

MID SUSSEX DISTRICT COUNCIL

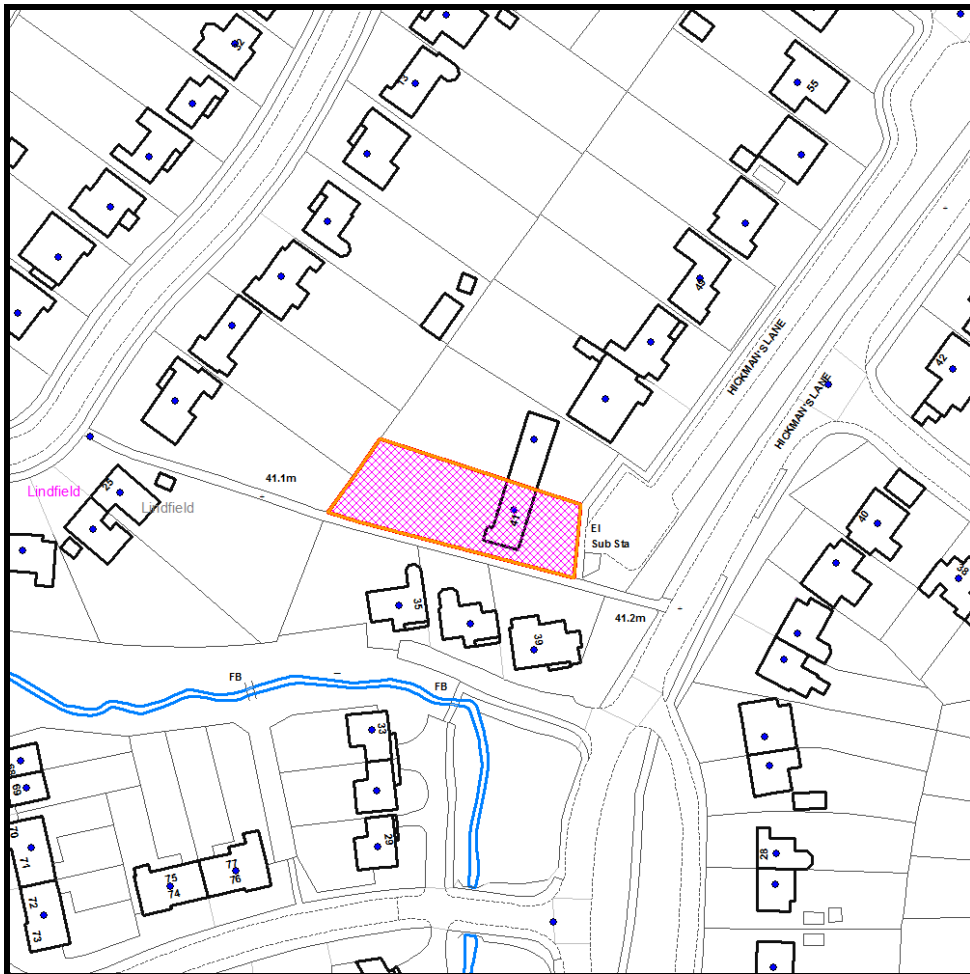
Planning Committee

16 JAN 2020

RECOMMENDED FOR PERMISSION

Lindfield

DM/19/3357



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**HIGH TREES 41 HICKMANS LANE LINDFIELD HAYWARDS HEATH
REPLACEMENT DWELLING.
MR AND MRS J BURROWS**

POLICY: /

ODPM CODE: Minor Dwellings

8 WEEK DATE: 31st January 2020

WARD MEMBERS: Cllr Andrew Lea / Cllr Anthea Lea / Cllr Jonathan Ash-Edwards /

CASE OFFICER: Katherine Williams

PURPOSE OF REPORT

To consider the recommendation of the Head of Economic Promotion and Planning on the application for planning permission as detailed above.

EXECUTIVE SUMMARY

Retrospective planning permission is sought for a replacement dwelling at 41 Hickmans Lane, Lindfield. The site falls within the built up area of Lindfield and an Area of Townscape Character.

Planning permission has been previously granted by the planning committee on 29th May 2019 for the partial demolition of the original detached dwelling and for the erection of two storey and single storey front, side and rear extensions (DM/19/0404). That application was submitted following the refusal of application DM/18/3656 by the planning committee on the 17th January 2019 because of concerns over the adverse impact on the residential amenities of No. 43 Hickmans Lane.

The replacement dwelling application subject of this report has been submitted following the demolition of the original dwelling, and works on the replacement dwelling have continued throughout the consideration of the application. The resultant new dwelling is of the same design and form as that development previously approved (DM/19/0404), although there has been a minor reduction in the height of the front projection, alterations to the fenestration and the driveway. The impact of the development on the amenities of neighbours would be the same as the approved scheme.

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

The proposed replacement dwelling is deemed acceptable in terms of design, form and scale and does not detract from the appearance of the surrounding dwellings or character of the area. It is not considered that the proposal causes significant harm to neighbouring residential amenities or have a detrimental impact on the parking provision for the property or highway safety. It is also considered acceptable in terms of sustainability and drainage.

Therefore the proposal complies with Mid Sussex District Plan policies DP4, DP5, DP6, DP21, DP26, DP27, DP28, DP39, DP40 and DP41, Lindfield and Lindfield

Rural Neighbourhood Plan policy 7, and the relevant provisions of the NPPF.

Planning permission should therefore be granted.

RECOMMENDATIONS

It is recommended that planning permission be approved subject to the conditions outlined at Appendix A.

SUMMARY OF REPRESENTATIONS

Three letters of representation have been received from neighbouring properties which raise the following concerns:

- Work has already commenced
- Increase in bulk and volume
- Out of keeping with the character of the area and the streetscene
- Overlooking
- Impact on privacy
- Poor quality design
- Loss of trees
- Economic benefits
- Increase in noise and disturbance

A letter of representation has also been received from the Lindfield Preservation Society who raise the following concerns:

- The previous approved application failed to overcome the previous objections to the bulk and mass
- Overbearing impact on neighbouring property

SUMMARY OF CONSULTATIONS

DRAINAGE ENGINEER

No objection, following the submission of additional information

WSCC HIGHWAYS AUTHORITY

No objection following the submission of an amended plan, recommend conditions

SOUTHERN WATER

No objection

LINDFIELD PARISH COUNCIL OBSERVATIONS

No objection

Introduction

The application seeks planning permission for a replacement dwelling; this application is retrospective in nature and the replacement dwelling is nearing completion.

Relevant Planning History

DM/18/3656 - Partial demolition of existing detached house. Proposed single and two storey extensions to the front, side and rear elevations and associated alterations (Amended plans received 16/11/2018, 19/11/2018 and 03/12/2018).

Refused

DM/19/0404 - (Amended plans received 05/03/2019) Partial demolition of existing detached house. Proposed single and two storey extensions to the front, side and rear elevations and associated alterations. Granted

DM/19/2743 - Variation of condition 2 of planning application DM/19/0404 to enable the substitution of drawings 0918 PL04B and P05 with drawings 0918 PL04D and P05A. withdrawn

Site and Surroundings

The original dwelling on the site was a two storey detached dwelling located on western side of Hickmans Lane, within the built up area of Lindfield and an Area of Townscape Character. The site is located at the end of a line of properties which are set back from the main highway of Hickmans Lane and accessed via Finches Park Road. These properties are obscured from view of the main highway by a line mature hedging and trees. The application site is located at the end the cul-de-sac and itself and No. 43 Hickmans Lane is set back from line of properties, reducing its visibility along the streetscene. To the south of the property is a public footpath that runs from Finches Park Road to Hickmans Lane, on the northern side of the footpath is a 2 metre boundary wall on the and a 2 metre boundary fencing to the south. Beyond this footpath are No.s 39, 37 and 35 Hickmans Lane, which back onto the footpath and the application property.

The locality is characterised by detached dwellings of similar scales but varying forms, designs and external materials. The dwellings are set back from the highway with grassed and paved areas with mature hedging to the front of the dwellings. The application property has a pitched hipped roof, with a mansard roof on the front and southern side roof slopes which incorporates in to a modest single storey rear projection. To the front of the dwelling are 2 No. first floor dormer windows and front gable projection located in the centre of the front elevation. The dwelling is constructed in white render on a brick plinth, timber frame to the front garble projection, with plain roof tiles and black metal fenestration.

Application Details

The proposed replacement dwelling is of the same design and form as the previous approved extensions under application reference DM/19/0404 which was determined at Committee on 29th May 2019, although there has been a minor reduction in the height of the front projection by some 0.4 metres, alterations to the fenestration and the driveway.

The replacement dwelling is located in a similar position as the original dwelling; however it is positioned some 0.5 metres further away from the side boundary with No. 43 Hickmans and 1.7 metres closer to the southern side boundary with the public footpath. The replacement dwelling has a pitched hipped roof with two storey rear and front projections, the front projection would include an integral garage. The dwelling also includes a smaller two storey front projection with a pitched gable roof and a single storey flat roof extension to be flush with the two storey projection.

The alterations to the fenestration from the previous approved application (DM/19/0404) include:

- 2 No. roof lanterns to the flat roof of the single storey projection;
- the relocation of high level roof lights from the northern roof slope to the southern roof slope;
- the creation of a ground floor window and door on the southern side; and
- the repositioning of the high level windows on the southern first floor elevation.

The dwelling will be constructed in white render with a stock brick plinth, plain roof tiles and black aluminium fenestration.

The proposal also includes alterations to the driveway to move the existing drop kerb to the northern side of the front boundary of the site with a gravel driveway. This is to allow easier access into the proposed garage.

List of Policies

Mid Sussex District Plan (adopted March 2018)

- DP4 - Housing
- DP5 - Planning to Meet Future Housing Need
- DP6 - Settlement Hierarchy
- DP21 - Transport
- DP26 - Character and Design
- DP27 - Dwelling Space Standards
- DP28 - Accessibility
- DP39 - Sustainable Design and Construction
- DP40 - Renewable Energy schemes
- DP41 - Flood Risk and Drainage

LINDFIELD AND LINDIFLED RURAL NEIGHBOURHOOD PLAN (made March 2016)

- Policy 7 - Areas of Townscape Character

National Policy and Other Documents

The National Planning Policy Framework (NPPF) 2019 is also a material consideration and paragraphs 8, 11, 15, 38, 47, 49, 124, 127, 148 & 153 are considered to be relevant to this application.

Other Relevant Documents

Planning Practice Guidance

Technical Housing Standards: Nationally Described Space Standard (Mar 2015)
Mid Sussex Dormer Window and Rooflight Design Guidance

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 and impact on the character of the area
- Impact on the amenities of neighbouring properties
- Impact on future occupants of the development
- Highway impact and parking provision
- Sustainability
- Drainage
- 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.

Using this as the starting point the development plan in this part of Mid Sussex consists of the adopted District Plan and Lindfield and Lindfield Rural Neighbourhood Plan.

The District Plan has been adopted and the Council can demonstrate a 5 year supply of deliverable housing land.

As the proposed development is within the built up area of Lindfield, a Category 2 settlement, the principle of a replacement dwelling is acceptable under Policy DP6 of the District Plan which states:

"Development will be permitted within towns and villages with defined built-up area boundaries. Any infilling and redevelopment will be required to demonstrate that it is of an appropriate nature and scale (with particular regard to DP26: Character and Design), and not cause harm to the character and function of the settlement."

Design and impact on the character of the area

Policy DP26 of the Mid Sussex District Plan 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 DP29);*
- *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."*

Policy 7 of the Lindfield and Lindfield Rural Neighbourhood Plan states:
'Development proposals in an Area of Townscape Character will be supported, provided applicants can demonstrate they have had regard to their impact on the character and appearance of the area and have sought to retain features important to the character of the area, as defined in the Lindfield Village Design Statement. In particular, proposals should:

- i. retain trees, frontage hedgerows and walls which contribute to the character and appearance of the area;*
- ii. retain areas of open space, (including private gardens) which are open to public view and contribute to the character and appearance of the area; and*
- iii. avoid the demolition of existing buildings which contribute to the character and appearance of the area.'*

The replacement dwelling is similar in form to the original dwelling, although larger in scale, and would differ in design and material. The proposed dwelling contains a number of features which are seen within the locality, including pitched dormer windows and front gable projections. The dwelling is largely obscured from view of the main highway by an area of mature hedging and trees which divides the cul-de-sac from the rest of Hickmans Lane. The replacement dwelling is visible from the public footpath to the southern side of the property.

The design, form and scale of the replacement dwelling is the same as the previous approved application, with minor alterations, which was considered by the planning committee to be acceptable to the character of the area. It is therefore considered that the design and form of replacement dwelling is appropriate to the character of the area and complies with policy DP26 of the Mid Sussex District Plan and policy 7 of the Lindfield and Lindfield Rural Neighbourhood Plan.

Impact on the amenities of neighbouring properties

The replacement dwelling has the same physical relationship with the surrounding neighbouring properties as the previously approved extensions to the original house, and there is not considered to be a material difference that would cause significant harm to the amenities of the neighbouring properties.

To the northern side of the property is No. 43 Hickmans Lane. The boundary line between the two properties consists of a 3 metre high hedge, with a portion of fencing with a height of some 1.5 metres adjacent to this neighbour's attached garage. The two storey portion of the replacement dwelling closest to this neighbouring property has the same relationship as the original dwelling, although the proposed dwelling is some 0.5 metres further away from the shared boundary. The design and form of the single storey rear element of the dwelling is largely obscured from this neighbour. The two storey rear projection is visible, however given its depth and separation distance to this neighbouring property it is not considered to cause significant harm to this neighbour's amenities.

In terms of light impact, guidance is taken from the BRE "Site Layout Planning for Daylight and Sunlight: A guide to good practise". The "45 degree approach" should be taken whereby a 45 degree line is drawn from the top of the elevation and a second 45 degree line is taken from the end of the projection. If the centre of the

door or window of the neighbouring property lies within both lines that the building may cause a significant reduction in light to the window or door in question. This guidance is taken as a rule of thumb and each application is considered on its own merits.

Having assessed the light impact to the closest ground and first floor windows to habitable room on the rear elevation of No. 43, omitting the ground floor rear window to the attached garage, the centre point of the windows do not lie within both lines. It is therefore considered that due to this, and the design of the proposed single storey rear projection, the proposal does not have a detrimental impact on light to this neighbour.

To the southern side of the property are No.s 35, 37 and 39 Hickmans Lane, which back onto the side of the application property, with the public footpath in between. No. 35 is some 11.5 metres from the closest part of the replacement dwelling. This neighbouring property faces onto the end of the garden of the application property at an angle away from the dwellinghouse. It is considered that due to this relationship with the application property and the separation distance, the proposal does not cause harm to the amenities of this neighbour.

No. 37, as with No. 35 is positioned at an angle away from the application dwellinghouse, and is some 9.8 metres from the closest part of the dwelling. There are first floor windows that face towards this neighbour, these windows are high level in design and would serve bathrooms. Given the design of the windows, the separation distance and the orientation of this neighbouring property, it is considered that the proposal does not cause significant harm to the amenities of this neighbour.

No. 39 is some 12.5 metres from the closest part of the replacement dwelling, approximately 1.9 metres closer than the original dwelling. The application property is located to the north of this neighbour and does not have an impact on the daylight or sunlight to this neighbouring dwelling. It is considered that although this dwelling is closer to this neighbour, and greater in depth, due to the relationship between the original dwelling and this neighbour proposal does not have an overbearing impact and does not cause significant harm to the amenities of this neighbour.

The relationship between the replacement dwelling and the neighbouring properties is the same as the permitted scheme for extensions to the original house. Therefore the proposed replacement dwelling complies with policy DP26 and does not cause significant harm to the amenities of the neighbouring properties.

Impact on future occupants of the development

The Government's Technical Housing Standards - Nationally Described Space Standards document was published in March 2015 and replaced the Council's adopted Dwelling Space Standards Supplementary Planning Document on 1st October 2015. It sets out space standards for all new residential dwellings, including minimum floor areas and room widths for bedrooms and minimum floor areas for storage, to secure a satisfactory standard of accommodation for future residents.

The proposal is to provide a four bed seven person dwelling, which from Officer calculations indicate that the dwelling has a floorspace of 213.65sqm, which is

exceed the floor space standards and therefore comply with policy DP27 of the District Plan and the National Dwelling Space Standards.

Highway impact and parking provision

The WSCC Highways Authority has been consulted on the application. The site is located on and accessed via Hickmans Lane, an unclassified cul-de-sac subject to a 30mph speed limit. The new vehicular cross over will measure 4.3 metres, which confirms to the standards set out by WSCC. The measurements of the integral garage are 5x6 metres, which is under the WSCC parking guidance and Manual for Streets and therefore only allows 1 No. vehicle space, however this does allow future occupiers the ability to securely store cycles. There will also be sufficient space for 3 No. parking spaces to the front of the dwelling. The Highways Authority therefore does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore not contrary to the NPPF and no transport grounds to resist the proposal.

Sustainability

While policy DP39 States:

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

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

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.'*

The Planning Statement submitted with the proposal includes reference to sustainability and states that the replacement dwelling includes energy saving measures which comply with current Building Regulations and natural resources where possible. The site is located within the built up area of Lindfield in proximity to local shops, bus routes, community facilities and train station.

Although the documents submitted do not provide specific details regarding the sustainable measures of the dwelling the development is near completion and is compliant with Building Regulations requirements. It is therefore considered that there are insufficient grounds to refuse the application on sustainability.

Drainage

The proposed development is within flood zone 1 and is deemed as low fluvial flood risk. The site is within an area identified as having low to medium (surface) pluvial flood risk, however it is located adjacent to a high flood risk area. There are not any historic records of flooding occurring on this site or in this area. The Council's Drainage Engineer has been consulted on the application, who has raised potential risks with the agent regarding climate change, which may increase floods extents in the future. A flood risk assessment has been submitted with the application and the connection to the public sewage system has been approved by Southern Water. The Drainage Engineer considers that the proposal is acceptable and does not cause an unacceptable risk to flooding, and is considered to comply with policy DP41 of the District Plan.

Other matters

Noise and disturbance created during works is not a planning consideration and is covered by the Environmental Protection Act 1990, which requires a duty of care during the proposed works not to cause nuisance to neighbours.

Conclusions

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

The proposal is considered to be appropriate in terms of character and scale of the surround buildings and landscape; would not cause significant harm to the amenities

of neighbouring properties, would provide sufficient parking and would not cause a 'severe' cumulative impact on the operation of the highway network, and is considered acceptable in terms of sustainability and drainage.

Therefore the proposal complies with Mid Sussex District Plan policies DP4, DP5, DP6, DP21, DP26, DP27, DP28, DP39, DP40 and DP41, Lindfield and Lindfield Rural Neighbourhood Plan policy 7, and the relevant provisions of the NPPF. It is recommended that planning permission be granted.

APPENDIX A – RECOMMENDED CONDITIONS

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.
2. 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.
3. No external materials shall be used other than those specified on the approved plans and application details without the prior approval of the Local Planning Authority.

Reason: To protect the appearance of the building and the area and to accord with Policy DP26 of the Mid Sussex District Plan.
4. The use of the parking area shall not commence until the vehicular access serving the development has been constructed in accordance with the approved site plan.

Reason: In the interests of road safety in accordance with Policy DP21 of the Mid Sussex District Plan.
5. No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of the highway and to accord with Policy DP21 of the Mid Sussex District Plan.
6. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the approved site plan.

Reason: To provide alternative travel options to the use of the car in accordance with Policy DP21 of the Mid Sussex District Plan.

7. The use of the access shall not commence until such time as the Existing Access has been closed off in accordance with the approved site plans.

Reason: In the interests of road safety in accordance with Policy DP21 of the Mid Sussex District Plan.

8. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 or as amended in the future, no enlargement, improvement or other alteration of the dwelling house, whether or not consisting of an addition or alteration to its roof, nor any other alteration to its roof, shall be carried out, (nor shall any building or enclosure, swimming or other pool be provided within the curtilage of the dwelling house) without the specific grant of planning permission from the Local Planning Authority.

Reason: To prevent the overdevelopment of the site and to accord with Policy DP26 of the Mid Sussex District Plan.

INFORMATIVES

1. Your attention is drawn to the requirements of the Environmental Protection Act 1990 with regard to your duty of care not to cause the neighbours of the site a nuisance.

Accordingly, you are requested that:

Hours of construction/demolition on site are restricted only to: Mondays to Fridays 0800 - 1800 hrs; Saturdays 0900 - 1300 hrs; No construction/demolition work on Sundays or Public Holidays.

- Measures shall be implemented to prevent dust generated on site from crossing the site boundary during the demolition/construction phase of the development.

No burning of materials shall take place on site at any time.

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

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 assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
3. The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page:

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/>

Online applications can be made at the link below, alternatively please call 01243 642105.

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-applicationform/>

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
Proposed Roof Plan	0918.P05	A	19.08.2019
Location Plan	0918.SP01		19.08.2019
Proposed Block Plan	0918.SP02	F	19.08.2019
Proposed Floor and Elevations Plan	0918.P04	E	19.08.2019

APPENDIX B – CONSULTATIONS

Parish Consultation

Lindfield Parish Council has no objections to this application

MSDC DRAINAGE ENGINEER - 26/09/2019

Surface Water Drainage Proposal

It is proposed that the development will discharge to two new soakaways; one to the front and one to the rear of the property. The front hardstanding is also shown to be either gravel or a permeable surface.

FOUL WATER DRAINAGE PROPOSAL

It is proposed that the development will discharge foul water drainage to the existing sewer as per the existing dwelling on site.

FLOOD RISK

The proposed development is within flood zone 1 and is at low fluvial flood risk. The proposed development is within an area identified as having possible surface water (pluvial) flood risk. There are not any historic records of flooding occurring on this site and in this area. This does not mean that flooding has never occurred here, instead, that flooding has just never been reported.

FLOOD RISK AND DRAINAGE TEAM CONSULTATION

The proposed development is located within an area shown to be at low to medium flood risk from surface water. We would advise the applicant to incorporate flood resistance and resilience measures into the development.

The Environment Agency has produced "Standing Advice for Vulnerable Developments" which provides guidance into the types of flood resistance and resilience measures a development should incorporate. This guidance focuses on flood zones; however the advice is also relevant to surface water flood risk. The advice can be found at

www.gov.uk/guidance/flood-risk-assessment-standing-advice#standing-advice-for-vulnerable-developments

A surface water sewer is located beneath the footpath which runs along the southern boundary of the site. Analysis using our plans suggests this plan may be approximately 4m from the existing dwelling.

We will require further information into the location of this surface water sewer and the distance the proposed development shall be from this pipe. We would also advise the applicant that discussions with Southern Water are undertaken at this early stage in the application.

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

FURTHER INFORMATION REQUIRED

At this time we will require the following further information:

- Details showing the location of the proposed development in relation to the public surface water sewer.
- Evidence of communication with Southern Water regarding the proposed distance between sewer and proposed development.

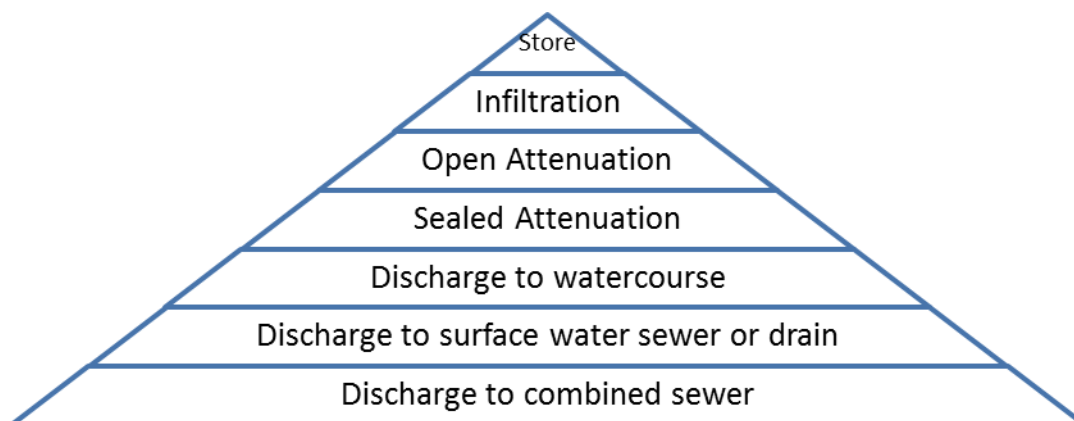
FURTHER ADVICE

SURFACE WATER DRAINAGE

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

The proposed development drainage will need to:

- Follow the hierarchy of surface water disposal, as set out below.



- Protect people and property on the site from the risk of flooding
- Avoid creating and/or exacerbating flood risk to others beyond the boundary of the site.
- Match existing Greenfield rates and follow natural drainage routes as far as possible.
- Calculate Greenfield rates using IH124 or a similar approved method. SAAR and any other rainfall data used in run-off storage calculations should be based upon FEH rainfall values.
- Seek to reduce existing flood risk.

- Fully consider the likely impacts of climate change and changes to impermeable areas over the lifetime of the development.
- Consider a sustainable approach to drainage design considering managing surface water at source and surface.
- Consider the ability to remove pollutants and improve water quality.
- Consider opportunities for biodiversity enhancement.

FOUL WATER DRAINAGE

This proposed development will need to fully consider how it will manage foul water drainage. The preference will always be to connect to a public foul sewer. However, where a foul sewer is not available then the use of a package treatment plant or septic tank should be investigated.

The use of non-mains foul drainage should consider the Environment Agency's General Binding Rules. We would advise applicants that 'General Binding Rules 2020' come into force as of 1st January 2020. The Environment Agency have advised that any existing septic tank foul drainage systems that are found to not comply with the 2020 Binding Rules will need to be replaced or upgraded. As such any foul drainage system which proposed to utilise a septic tank will need to comply with the new 2020 rules. Guidance into the General Binding Rules can be found on the government website (<https://www.gov.uk/guidance/general-binding-rules-small-sewage-discharge-to-a-surface-water>)

FLOOD RISK AND DRAINAGE INFORMATION FOR PLANNING APPLICATIONS

The level of drainage information necessary for submission at each stage within the planning process will vary depending on the size of the development, flood risk, site constraints, proposed sustainable drainage system etc. The table below provides a guide and is taken from the Practice Guidance for the English non-statutory SuDS Standards. Additional information may be required under specific site conditions or development proposals.

PRE-APP	OUTLINE	FULL	RESERVED	DISCHARGE	DOCUMENT SUBMITTED
✓	✓	✓			Flood Risk Assessment / Statement (checklist)
✓	✓	✓			Drainage Strategy / Statement & sketch layout plan (checklist)
	✓				Preliminary layout drawings
	✓				Preliminary "Outline" hydraulic calculations
	✓				Preliminary landscape proposals
	✓				Ground investigation report (for infiltration)
	✓	✓			Evidence of third party agreement for discharge to their system (in principle / consent to discharge)
		✓		✓	Maintenance program and on-going maintenance responsibilities
		✓	✓		Detailed development layout
		✓	✓	✓	Detailed flood and drainage design drawings

		✓	✓	✓	Full Structural, hydraulic & ground investigations
		✓	✓	✓	Geotechnical factual and interpretive reports, including infiltration results
		✓	✓	✓	Detailing landscaping details
		✓	✓	✓	Discharge agreements (temporary and permanent)
		✓	✓	✓	Development Management & Construction Phasing Plan

USEFUL LINKS

Planning Practice Guidance - Flood Risk and Coastal Change

Flood Risk Assessment for Planning Applications

Sustainable drainage systems technical standards

Water.People.Places.- A guide for master planning sustainable drainage into developments

Climate change allowances - Detailed guidance - Environment Agency Guidance

Further guidance is available on the Susdrain website at <http://www.susdrain.org/resources/>

INFORMATION REQUIREMENTS

The following provides a guideline into the specific information required based on the type of development, location and type of surface water drainage management proposed. Multiple lists may be relevant to a single application.

DESCRIPTION OF DEVELOPMENT	INFORMATION REQUIRED
<p>Located in Flood Zone 2 or 3.</p> <p>Located in Flood Zone 1 and greater than 1 hectare in area.</p> <p>Located in an area where a significant flood risk has been identified.</p>	<p>Flood Risk Assessment which identified what the flood risks are and how they will change in the future. Also whether the proposed development will create or exacerbate flood risk, and how it is intended to manage flood risk post development.</p>

DESCRIPTION OF DEVELOPMENT	INFORMATION REQUIRED
Multiple plot development	<p>A maintenance and management plan will need to be submitted that shows how all drainage infrastructure will be maintained so it will operate at its optimum for the lifetime of the development. This will need to identify who will undertake this work and how it will be funded. Also, measures and arrangements in place to ensure perpetuity and demonstrate the serviceability requirements, including scheduled maintenance, inspections, repairs and replacements, will need to be submitted. A clear timetable for the schedule of maintenance can help to demonstrate this.</p>
Public sewer under or adjacent to site	<p>Consultation will need to be made with the sewerage undertaker if there is a Public Sewer running under or adjacent to the proposed development. Building any structure over or within close proximity to such sewers will require prior permission from the sewerage undertaker. Evidence of approvals to build over or within close proximity to such sewers will need to be submitted.</p>

DESCRIPTION OF DEVELOPMENT	INFORMATION REQUIRED
MSDC culvert under or adjacent to site	<p>Consultation will need to be made with Mid Sussex District Council if there is a MSDC owned culvert running under or adjacent to the proposed development. Building any structure over or within close proximity to such culverts will require prior permission from Mid Sussex District Council. Normally it will be required that an “easement” strip of land, at least 5 to 8 metres wide, is left undeveloped to ensure that access can be made in the event of future maintenance and/or replacement. This matter can be discussed with Mid Sussex District Council Flood Risk and Drainage Team via drainage@midsussex.gov.uk.</p>
Watercourse on or adjacent to site	<p>A watercourse maintenance strip of 5 to 8 metres is required between any building and the top-of-bank of any watercourse that may run through or adjacent to the development site.</p>

{\i Information Requirements – Surface Water Drainage}

PROPOSED SURFACE WATER DRAINAGE METHOD	INFORMATION REQUIRED
Outfall to public sewer	<p>Any proposed run-off to a sewer will need to be restricted in accordance with the Non-statutory Technical Standards for SuDS, so that run-off rates and volumes do not exceed the pre-existing Greenfield values for the whole site between the 1 in 1 to the 1 in 100 year event. You cannot discharge surface water unrestricted to a sewer.</p> <p>Copies of the approval of the adoption of foul and surface water sewers and/or the connection to foul and surface water sewers from the sewerage undertaker, which agrees a rate of discharge, will need to be submitted. It will be expected that any controlled discharge of surface water will need to be restricted so that the cumulative total run-off rates, from the developed area and remaining greenfield area, is not an increase above the pre-developed greenfield rates.</p>

PROPOSED SURFACE WATER DRAINAGE METHOD	INFORMATION REQUIRED
Outfall to watercourse	<p>Any proposed run-off to a watercourse will need to be restricted in accordance with the Non-statutory Technical Standards for SuDS, so that run-off rates and volumes do not exceed the pre-existing Greenfield values for the whole site between the 1 in 1 to the 1 in 100 year event. You cannot discharge surface water unrestricted to a watercourse.</p> <p>If works (including temporary works) are undertaken within, under, over or up to an Ordinary Watercourse, then these works are likely to affect the flow in the watercourse and an Ordinary Watercourse Consent (OWC) may need to be applied for. Guidance into the OWC application process can be found on West Sussex County Council's website at https://www.westsussex.gov.uk/fire-emergencies-and-crime/dealing-with-extreme-weather/dealing-with-flooding/flood-risk-management/ordinary-watercourse-land-drainage-consent/</p> <p>OWC applications can also be discussed and made with Mid Sussex District Council Flood Risk and Drainage Team via drainage@midsussex.gov.uk.</p>
Soakaways	<p>Percolation tests, calculations, plans and details will need to be submitted to demonstrate that the soakaway system will be able to cater for the 1 in 100 year storm event plus have extra capacity for climate change. It will also need to be demonstrated that the proposed soakaway will have a half drain time of 24 hours or less.</p>

PROPOSED SURFACE WATER DRAINAGE METHOD	INFORMATION REQUIRED
SuDS and attenuation	<p>Written Statement (HCWS 161) - Department for Communities and Local Government - sets out the expectation that sustainable drainage systems will be provided to new developments wherever this is appropriate.</p> <p>Percolation tests, calculations, plans and details will need to be submitted to demonstrate that the development will be able to cater for the 1 in 100 year storm event plus climate change percentages, for some developments this will mean considering between 20 and 40% additional volume for climate change but scenarios should be calculated and a precautionary worst case taken.</p> <p>Any proposed run-off to a watercourse or sewer system will need to be restricted in accordance with the Non-statutory Technical Standards for SuDS, so that run-off rates and volumes do not exceed the pre-existing greenfield values for the whole site between the 1 in 1 to the 1 in 100 year event.</p> <p>A maintenance and management plan will also need to be submitted that shows how all SuDS infrastructure will be maintained so it will operate at its optimum for the lifetime of the development. This will need to identify who will undertake this work and how it will be funded. Also, measures and arrangements in place to ensure perpetuity and demonstrate the serviceability requirements, including scheduled maintenance, inspections, repairs and replacements, will need to be submitted. A clear timetable for the schedule of maintenance can help to demonstrate this.</p> <p>You cannot discharge surface water unrestricted to a watercourse or sewer.</p>

MSDC DRAINAGE ENGINEER - 04/12/2019

Item 1

The soils information provided by Dr Elson does not evidence that permeability testing were carried out on the site. The soils information is simply moisture content and ground bearing properties. For your future developments you should be aware that permeability tests should be carried out using the guidance contained in DG 365 revised in February 2016. The guidance is available here <https://www.brebookshop.com/details.jsp?id=327631> All developments should now be following the hierarchy of surface water management to ensure that flood risk and climate change are adequately managed. As you have now applied to Southern Water for the sewer connections at this site, in this instance there seems little merit in making you carry out the permeability tests retrospectively.

Item 2

When you receive approval from Southern Water for your connections to the public sewers please can you provide a copy to us.

Item 3

The consultation response from Natalie changed due to the fact that the application was first for an extension but then became a new dwelling that was already under construction so could not be conditioned.

However, thank you for your document 'The On Site flood Risk Considered' which I have looked at and have the following comments to make;

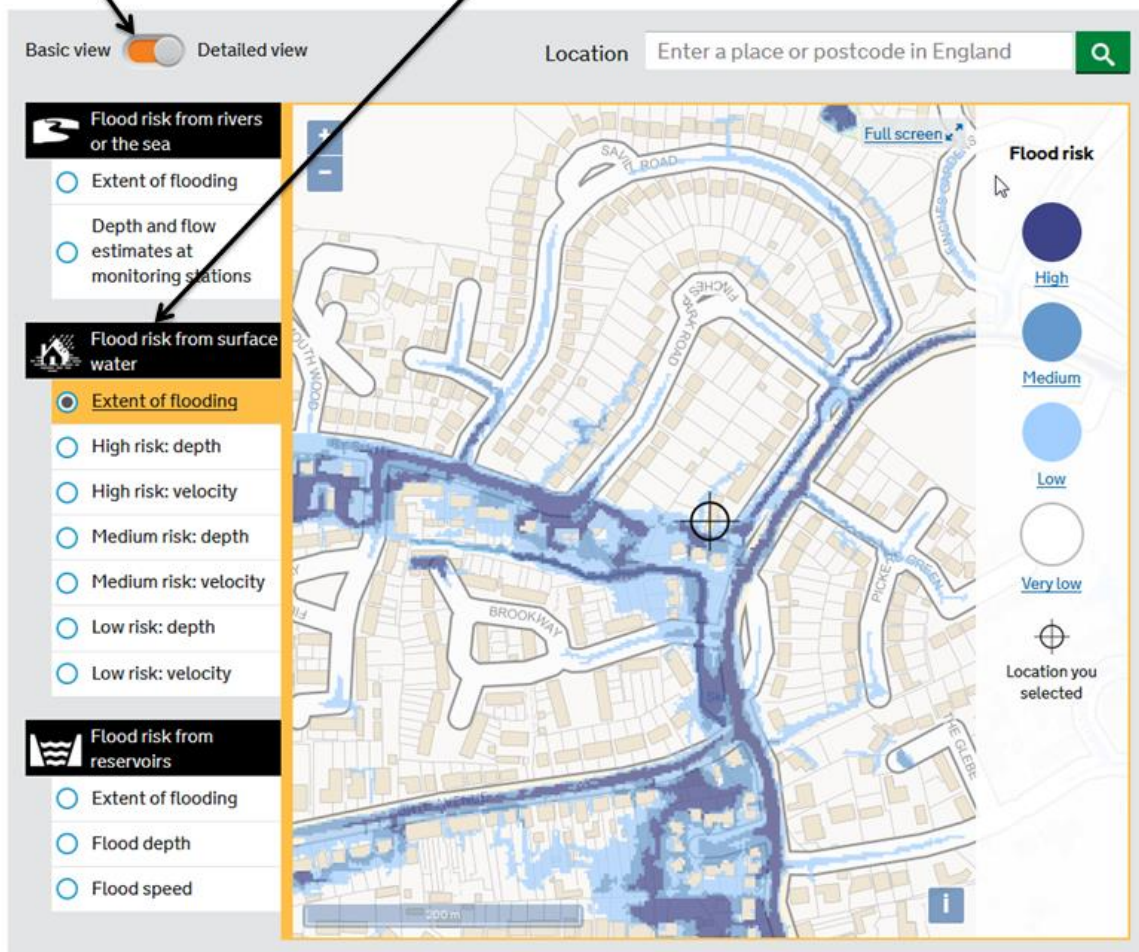
In section 3.07 you state that the Flood Risk from Surface Water is very low but there are no paragraphs within the document that have actually dealt with the surface water flood risk. For your information I have shown an extract from the gov.uk website and provided a link to their long term flood risk page. You can find the flood risk for any property in England by simply entering a postcode and then viewing the flood risk information. I have highlighted the information you need to toggle on to get what you need. This long term flood risk map shows there is a **low risk of flooding** on parts of the application site as concluded in your Flood Risk Assessment, however, the site sits adjacent to a high flood risk area. Climate change may well increase flood extents in the future and this is why we have requested that you should consider flood resistance and resilience measures for the property. You should at least be informing your clients of this information so they can be aware of the risk themselves.

Now that the flood risk for this development has been assessed and you are aware of the risk, I have no requirement for further information related to flood resistance and resilience.

<https://flood-warning-information.service.gov.uk/long-term-flood-risk/map?easting=534183&northing=125689&address=10070626478&map=RiversOrSea>

Toggle on this button to get a detailed view

Click on the buttons for various surface water flooding information



WSCC Highways Authority - 04/10/2019

This application has been dealt with in accordance with the Development Control Scheme protocol for small scale proposals which include up to 5 residential units or extensions to single units accessed from roads that do not form part of the Strategic Road Network (SRN). As such the comments provided by Planning Services should be considered to be advice only, with respect to this planning application.

This proposal has been considered by means of a desktop study, using the information and plans submitted with this application, in conjunction with other available WSCC map information. A site visit can be arranged on request.

I refer to your consultation in respect of the above planning application and would provide the following comments.

Proposal Summary:

The proposal is for the construction of a replacement dwelling. The site is located on and accessed via Hickmans Lane which is an unclassified cul-de-sac subject to a 30 mph Speed limit.

History

DM/19/0404 - Permitted - Alterations and associated works. No highways concerns.

Access

The applicant states in their planning statement and application form that the access will remain unchanged. Upon inspection of WSCC Local mapping and submitted plans, the Local Highways Authority (LHA) does not believe this is so.

The plans indicate that the access will be relocated to the east of the original access. However the applicant has failed to demonstrate the extent of the Vehicle Crossover (VCO), the LHA has no concerns with the principle of relocating the access, however the applicant should demonstrate and clarify these access works prior to determination so appropriate conditions and informative can be advised.

An inspection of data supplied to WSCC by Sussex Police over a period of the past five years reveals that there have been no recorded injury collisions within the vicinity of the site. Therefore there is no evidence to suggest that the new access would operate unsafely.

Vehicle Parking and Cycle Parking

A 4 car parking provision is proposed for the new dwelling. While that applicant has not demonstrated where these will be located within the parking area, the LHA have observed that the parking area is large enough to accommodate 3 parking spaces.

The internal measurements of the garage are 5 x 6 metres. Under WSCC parking guidance and Manual for Streets (MfS) this will allow 1 vehicle to park within the garage and allow future occupiers the ability to securely store cycles within.

In the interests of sustainability and as result of the Government's 'Road to Zero' strategy for at least 50% of new car sales to be ultra-low emission by 2030, electric vehicle (EV) charging points should be provided for new homes. Based upon current EV sales rates within West Sussex, active charging points should be provided for a minimum of 20% of all proposed parking spaces. Ducting should be provided to the remaining 80% of parking spaces to provide 'passive' provision for these spaces to be upgraded in future. Due to the small scale nature of this proposal, the anticipated provision of active EV spaces for this development would be 1 space and should be provided in accordance with the above WSCC guidance and Mid Sussex Local Plan policy.

Conclusion

Whilst there are no overriding highway safety or capacity concerns with the proposal before me now, the applicant would be advised to modify the proposed with the new VCO dimensions. We would be minded that such an amendment could be secured via planning condition, with accommodating plans to be submitted to and approved by the local planning authority. However given recent changes to the National Planning Policy Framework (NPPF) ideally this matter should be fully resolved by the applicant prior to determination.

WSCC Highways Authority - 04/10/2019

This application has been dealt with in accordance with the Development Control Scheme protocol for small scale proposals which include up to 5 residential units or extensions to single units accessed from roads that do not form part of the Strategic Road Network (SRN). As such the comments provided by Planning Services should be considered to be advice only, with respect to this planning application.

This proposal has been considered by means of a desktop study, using the information and plans submitted with this application, in conjunction with other available WSCC map information. A site visit can be arranged on request.

I refer to your consultation in respect of the above planning application and would provide the following comments.

Proposal Summary

The proposal is for the construction of a replacement dwelling. The site is located on and accessed via Hickmans Lane which is an unclassified cul-de-sac subject to a 30 mph Speed limit.

History

The Local Highways Authority (LHA) were previously consulted on the following application where clarity was sought in regards to the Vehicle Crossover (VCO). The following comments are in reply to the newly submitted plans provided.

Access

The applicant has provided an amended plan illustrating the new VCO. The plan indicates that the new crossover will measure 4.3 metres. This conforms to the maximum standards of 6.4 metres as set out by WSCC.

Vehicle Parking and Cycle Parking

A 4 car parking provision is proposed for the new dwelling. While that applicant has not demonstrated where these will be located within the parking area, the LHA have observed that the parking area is large enough to accommodate 3 parking spaces.

The internal measurements of the garage are 5 x 6 metres. Under WSCC parking guidance and Manual for Streets (MfS) this will allow 1 vehicle to park within the garage and allow future occupiers the ability to securely store cycles within.

In the interests of sustainability and as a result of the Government's 'Road to Zero' strategy for at least 50% of new car sales to be ultra-low emission by 2030, electric vehicle (EV) charging points should be provided for new homes. Based upon current EV sales rates within West Sussex, active charging points should be provided for a minimum of 20% of all proposed parking spaces. Ducting should be provided to the remaining 80% of parking spaces to provide 'passive' provision for these spaces to be upgraded in future. Due to the small scale nature of this proposal, the anticipated provision of active EV spaces for this development would be 1 space and should be provided in accordance with the above WSCC guidance and Mid Sussex Local Plan policy.

Conclusion

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

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

Conditions

Access

The use of the parking area shall not commence until the vehicular access serving the development has been constructed in accordance with the approved site plan.

Reason: In the interests of road safety.

Parking

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

Reason: To provide car-parking space for the use

Cycle Parking

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

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

Access Closure

The use of the access shall not commence until such time as the Existing Access has been closed off in accordance with the approved site plans.

Reason: In the interests of road safety.

Informative

Vehicle Crossover - Minor Highway Works

The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page:

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/>

Online applications can be made at the link below, alternatively please call 01243 642105.

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-applicationform/>

SOUTHERN WATER

Southern Water requires a formal application for a connection to the foul and surface water sewer to be made by the applicant or developer. We request that should this application receive planning approval, the following informative is attached to the consent:

A formal application for connection to the public sewerage system is required in order to service this development. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructure-charges>

The Councils Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

The disposal of surface water from this development should be in compliance with the following hierarchy of Part H3 of Building Regulations:

- a) An adequate soakaway or some other adequate infiltration system.
- b) A water course.
- c) Where neither of the above is practicable: a sewer

It is possible that a sewer now deemed to be public could be crossing the development site.

Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.