WSSC Planning Officer

As this is a reserved matters application, there is already a signed 106 relating to the site for the outline application which encapsulates the reserved matters issues such as housing mix. Therefore we do not send out a new 106 consultation for reserved matters applications.

WSSC Flood Risk Management

WSSC, as LLFA, won't have any comments to submit for this one as it's a reserved matters application which we would leave for your Drainage Engineer to respond as they would deal with the technical detail of the drainage system proposed.

MSDC Urban Designer

Amended

Summary and Overall Assessment

The layout is an improvement upon the outline scheme and works well in most respects. The continuous circular access route provides a legible and connected arrangement that successfully accommodates a well overlooked open space / play area and pedestrian link to Barrington Close. The provision of a play area is important as it should give the open space some level of activity and provide a focus/meeting point for the new community (especially as the nearest play area is some distance away and the sloping nature of the site restricts other recreational opportunities). While the elevations are unimaginative, the site elevations demonstrate that they sit well on the sloping site, and revised elevations have been received that address my initial concerns. For these reasons I raise no objections to the scheme, but would recommend conditions that cover facing material (including the finish of the covered car port serving plots 21, 22, 28 and 29) and the landscape design including the boundary treatment / arrangement (especially in respect of the site perimeter) and sections through the open space that show how the play area will be accommodated on the sloping site.

Layout

While the layout is acceptable in most respects, an unfortunate consequence of the central perimeter block and circular access arrangement is that much of the existing attractive tree-lined boundaries are not fully revealed to the public realm because the houses at the edge of the site back-on to the boundaries. This is accepted here because the site's modest size and

steep slope limiting the layout options. Furthermore the houses have been organised with a sufficient distance from the boundaries that should permit sufficient sunlight/daylight reaching the rear gardens and elevations avoiding placing future pressure on the trees. Also the large trees on the southern boundary will provide an attractive backdrop to the courtyard parking areas serving plots 16-27 and the communal space around the block of flats. The modest tree belt on the western boundary will be revealed too and provide a backdrop to the open space. I would nevertheless recommend that trees and shrubs are added along the northern boundary to help soften and screen the development.

The pedestrian link to Barrington Close is important as the alternative route via the main site / vehicular entrance is unfortunately circuitous (NB: the site access was approved at outline stage and is therefore not considered in these observations).

The arrangement of the proposed picket fencing at the rear of the houses and the boundary trees (on the north, east and west sides) is unclear from the drawings and further detail is needed to demonstrate their juxtaposition and the management / access arrangement for the trees.

On the southern boundary the incorporation of windows in the facing flanks of plots 24 and 25 in addition to the proximity of the block of flats does afford some natural surveillance at the rear of the custom build houses, but this area is still rather tucked away out of sight and could present community safety / security issues in the future.

Elevations

The elevations are reliant on a pastiche design giving the buildings a ubiquitous appearance that provides little sense of place beyond the natural characteristics of the site itself. The houses nevertheless sit well enough on the sloping site and the flint-faced houses on plots 2 and 4 provide an attractive entrance approach to the site. Furthermore following my initial comments on the planning application submission, revised elevations have been received that make the following improvements:

- Plots 20-29 -The terraced houses on each side of the car park gateway enclosure now benefits from book-end gables that gives them a stronger and more formal composition and provides an attractive backdrop at the southern side of the open space. The east flank of plot 20 has also been improved with the incorporation of properly fenestrated east elevation that addresses the pocket space in front of the custom build plots.
- The secondary facing materials / hanging tiles are more comprehensively applied to a number of plots including plots 14, 15, 22, 29, 31.
- Plot 36/37's benefit from a more modelled hipped roof that avoids them looking truncated.
- Plot 3's southern flank has been given an additional window so that it addresses the open space better.

Unfortunately the steep garage roofs on plots 7, 39, 40 have not been changed and they consequently still suffer from an awkward juxtaposition with the shallower angled roofs of the houses they are attached to.

Original

As previously advised the inclusion of a LEAP is important to ensure the o/s has some level of activity and provides a strong focus/meeting point for the new community (especially as the nearest play area is some distance away and the sloping nature of the site restricts other recreational opportunities).

I also have the following detailed points which I would like the applicant to consider:

- Plots 20 -29 - The car park gateway enclosure has been improved (although the wall finish is unclear), but the terraces are still weakly terminated with semi-hipped roofs and it is unfortunate the opportunity has not been taken to provide bookend gables which could be achieved if the 3 bed units on plots 23/24 swapped with the 2 beds on 20+27. Also only a single window is provided in the east flank of plot 20 that does little to address the pocket space and the juxtaposition of plot 20 and the custom build houses is unclear.
- The hanging tiles on plots 22 and 29 incongruously peel away at the rear, and on plot 31 they peel away on the northern flank. While there are other buildings where this happens too, these are particularly problematic as they will be visible from the public realm. The hanging tiles are also half-heartedly applied on plots 14+15 gable frontages.
- Some adjacent standard housing feature different facing treatment that gives the impression this is an exercise in facadism that undermines their architectural integrity: eg. plots 30 + 31 and plots 6+8+9
- The steep garage roofs on plots 7, 39, 40 have an unfortunate juxtaposition with the shallower angled roofs of the houses they are attached to.
- Plots 36, 37 are inelegant as they appear to have originally been designed to be part of a semi-detached configuration that turns the corner (as per 42-43). As detached houses they look truncated. This would be addressed if they were; alternatively it might be helped if the roofs were more modelled with semi-hips that respond better to the adjacent houses (35+38).
- Plot 3's southern flank still could be more fenestrated so that it addresses the open space better.
- Plot 24's southern flank has a completely dead frontage; this needs some windows that provide natural surveillance in this area. It is also unclear whether the area behind the custom build plots (and to a lesser extent behind plot 14) will be left open; as this could present security and community safety issues.
- The tree plan is usefully colour coded. However the street trees from plots 5 / 41 through to 13 / 36 would benefit from a consistent approach (i.e. it could be Greenspire throughout).
- The enclosure plan is confusing as the colours denoting 1.2m high wall and 1.8m c/b fencing are too similar. I also think the trees should be in front of the wall re: plots 8-10.
- The site sections could provide more information. For instance the paths linking the development to High Beech Lane and to Barrington Close need to be shown and the community safety considerations demonstrated. Both sections need to extend further with section 1 showing the whole the full extent of the central open space (including the play area) and plots 27-29. The topographical information could also be presented in the form of contours on the site layout plan.

MSDC Sustainability Officer

Amended

I welcome the points sets out in the Sustainable Design section of the Supporting Statements with the following suggestion

On-site Renewable/Energy Generation - It is recommended that PV panels are fitted to all appropriately orientated roof areas.

Original

I do also have some concerns as to the flood resilience of the site and any arrangements for SUDs. Couldn't find much detail on this.

Solar PV Panels - Where applicable in terms of building orientation and where there is no current shading from trees the integration of solar PV panels are recommended. They would help to reduce the electricity requirements of the buildings and overall carbon emissions.

Electric Vehicle Charging Points (EVCP) - At the very least I would expect all dwelling to be at least 'chargepoint -ready', i.e. all electric cabling and ducting in place and configured in such a way as to be ready for the easy installation of a domestic EVCP. Ideally all homes with driveways should be fitted with a non-tethered EVCP in the appropriate location by an OLEV accredited installer.

Cycle Provision - Would like to see some evidence of the consideration of cycling within and to the site. Ideally all access points to the site should have provision for cycling whether through shared pedestrian/cycle paths, signage and clear sightlines etc.

Some evidence of the encouragement of cycling within though signage or road markings would be welcome

MSDC Housing Enabling & Development Officer

The applicant is proposing a development of 46 dwellings which gives rise to an onsite affordable housing requirement of 30% (14 units). The proposed housing mix will meet a broad range of housing needs and consists of 2 x 1 Bed / 2 Person maisonettes, 4 x 2 Bed / 4 Person apartments, 4 x 2 Bed / 4 Person houses and 4 x 3 Bed / 5 Person houses. The tenure split will comply with current policy, with 75% of the properties to be provided as rented units and 25% as shared ownership. The applicant is adopting a tenure blind approach in order to aid social integration and create a sustainable development.

In addition to the provision of affordable dwellings, we welcome the inclusion in this application of 3 x serviced plots for custom build which will assist the local authority in meeting both its statutory duty and the demand for self and custom build in the district. An independent architect sourced by Croudace will work with each of the three Custom Build clients to design the appearance, footprint, internal configuration, materials and finishes of their bespoke home and the individual clients will be involved in the whole design / layout process.

MSDC Drainage Officer

Amended

The comment from Greg Roberts regarding the examination of slope stability answers my query.

Original

I have looked at the submitted drainage layout plans, supporting details and the public representations. I am satisfied with the proposed layout, and the drainage arrangements have been considered.

Below I have one query (in orange) that I would like answered, please; and a list of details I would expect at condition clearance stage.

The site is situated on a relatively steep gradient; and with the expected sub-strata of clay soils overlaying sandstone, land stability for the development has to be carefully considered - hence condition 14. With possible changeable ground conditions, the methods and mitigations to ensure the stability of the structures could vary across the site.

- Therefore, in anticipation of the slope stability and ground investigation report for condition 14, please can the developer inform me of the scope of this investigation and whether the submitted layout would still be achievable even if sub-level construction methods go beyond what would normally be expected for a site like this?

With a steep slope gradient, surface water run-off during construction could carry silt polluting local surface water systems and adjacent land. As part of meeting condition 8, I would like to receive a site management plan that focuses specifically on the management of construction run-off and silt control.

For condition 8, I will expect the following:

- Final detailed layout plans and supporting design calculations that demonstrate the development's ability to cater for the 1 in 100 year storm event plus 40% capacity for climate change.
- Exceedance flow plan showing safe access and egress in the event of rainfall exceeding the design.
- Formal approval for the connection points of discharge.
- A maintenance and management plan showing how the proposed drainage systems will be maintained for the lifetime of the development, who will undertake this work and how it will be financed.

MSDC Environmental Protection Officer

I write in regards to concerns raised in relation to the location of the proposed playground within the development.

There are various noise sources, such as playgrounds and nurseries, which are not covered by existing recognised standards.

Therefore if we were to ask for an acoustic assessment of the proposed park, there would be no set standard under which to judge whether it was acceptable or not. If we were to consider the park under more general guidance for acceptable ambient noise levels, such as the World Health Organisation Guidelines for community Noise dated 1999, and BS8233:2018 it likely would not show the true impact of the noise.

This is because the noise is from a specific source, and compliance with general ambient levels would not show whether it would be noticeable or intrusive to residents against the general background. Secondly, while the average noise from children playing over set period may be considered acceptable, that doesn't take into account the varied level of children noise over that period. It is inevitable that there will be peak noise levels that will have the potential to interfere with the amenity of local residents.

Additionally it impossible to know how much the park will be used, at what times it will be used, or what volumes those using it may create. It is likely that any disturbance will be limited to daytime hours, but that does not prevent residents being impacted at weekends, or retired residents and those who work from home being disturbed in general.

I do note that there is vegetation between existing properties and the proposed park, but I would make it clear that vegetation will provide a negligible impact in terms of screening noise. Acoustic fencing could be installed, but its effect would be limited by its placement, its weight and its height.

I therefore am concerned that the amenity of residents nearby the proposed park may be affected. However it is difficult to be sure of the level of disturbance in reality.

I would advise great caution in allowing the proposed park so close to residents but recognise there are no set standards under which to judge the level of detriment it may have to residents, and therefore no guidance on which to base an objection.

MSDC Leisure

Amended

The Council's Landscape Officer has reviewed drawing DES-144-101B, and notes that the play area is approx. 8m from 18, PORTSMOUTH WOOD CLOSE (about 8m away) which only provides a limited buffer so this will need to be addressed.

The minimum size guidelines and buffers recommended by FIT are:

Playable space (LAP type need not be equipped) 1. Minimum active playable space of 100 sq m (need not be equipped).

2. Buffer zone of 5m minimum depth between the active playable space and the nearest dwelling

Equipped play area (LEAP type)

1. Minimum activity zone area of 400 sq m.

2. Buffer zone of not less than 10m in depth between the edge of the equipped activity zone and the boundary of the nearest dwelling and a minimum of 20m between the equipped activity zone and the habitable room facade of the dwelling

The range of equipment proposed for a small play area aimed at young children is good. I would urge towards a swing seat that offers more support for the small children the play area will appeal to. It's also good to see a bench with back and arm rests.

Original

In the Outline planning application the developer indicated that they intended to provide a LEAP on site so we did not ask for a financial contribution toward children's playing space however the proposed site layout does not seem to include any play provision so further information is needed regarding the layout, equipment and on-going maintenance arrangements.

MSDC Tree Officer

Final Comments

All my issues with regard the landscape plan have been addressed and so in respect of the landscaping I have no further comments and am satisfied with the proposed plantings.

Can I ask if the tree protection measures have been agreed, as there are clearly a large number of trees that will need protecting during construction.

Amended

The issues I previously outlined have now been addressed. The additional number of oak trees is good, however is there any reason the requested oak trees replacing the felled trees at the pedestrian access cannot be placed there? If two replacement trees are considered excessive in this spot, one oak would be a valuable addition to this area.

In addition, the plan is showing existing trees and hedges on the boundary with High Beech Lane, which I understand are being totally removed. Will there be a replacement hedgerow and trees within this area? Can the plan be amended accordingly?

Original

Following on from our visit to the above site this morning I have the following comments:

- TPO Area - Trees removed - There has been the removal of three clumps of trees within the area (G1) which is protected by of the CU/03/TPO/81. Clearly a mature ash tree has been felled, which we have been advised had a large fungal bracket that was threatening the health of this tree. The fungus was not visible as it had been buried amongst the branches of the felled tree. There is also evidence of the removal of a clump of lime stems and a large clump of smaller unidentified stems. These removals were not authorised, but as the removal has already taken place, this should be mitigated with the planting of 2 x heavy standard oak trees as close as possible to the position of the felled trees. These should be added to the landscape strategy.
- Removal of trees along the west boundary of the site for vehicular access onto High Beech Lane. This involves the removal of a large number of trees including oaks, and in particular a couple of very good oaks, in order to accommodate access. It was suggested that the better trees should be identified and not felled, however it has been explained that due to the drop in level from the trees to the road, the trees are being removed in order to scrape the bank back to provide the road level visibility. It would therefore not be possible to pick and choose which frontage trees are be removed. It is strongly recommended that the absolute minimum number of trees is removed to accommodate the access visibility.
- To mitigate the loss of these trees a planting scheme has been submitted. It is difficult to differentiate between some of the species suggested due to the similarities of the colours in the key. Please can this be made clearer? In addition there only appears to be two replacement oak trees. I would request further native oaks (in addition to the ones requested above) are incorporated into the scheme to mitigate the loss of so many on the western boundary

MSDC Landscape Officer

Landscapes have advised that there is a good selection of tree species planted good distance from properties. Utilising wild flower areas and natural materials. No other comments or feedback.

MSDC Waste Services

I have now viewed the plans of the site layout (DES-144-101C, received on the 08/10/2019) and refuse strategy (DES-144-105A, received on the 02/09/2019) and can confirm the following information.

The site layout allows the collection vehicle to gain sufficient access to all areas of the development.

The individual properties have space to store the 2 x 240 litre bins required and the routes residents will use to move their bins to kerbside collection points have been clearly shown on the refuse strategy plan. The individual collection points also appear to be in line with our policies on how far our contractors should have to wheel bins.

The communal block of flats comprising of four properties has use of a communal bin store. The scale of the refuse strategy plan suggest the store is approx. 3 x 3 metres. If this is correct, this size store will be able to store the required bins for storage of refuse and recycling. The store is also in a location to allow sufficient access for the collection vehicle. Waste Services will require confirmation that the bin store is of sufficient size to accommodate 2 x 1100 litre bins prior to occupation. The dimensions of 1100 litre bins are 1360mm wide and 1080mm deep.

The only other point to note is that the entrance to the communal bin store should be level, avoiding any steps, steep slopes or other obstructions such as kerbs that are not dropped or parking spaces in front of the doors.

On this basis, Waste Services do not foresee any issues with the storage and collection of waste at this development.

Ecology Consultant

Whilst there is no updated ecological assessment, the issues are relatively straight forward and as indicated by the outline application. Therefore, the submitted Landscape and Ecological Management Plan & Biodiversity Mitigation and Enhancement Plan are considered sufficient to discharge the prior approval aspects of condition 6 except for the lighting plan, which does not appear to have been submitted yet— I note that mitigation document contains generic guidance on this but a plan showing how this will be translated in practice is required.

MSDC Street Name and Numbering Officer

Please can you ensure that the street naming and numbering informative is added to any decision notice granting approval in respect of the planning applications listed below as these applications will require address allocation if approved. Thank you.

Informative (Info29)

The proposed development will require formal address allocation. You are advised to contact the Council's Street Naming and Numbering Officer before work starts on site. Details of fees and advice for developers can be found at www.midsussex.gov.uk/streetnaming or by phone on 01444 477175.