

MID SUSSEX DISTRICT COUNCIL

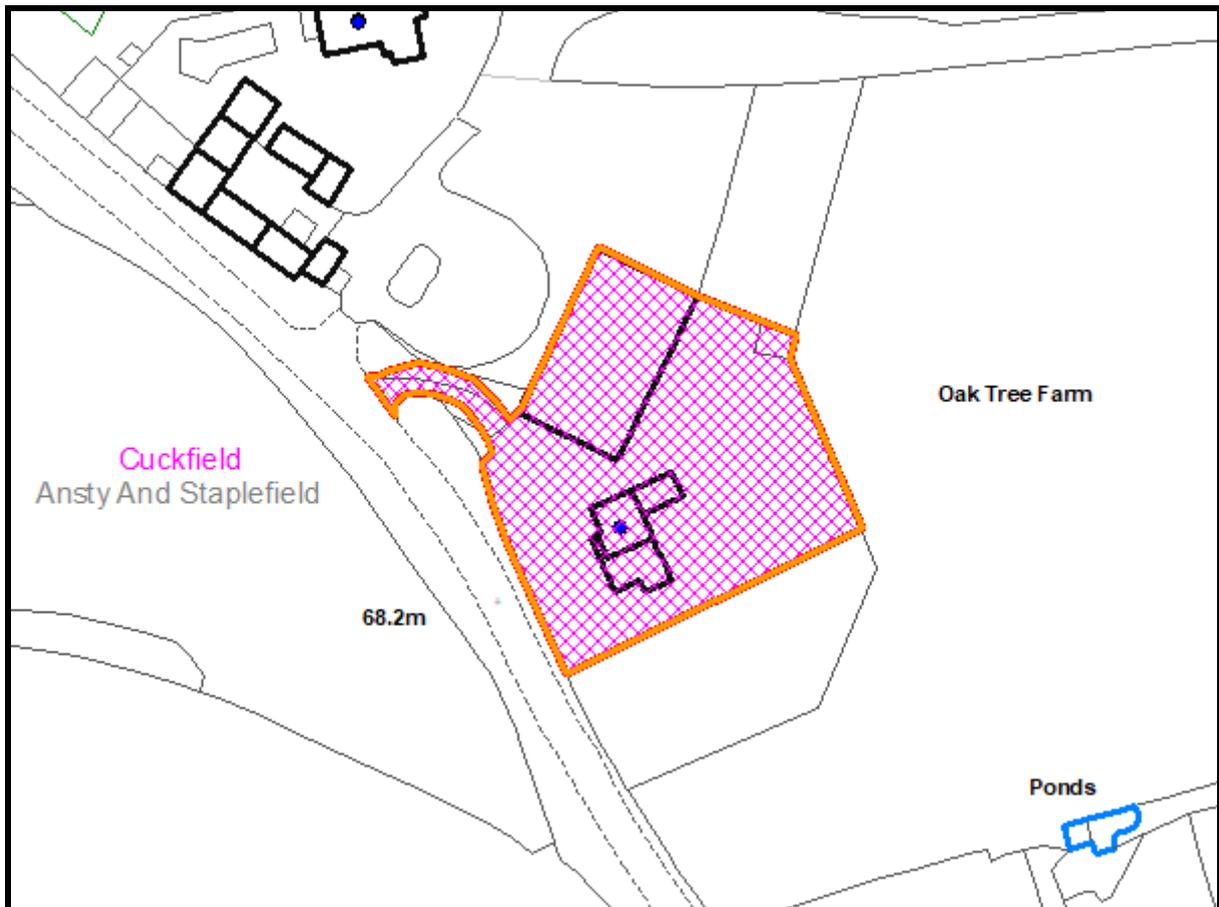
Planning Committee

13 AUG 2020

RECOMMENDED FOR PERMISSION

Ansty And Staplefield

DM/20/1760



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**OAKTREE FARM BURGESS HILL ROAD ANSTY HAYWARDS HEATH
DEMOLITION OF THE EXISTING DWELLING AND BARN AND
REPLACEMENT WITH THREE DWELLINGS.
BLACKWALL INVESTMENTS LTD**

POLICY: Areas of Special Control for Adverts / Countryside Area of Dev.
Restraint / Classified Roads - 20m buffer / Planning Agreement /
Planning Obligation / Aerodrome Safeguarding (CAA) / Minerals
Local Plan Safeguarding (WSCC) /

ODPM CODE: Minor Dwellings

8 WEEK DATE: 24th August 2020

WARD MEMBERS: Cllr Robert Salisbury / Cllr Pete Bradbury /

CASE OFFICER: Anna Tidey

Purpose of Report

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

Executive Summary

This application follows an application under DM/16/1515 for a prior approval for the change of use of the existing agricultural buildings on the site to form two new residential dwellings, then a subsequent application under DM/18/5130 for Outline approval for the demolition of the existing dwelling and barn and replacement with three new dwellings. Under that application details of the proposed Access, Appearance, Layout and Scale were submitted. Indicative landscaping for the plot boundaries was also submitted under that application.

The current application seeks full permission for the redevelopment of the site, with all the agricultural buildings and an existing bungalow being demolished to allow for the construction of three new barn style dwellings with a reconfigured site access road and parking/turning provision. The proposed dwellings would be sited in part over the footprint of the disused barns on the site, over the footprint of the existing bungalow and within the garden curtilage at Oaktree Farm, off Burgess Hill Road to the south of Ansty, in Ansty and Staplefield Parish. The scheme is similar in detail to the submission under the outline application, which was granted approval by the MSDC Planning Committee on 30th May 2020.

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 National Planning Policy Framework.

Relevant in consideration of this application is District Plan Policy DP12 which seeks to protect the countryside to ensure new development maintains or enhances the rural landscape and District Plan Policy DP15 which allows approval of new homes in the countryside where special justification exists. The proposed replacement dwellings meet the necessary tests in District Plan Policy DP15. Whilst the proposal fails to accord with all of the requirements of Paragraph 79 of the NPPF the new development layout and form would enhance the immediate setting of the site as seen from public vantage points and add to the character and appearance of this rural site.

It is considered that the proposal would not cause a significant loss of residential amenity to the occupiers of the neighbouring property. In this regard the proposal is considered to accord with the requirements of Policy DP26 of the District Plan.

The public benefits of the proposal have been considered in accordance with the appropriate planning guidance for development in the vicinity of Listed buildings, in this case West Riddens farmhouse. It has been assessed that in accordance with guidance in NPPF paragraph 196 the application can be supported as the public benefits outweigh any potential adverse harm to the heritage asset.

The proposal has been assessed with consideration to District Plan Policy DP39 (Sustainability). The proposed development has been considered in terms of energy efficiency and against the issues of the potential sustainability of the reuse of the existing buildings. For reasons including the location of the site and the proposed energy efficiency details of the scheme the proposal has been demonstrated to represent a sustainable development in accordance with District Plan Policy DP39.

The relationship and detailed construction for the improved access into the site to the oak trees on the roadside was been carefully considered by the Highways Authority and the Council's Tree Officer in the determination of DM/18/5130. Subject to the works being carried out as approved under that application the proposal will accord with District Plan Policy DP21 and DP37.

The Habitats Regulations Assessment screening assessment concludes that there would be no likely significant effects, alone or in combination, on the Ashdown Forest SPA and SAC from the proposed development. No mitigation is required in relation to the Ashdown Forest SPA or SAC and a full HRA of the proposed development is not required.

There were no ecological reasons to resist the development in principle as the Council's Ecological Consultant raised no objection to the proposal at outline stage. As such the proposal is considered to comply with Policy DP38 in the District Plan. Policy DP41 of the District Plan seeks to ensure that proposals can be properly drained. The proposal was found to accord with Policy DP41 of the District Plan at outline stage, and is supported by the MSDC Drainage section, subject to the submission for approval of details of the proposed foul and surface water drainage and means of disposal and a management and maintenance plan for the lifetime of the development.

In light of the above it is recommended that the application is approved.

Recommendation

It is recommended that permission be granted subject to the conditions listed at Appendix A.

Summary of Consultations

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

MSDC Tree Officer

To be reported.

MSDC Contaminated Land Officer

My comments remain the same as they did under DM/18/5130, as below.

The application looks to demolish the existing dwelling and erect three new dwellings.

Part of the site has had historical use as agricultural land, and may have been used for the storage of items such as biocides, fuels, animal corpses etc. which have the potential to cause localised contamination.

Given the above it is appropriate to attach a discovery strategy, so that in the event any potential contamination is discovered during ground works, that all works stop until the matter has been dealt with in a manner approved by the local authority.

Recommendation: Approve with conditions.

WSCC Highways Authority

The proposal could potentially result in overspill parking of 2-3 spaces, therefore the applicant is requested to demonstrate that sufficient parking of 3 spaces per dwelling is provided for the development. Please raise the above and re-consult.

Further comments: No transport grounds to resist the proposal. Recommend conditions to require vehicle parking and turning spaces, cycle parking spaces and electric vehicle charging points to be provided.

MSDC Drainage

The Flood Risk and Drainage Officer has reviewed the submission without reference to the consultation response provided for the outline application DM/18/5130.

We will require the following further information:

- Submission of the Foul Sewage, Utilities and Surface Water Assessment report mentioned within the submission.
- Confirmation of whether surface water drainage shall utilise individual systems or a shared system.

- Confirmation of whether foul water drainage shall utilise individual systems or a shared system.
- Plan showing a suitable means of managing treated foul effluent is available for each package treatment plant. This does not need to be a detailed design but should show consideration to the likely required land take.

Further comments: No objection, subject to conditions.

Ecologist

In my opinion, there are no biodiversity policy grounds for refusal or amendment of the proposals. Requirements for avoidance, mitigation and enhancement measures, as well as updated survey to ensure these measures are based on up-to-date information are covered by condition 10 of the outline consent.

MSDC Conservation Officer

The application site is a farmstead with dwelling and barns located to the south east of West Riddens Farm. West Riddens Farm itself is Grade II listed and has a number of associated outbuildings which would be regarded as curtilage listed. The existing buildings on the site itself appear to date from the 20th century and may originally have formed part of the same farm as West Riddens, later separated as Oaktree Farm. The site and West Riddens Farm are located within a rural setting to the south of the hamlet of Ansty.

The current proposal is for full planning permission for the demolition of the existing buildings on the site and the construction of three dwellings. Outline planning permission was granted for development of a similar description on 30.05.2019.

I have concerns regarding specific aspects of the site layout as shown in the proposal which are:

- The subdivision of the area between the buildings which is not in keeping with the 'farmstead' character
- The apparent lack of allowance for additional natural screening to the boundary with Riddens Farm, which was referred to in the outline proposal but does not seem to form part of the current detailed proposal. I would expect this screening to be substantial allowing for sufficient depth and height of vegetation for the screening to be effective year round.

Summary of Representations

To be reported.

Parish Council Observations

No objection.

Introduction

This application seeks full planning permission for the development of three new dwellings on the site to replace an existing barn and bungalow on the site at Oaktree Farm, Burgess Hill Road at Ansty.

The application is before committee as it represents a departure from the Development Plan regarding provision of new dwellings in the countryside.

Relevant Planning History

Planning reference: DM/18/5130. Outline application for the demolition of the existing dwelling and barn and replacement with three new dwellings. All matters reserved except for access, appearance, layout and scale. Approved May 2019.

Planning reference: DM/16/1515. Prior notification application for the change of use of an existing agricultural building to form two dwellings. Approved June 2016.

Planning reference: 03/02553/FUL. Conservatory at the south east side of the property. Approved November 2003.

Planning reference: 03/01943/FUL. Extension to kitchen. Including removal of existing flat roof and replacing with hip roof. Approved September 2003.

Planning reference: CD/003/95. Proposed bedroom and ensuite bathroom extension to existing bungalow. Approved March 1995.

Planning reference: CD/038/79. Extension to bungalow namely hip roof extension to lounge/dining room and flat roof extension to kitchen, also new shower/WC complex. Approved August 1979.

Planning reference: CD/042/76. Single storey extension to existing bungalow. Approved 1976.

Planning reference: CD/016/75. Alteration of and extension to existing bungalow. Refused May 1975.

Planning reference: CD/051/74. Alteration of and extension to existing bungalow. Refused December 1974.

Site and Surroundings

The site of the application consists of the access from the B2036 (Burgess Hill Road), associated hardstanding and parking space, the area covered by a series of disused agricultural barns and the footprint and curtilage of the bungalow currently known as Oaktree Farm.

The farm buildings consist of three linked barns, consisting of a solid sided Dutch style barn and wide concrete framed portal style buildings, with access doors at the front and rear of the site. The buildings are constructed of a variety of materials including concrete blocks, black metal sheeting and grey fibre cement cladding and extend up to the north western site boundary line.

The barns have a variety of profiles with minimum eaves height of 3m and a maximum eaves level of 5.3m. The heights of the existing barns are a minimum of 5m and a maximum of 7.2m. The bungalow on the site is constructed in part brick with render walls and a plain tiled roofline. The existing bungalow has eaves set at 2.6m and a maximum ridge height of 5.5m. The planning history for the bungalow confirms that it has been added to over time with a series of extensions.

The vehicular access into the site passes between two oak trees at the entrance. These trees fall outside of the site boundary and are not subject to a Tree Preservation Order. The site is otherwise well screened from public vantage points by established boundary vegetation along the roadside, which falls within the site area. To the south of the bungalow, and outside the red site line, an area of woodland labelled as a spruce plantation provides evergreen screening and to the north east of the barns there is a further area of established conifer trees.

Application Details

In detail the current application seeks planning permission for the construction of three new dwellings on the site, spaced out over the site to create three new curtilages. The submitted details for the site layout, individual dwellings and design closely reflect those submitted and considered in the determination of DM/18/5130. The applicant for this application is not the same as for DM/18/51390.

The property at Plot 1 would be constructed within the area currently occupied by the agricultural barns. Plot 2 would take the rear garden area of the bungalow and Plot 3 is largely positioned over the footprint of the existing bungalow.

The proposed unit on Plot 1 has a T-shaped layout with four bedrooms in total and an attached single garage at the western side of the building. The unit would provide approx. 214 square metres of floor space on two levels. The building would be built in the style of a Sussex barn with horizontal sawn weather walls on a local stock brick base and plain clay tiled roof lines. The attached single garage would have a plain timber boarded garage door. The eaves would be set at 2.5m minimum and 5.2m maximum and the maximum ridge level at a height of 8m. The unit would accommodate four bedrooms in total at first floor level, which represents a slight change on the plans submitted for the outline application, which showed three bedrooms. The fourth bedroom has been accommodated within the space formerly occupied by a family bathroom, which has been repositioned. The overall scale of the floorspace has been slightly increased by 15.5 square metres from that shown on the plans for the outline proposal.

The second unit (Plot 2) would have an L-shaped footprint and would be built with an integral double garage. The internal layout plans show four upper floor rooms (three marked as bedrooms, and one as a sitting room). The ground floor would

accommodate a home office, sitting room, wc, utility and kitchen/breakfast room. The unit would provide approx. 208 square metres of floor space on two levels, excluding the garage space, and this is an increase of 5 square metres over that shown on the outline application plans. The building would be built in the style of a Sussex barn with single and two storey elements. The building would be constructed with horizontal sawn weather walls on a local stock brick base, with timber and aluminium windows and plain clay tiled roofs. The garage would have two external openings, but no garage doors. The eaves would be set at 2.5m minimum and 5m maximum and the maximum ridge level at a height of 8.3m.

The third unit (Plot 3) would replace the existing bungalow on the site. This has an L-shaped footprint and accommodates 4 bedrooms. The size of this unit has increased from a 2/3 bed property, and the floorspace increased by approx. 12 square metres from the plans submitted at the outline application stage. The proposed replacement dwelling will be on two floors and will be an L-shaped property including a single storey wing to accommodate a double garage, plant and cycle store, utility room and WC. The internal layout plans show four bedrooms on the upper floor and a ground floor study, sitting room, hall and kitchen/breakfast room. The unit would provide approx. 217 square metres of floor space on the two levels, excluding the garage space. The building would be built in the style of a Sussex barn with horizontal sawn weather walls on a local stock brick base, with timber and aluminium windows and plain clay tiled roofs. The garage would have two garage doors with vertical timber boarded doors. The eaves would be set at 2.5m minimum and 4.9m maximum and the maximum ridge level at a height of 8.5m.

Overall the external elevations of all three houses have remained similar to the submitted elevations for DM/18/5130, with the additional/alteration of some windows and the addition of a chimney to the house at Plot 3.

The new dwellings are shown to be served by a shared access driveway which serves the existing bungalow, with private parking and turning space off an access for each property. Access through the site to the field to the east is shown to be provided in the development.

Each of the new dwellings would have separate curtilages, with the boundaries delineated with planting/fencing as shown on the submitted Block Plan. The garden areas would be provided with depths of between 7m and 14.5m, enclosed by new 1.3m high post and rail fences with double planted indigenous hedgerow planting, and some new tree planting. The roadside boundary vegetation is shown to be retained to the west of Unit 3.

List of Policies

Mid Sussex District Plan 2014-2031

The District Plan was formerly adopted on the 28th March 2018.

DP4 Housing

DP6 Settlement hierarchy

DP12 Protection and enhancement of the countryside

DP15 New Homes in the Countryside

DP21 Transport
DP26 Character and design
DP27 Dwelling Space Standards
DP30 Housing Mix
DP34 Listed buildings and other heritage assets
DP37 Trees, Woodland and Hedgerows
DP38 Biodiversity
DP39 Sustainable design and construction
DP41 Flood risk and drainage

Ansty, Staplefield and Brook Street Neighbourhood Plan

Policy AS1 New Housing Development
Policy AS2 Preventing Coalescence
Policy AS4 Housing mix

National Policy

National Planning Policy Framework (NPPF - 2019)

The National Planning Policy Framework sets out the government's policy in order to ensure that the planning system contributes to the achievement of sustainable development. Paragraph 8 sets out the three overarching objectives which are interdependent and need to be pursued in mutually supportive ways. These are an economic, social and environmental objective. This means seeking to help build a strong, responsive and competitive economy; to support strong, vibrant and healthy communities; and to contribute to protecting and enhancing the natural, built and historic environment.

Para 12 states: *"The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed."*

Para 47 states: "Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Decisions should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing."

ASSESSMENT

The main issues for consideration in determining the application are:

- Principle of development
- Design and impact upon the countryside
- Impact upon residential amenity
- Impact upon the Listed Building

- National Space Standards
- Sustainability
- Trees/Landscaping
- Habitats Regulations Assessment for Ashdown Forest
- Highway and Access issues
- Ecology
- 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) Any 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 District Plan and the Ansty, Staplefield and Brook Street Neighbourhood Plan (2014).

The proposal under the current application is for the construction of three new houses on this site, one of which is a replacement for the existing bungalow. The planning history reveals a Part Q application DM/16/1515 (which expired on 8th June 2019, three years after approval), for the conversion and adaptation of the existing barns on the site to create two new dwellings, which would have resulted in three dwellings on the site, including the existing bungalow. The Prior Notification application submitted under DM/16/1515 was not considered under the same procedure as a planning application. As such that proposal was considered without reference to the District Plan and the Ansty, Staplefield & Brook Street Neighbourhood Plan.

The outline approval under DM/18/5130 remains extant. The approval granted under that application was for the construction of three new dwellings on the site, similar in design and layout to the scheme now proposed. That application was determined with reference to the Development Plan and other relevant policy documents and is a material consideration in the determination of this application.

The site is located outside of the built up area of Ansty, which extends to the junction of the B2036 (Burgess Hill Road) and Cuckfield Road, approximately 380 metres to the north of Oaktree Farm. In the Countryside area the following District Plan policy is relevant to new housing development proposals, such as this. The policy states:

DP12: Protection and Enhancement of Countryside

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

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

Agricultural land of Grade 3a and above will be protected from non-agricultural development proposals. Where significant development of agricultural land is demonstrated to be necessary, detailed field surveys should be undertaken and proposals should seek to use areas of poorer quality land in preference to that of higher quality.

The Mid Sussex Landscape Character Assessment, the West Sussex County Council Strategy for the West Sussex Landscape, the Capacity of Mid Sussex District to Accommodate Development Study and other available landscape evidence (including that gathered to support Neighbourhood Plans) will be used to assess the impact of development proposals on the quality of rural and landscape character.

Built-up area boundaries are subject to review by Neighbourhood Plans or through a Site Allocations Development Plan Document, produced by the District Council. Economically viable mineral reserves within the district will be safeguarded.'

A determining factor in whether development may be permitted outside the defined built up areas is whether it maintains or enhances the rural and landscape character of the District. In the determination of DM/18/5130 it was accepted that there would be a visual benefit from the proposal and there would be an improvement to the character of the site as a whole. As such the assessment needs to take into account the content of District Plan Policy DP15 and other relevant development plan policies, which will be considered in further detail below.

District Plan Policy DP15 refers specifically to the development of new homes in the countryside. The policy also refers to replacement dwellings and is therefore relevant in the determination of this application. Policy DP15 is reproduced below:

DP15: New Homes in the Countryside

'Provided that they would not be in conflict with Policy DP12: Protection and Enhancement of the Countryside, new homes in the countryside will be permitted where special justification exists.

Special justification is defined as:

- *Where accommodation is essential to enable agricultural, forestry and certain other full time rural workers to live at, or in the immediate vicinity of, their place of work; or*
- *In the case of new isolated homes in the countryside, where the design of the dwelling is of exceptional quality and it enhances its immediate setting and is sensitive to the character of the area; or*
- *Affordable housing in accordance with Policy DP32: Rural Exception Sites; or*
- *The proposed development meets the requirements of Policy DP6: Settlement Hierarchy.*

Permanent agricultural (includes forestry and certain other full time rural worker) dwellings will only be permitted to support existing agricultural activities on well-established agricultural units where:

- *The need cannot be fulfilled by another existing dwelling on or any other existing accommodation near the agricultural unit; and*
- *It can be proven that it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times; and*
- *It can be proven that the farming enterprise is economically viable; and*
- *It can be proven that the size of the dwelling is commensurate with the established functional requirement of the agricultural unit.*

Temporary agricultural dwellings essential to support a new farming activity either on a newly created agricultural unit or on an established one will be subject to the criteria above and should normally be provided by temporary accommodation. Applications for the removal of agricultural occupancy conditions will only be permitted where it can be proven that there is no longer any need for the dwelling for someone solely, mainly or last working in agriculture or forestry or other rural based enterprise. This will be based on an up to date assessment of the demand for farm (or other occupational) dwellings in the area as a whole, and not just on a particular holding.

New 'granny annexes' that are physically separate to the dwelling are defined as a new home and are subject to the same requirements as above.

Re-use of rural buildings for residential use

The re-use and adaptation of rural buildings for residential use in the countryside will be permitted where it is not a recently constructed agricultural building which has not been or has been little used for its original purpose and:

- *the re-use would secure the future of a heritage asset; or*

- *the re-use would lead to an enhancement of the immediate setting and the quality of the rural and landscape character of the area is maintained.*

Replacement dwellings in the countryside

Replacement dwellings in the countryside will be permitted where:

- *The residential use has not been abandoned;*
- *Highway, access and parking requirements can be met; and*
- *The replacement dwelling maintains or where possible enhances the quality of the natural and/or built landscape particularly in the High Weald Area of Outstanding Natural Beauty, especially if a significant change in scale from the existing dwelling is proposed.*

It is a requirement that for the approval of new homes in the countryside there must be a "special justification". The proposed scheme necessitates the demolition of the existing prominent and utilitarian barns and this is a factor in favour of this application. The end result of the proposal would be the creation of two further new homes in the countryside, and an enlarged replacement house. In accordance with the requirements of Policy DP12, the design of the new houses would enhance the immediate rural setting of the site, and this weighed in favour of the approval of the former outline application.

Policy DP12 identifies specific requirements regarding the replacement of houses in the countryside. In this case the proposal meets the requirements in that the existing bungalow is inhabited, parking and access requirements can be met and as a result of the rebuild the rural character of the site will be improved, albeit that the new house has a two storey element, and therefore differs in form to the existing bungalow.

The tests in Policy DP12 are reflected in Paragraph 79 of the NPPF. This also refers to the need to avoid the development of isolated homes in the countryside, unless various criteria can be met. The wording of paragraph 79 is reproduced below:

79. Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;*
- b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;*
- c) the development would re-use redundant or disused buildings and enhance its immediate setting;*
- d) the development would involve the subdivision of an existing residential dwelling;*
or
- e) the design is of exceptional quality, in that it:*
 - *is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and*
 - *would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.'*

Consideration was given to these criteria in the determination of DM/18/5130. The proposed development of the three houses together, in the form and layout proposed, will alleviate the current cramped appearance of the site, as seen from public vantage points, enhance the immediate setting by spacing the development on the site and, as result of the demolition of the barns, add to the character and appearance of this rural site.

Relevant in the consideration of this application are policies contained in the Ansty, Staplefield and Brook Street Neighbourhood Plan. Policy AS1 for New Housing Development refers to the development of small scale housing development of up to 10 dwellings. The policy is reproduced in full below:

POLICY AS1: NEW HOUSING DEVELOPMENT

'The Ansty, Staplefield and Brook Street Neighbourhood Plan area is subject to significant environmental constraints and as a result new housing should be focused within the Development Boundary of Ansty as identified in the proposal map. Other proposals for small scale housing development of up to 10 units, to meet identified local need will only be permitted subject to the criteria below and compliance with other policies within the plan, in particular AS2 and AS3:

- a) The proposed development contributes to sustainable development;*
- b) Any application is supported by assessment of the environmental and visual impact of the proposal and include as necessary appropriate mitigation measures.*
- c) An application is supported by a robust assessment of the impact of the proposal upon the local highway network.*
- d) The proposal provides a mix of tenure types including private, social rented and shared equity (intermediate) to meet local housing need.*

All other development proposals outside the Ansty Development Boundary will not be permitted unless:

- They comply with the countryside policies of the Mid Sussex Local Plan 2004 or the Mid Sussex District Plan once it is adopted; Or*
- They relate to necessary utilities infrastructure where no reasonable alternative location is available.'*

The Ansty, Staplefield and Brook Street Neighbourhood Plan was made in February 2017 and therefore forms part of the development plan. The District Plan was adopted in March 2018. Under section 38(5) of the Planning and Compulsory Purchase Act 2004 it is confirmed that 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 the case of the Ansty, Staplefield and Brook Street Neighbourhood Plan there is a conflict between Policy AS1 in the Ansty, Staplefield and Brook Street Neighbourhood Plan and Policy DP6 in the District Plan. This is because Policy AS1 allows developments of up to 10 dwellings anywhere within the Neighbourhood Plan area whereas Policy DP6 only supports residential development of up to 10

dwellings which is contiguous with the built-up area boundaries. As such this conflict must be resolved in favour of Policy DP6 in the District Plan and little weight can be afforded to Policy AS1 in the Ansty, Staplefield and Brook Street Neighbourhood Plan.

The application site is located in designated countryside and within the gap between Ansty and Burgess Hill, as identified by Policy AS2 in the Ansty, Staplefield & Brook Street Neighbourhood Plan. Policy AS2 states:

POLICY AS2: PREVENTING COALESCENCE

'Development proposals are expected to demonstrate that they would not result in the coalescence with any neighbouring settlement either individually or cumulatively or result in the perception of openness being unacceptably eroded between the following areas:

- *Ansty and Burgess Hill*
- *Brook Street and Cuckfield*
- *Ansty and Cuckfield*

Planning permission will not normally be granted for development which: Contributes towards the ad hoc or isolated development of dwellings outside the built up area, including infilling of built up frontages or linear development along roads.'

Whilst the development will result in three new dwellings in total on the site, one being a replacement, so a net gain of two, it is not considered that there would be a harmful erosion upon the perceived gap that exists between the built up areas of Ansty and the current northern boundary of Burgess Hill. Burgess Hill Road is characterised by well spaced dwellings, and on this site by a grouping of buildings including the bungalow on this site and the adjacent farmhouse at West Riddens Farm. As such the proposal would add to the existing grouping, but it is considered, would not impact negatively upon the openness of the rural setting.

Design and impact upon the countryside

The extant outline consent is a material consideration in the determination of this application. The complete removal of the out of use barns is a significant element of the proposed redevelopment scheme. It is considered that their removal will serve to enhance the appearance of the site. The location of the buildings off the north western boundary and the reorientation of the buildings on the site, and in particular the reduced bulk and footprint of the new dwelling on Plot 1 relative to this viewpoint, will result in a development which would be more attractive to complement the immediate rural setting. This will visually enhance the whole site. The overall rural character of this part of Burgess Hill Road will not be compromised by the proposed development, which will continue to utilise the existing shared vehicular access point. The submitted Site Layout and Landscaping Plans show a 2m wide strip of new tree and landscaping with 1.3m high post and rail and stock fencing on the north western site boundary to enhance the new development.

Consequently the proposed development is considered to be appropriate to the rural setting of the site and would accord with Policies DP26 (District Plan).

Impact upon residential amenity

Policy DP26 of the Mid Sussex District Plan states that development should "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.

The north western plot boundary is located a minimum of 43 metres from the farm house at West Riddens Farm, the nearest residential property to the site. This falls outside of the site boundary and is served by an existing separate vehicular access, and is located with a series of other related farm buildings which back up to Burgess Hill Road.

Given the distance from the site, the lower position of West Riddens farmhouse and the orientation of the new dwellings, it is considered that the occupation of the properties will not adversely impinge upon the occupiers of that property, particularly as the nearest plot (1) boundary is shown to be supplemented with new intervening hedge and tree screening. It is considered that the proposed development would not negatively impinge upon the quiet enjoyment of the rural area. The proposal is therefore considered to accord with District Plan Policy DP26.

Impact upon the Listed Building

West Riddens Farmhouse is Grade II listed and the associated outbuildings can be regarded as curtilage listed. The Council's Conservation Officer has been asked to comment on the application, and her comments are reported above.

The Council, as the Local Planning Authority, has a statutory duty to have special regard to the desirability of preserving heritage assets. Listed Buildings and their settings are afforded special protection under the planning regime by virtue of Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (PLBCAA); paragraphs 189-197 of the NPPF and Policy DP34 of the District Plan.

Section 66(1) of the PLBCAA 1990 states:

66.—(1) In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Policy DP34 of the District Plan states:

Listed Buildings

Development will be required to protect listed buildings and their settings. This will be achieved by ensuring that:

- *A thorough understanding of the significance of the listed building and its setting has been demonstrated. This will be proportionate to the importance of the building and potential impact of the proposal;*
- *Alterations or extensions to a listed building respect its historic form, scale, setting, significance and fabric. Proposals for the conversion or change of use of a listed building retain its significance and character whilst ensuring that the building remains in a viable use;*
- *Traditional building materials and construction techniques are normally used. The installation of uPVC windows and doors will not be acceptable;*
- *Satellite antennae, solar panels or other renewable energy installations are not sited in a prominent location, and where possible within the curtilage rather than on the building itself;*
- *Special regard is given to protecting the setting of a listed building;*
- *Where the historic fabric of a building may be affected by alterations or other proposals, the applicant is expected to fund the recording or exploratory opening up of historic fabric.*

Other Heritage Assets

Development that retains buildings which are not listed but are of architectural or historic merit, or which make a significant and positive contribution to the street scene will be permitted in preference to their demolition and redevelopment.

The Council will seek to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the character and quality of life of the District. Significance can be defined as the special interest of a heritage asset, which may be archaeological, architectural, artistic or historic.

Proposals affecting such heritage assets will be considered in accordance with the policies in the National Planning Policy Framework (NPPF) and current Government guidance.

Paragraphs 193 to 196 of the NPPF state:

'193. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

194. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;*
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

195. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and*
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and*
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.*

196. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'

Paragraph 193 refers to the degree of harm that development may cause to a heritage asset and clarifies that there may be substantial harm, total loss or less than substantial harm. The Conservation Officer is of the opinion that the proposal would cause a less than substantial degree of harm to the setting of West Riddens Farm, and the curtilage listed farmstead. In terms of the NPPF where the harm caused would be "less than substantial" a balancing exercise, as set out in paragraph 196 of that document would apply. A careful judgement is required in assessing the degree of harm. It is contended that within the bracket of "less than substantial harm", there is range of impacts. It is felt that the "less than substantial harm" in this case is at the lower end of the scale of harm. The reasons for this assessment were considered in the determination of DM/18/5130 and are explained below.

The proposed development will take the built form of buildings on the site further from the existing barns position, the house on Plot 1 being angled away from the boundary, and of a significantly reduced bulk than the existing barns. The new property at Plot 1 will be located some 56m from West Riddens Farmhouse.

District Plan Policy DP34 states that special regard needs to be given to protecting the setting of a Listed building. In this case the setting of the Listed building is spacious with the immediate area to the north western side of the barns laid out as an extensive hard surfaced area used for parking cars. This provides open views of the site from the house from a considerable distance. It is considered that the proposed layout and form of the house at Plot 1 will serve to soften the outlook from the Listed Building and alleviate the built form adjacent to the boundary line. This view is also open to highway users and to those approaching the site from Burgess Hill Road.

The detailed design comments, and in particular reference to construction materials and detail of the landscaping to the north western site boundary, are matters that can be addressed by appropriately worded planning conditions.

It is your Officers view that the new boundary treatment, the greater spacing achieved by the position of Plot 1 and the overall building layout on the site will serve

to widen the area around the Listed Building will result in an improvement relative to the current planning permission on the site (DM/18/5130). This environmental benefit, together with the provision of two new dwellings are public benefits which weigh in favour of an approval and which are considered to outweigh any potential less than substantial harm to the setting of the heritage asset.

National Space Standards

In March 2015 the Government issued a document containing dwelling space standards, entitled "Technical housing standards- nationally described space standard". The standards are applicable to the proposed development and referred to in District Plan Policy DP27.

In the standards a space standard table indicates that a 2 storey 3 bed dwelling could accommodate between 4 and 6 people, requiring between 84 - 102 square metres of internal floor space. A 2 storey 4 bed dwelling could accommodate between 5 and 8 people, requiring between 97 - 124 square metres of internal floor space.

The proposed houses at Plots 1, 2 and 3 will all exceed the minimum sizing standards, and include associated gardens that are reasonable in scale to the dwelling sizes and for their rural context. The proposed properties would therefore accord with District Plan Policy DP27 and the National Space Standards.

The removal of permitted development rights for the future extension of the houses and within each new residential curtilage may be restricted by the imposition of a suitably worded planning condition.

Sustainability

District Plan Policy DP39 is relevant in the determination of this application. This 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.'*

In terms of the requirements of DP39 the proposal has been demonstrated to include a series of energy efficiency and sustainability measures including the use of grey water, water saving fittings, low energy lighting, locally sourced materials, sustainable timber, home office provision for home working, high levels of insulation, etc.

In terms of the location, the site is within walking distance of bus stops in Ansty to nearby towns and railway stations and is therefore considered to be a relatively sustainable location for the three proposed dwellings, particularly having regard to the fall back position of the extant outline planning permission.

It is considered that the proposal has been demonstrated to represent a sustainable development on this site and therefore would accord with the requirements of District Plan Policy DP39.

Trees/Landscaping

The application has been supported by an Arboricultural Impact Assessment. The Tree Officer has been asked to comment on these documents and her comments are awaited. The works were considered acceptable under DM/18/5130 and a suitably worded planning condition will ensure that the development is carried out to protect trees on the site and to provide new landscaping to enhance the new development to accord with District Plan Policy DP37.

Habitats Regulations Assessment for Ashdown Forest

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

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

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

Recreational disturbance

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

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

The proposed development is outside the 7km zone of influence and as such, **mitigation is not required.**

Atmospheric pollution

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

The proposed development has been assessed through the Mid Sussex Transport Study (Updated Transport Analysis) as **windfall development**, such that its potential effects are incorporated into the overall results of the transport model which indicates there would not be an overall impact on Ashdown Forest. Sufficient windfall capacity exists within the development area. This means that there is not considered to be a significant in combination effect on the Ashdown Forest SAC by this development proposal.

Conclusion of the Habitats Regulations Assessment screening report

The screening assessment concludes that there would be no likely significant effects, alone or in combination, on the Ashdown Forest SPA and SAC from the proposed development. No mitigation is required in relation to the Ashdown Forest SPA or SAC. A full HRA (that is, the appropriate assessment stage that ascertains the effect on integrity of the European site) of the proposed development is not required.

Highway and Access issues

The Highway Authority reviewed the site access arrangements under DM/18/5130 and required revisions to the access to allow two vehicles to pass in opposing directions. The highways comments support the current proposal, providing conditions are imposed to require parking, turning, cycle parking and electric vehicle charging point provisions and therefore it accords with Policy DP21 of the District Plan and the requirements of the NPPF.

Ecology

Whilst the proposal involves the demolition of existing buildings on the site the Ecologist raised no biodiversity issues with the outline scheme and maintains this

view. A recommended planning condition to require the wildlife habitat enhancements are implemented in the development. Subject to the imposition of this condition the proposed development is considered to accord with District Plan Policy DP38.

Drainage

Policy DP41 of the District Plan seeks to ensure that proposals can be properly drained. This site is not located in a Flood Risk zone, falling within Flood Zone 1. The outline application was assessed by the Council's drainage engineers, and an appropriate condition imposed to require details of the proposed foul and surface water drainage and means of disposal and a management and maintenance plan for the lifetime of the development to be submitted to and approved by the Local Planning Authority. Their recommendation is that such a condition is also imposed on this detailed scheme. With the submission and approval of these details the proposal will accord with Policy DP41 of the District Plan.

Planning Balance and Conclusions

To conclude this application follows an outline approval and the details of the proposed dwellings reflect that scheme, with some minor changes to the scale and design of the buildings.

The proposed dwellings would be sited in part over the footprint of the disused barns on the site, over the footprint of the existing bungalow and within the garden curtilage at Oaktree Farm, off Burgess Hill Road to the south of Ansty, in Ansty and Staplefield Parish. The layout of the new houses forms a spacious development with each house set in a private garden plot.

The application must be determined in accordance with the development plan unless material planning considerations indicate otherwise. The development plan in this part of Mid Sussex comprises the Ansty, Staplefield and Brook Street Neighbourhood Plan and the District Plan.

Relevant in consideration of this application is District Plan Policy DP12 which seeks to protect the countryside to ensure new development maintains or enhances the rural landscape and District Plan Policy DP15 which allows approval of new homes in the countryside where special justification exists. A material consideration in the determination of this application is the extant outline approval for three new dwellings on the site, of which two are new on the site. The proposed replacement dwelling meets the necessary tests in District Plan Policy DP15. Whilst the proposal fails to accord with all of the requirements of Paragraph 79 of the NPPF the new development layout and form would enhance the immediate setting of the farm as seen from public vantage points and add to the character and appearance of this rural site.

It is considered that the proposal would not cause a significant loss of residential amenity to the occupiers of the neighbouring property at West Riddens Farm. In this regard the proposal is considered to accord with the requirements of Policy DP26 of the District Plan.

As the application site lies close to the Grade II Listed Building at West Riddens Farm the PLBCAA 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. The requirements of this Act are reflected in Policy DP34 of the District Plan. The NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Whilst it is the professional view of the Conservation Officer that there would be less than substantial harm to the Listed building, it is considered by your officer that the harm is at the lower end of less than substantial. It is considered to be relevant to assess the extent of the harm and then to weigh this in the planning balance. Case law has determined that if a proposal does result in less than substantial harm as defined by the NPPF, this must be given significant weight in the planning balance to reflect the statutory presumption that preservation is desirable. The proposal has been assessed in accordance with guidance in NPPF paragraph 196 and the application can be supported as the public benefits outweigh any potential adverse harm to the heritage asset.

The proposal has been assessed with consideration to District Plan Policy DP39 (Sustainability). For reasons including the location of the site, and the proposed energy efficiency details of the scheme, the proposal has been demonstrated to represent a sustainable development in accordance with District Plan Policy DP39.

The relationship and detailed construction for the improved access into the site to the oak trees on the roadside has been previously considered and the submitted details accord with the approved access arrangements. Subject to the works being carried out as detailed the proposal will accord with District Plan Policy DP21 and DP37.

The Habitats Regulations Assessment screening assessment concludes that there would be no likely significant effects, alone or in combination, on the Ashdown Forest SPA and SAC from the proposed development. No mitigation is required in relation to the Ashdown Forest SPA or SAC and a full HRA of the proposed development is not required.

There are not considered to be any ecological reasons to resist the development. As such the proposal complies with Policy DP38 in the District Plan.

The proposal will accord with Policy DP41 of the District Plan subject to the submission of details of the proposed foul and surface water drainage and means of disposal and a management and maintenance plan for the lifetime of the development for approval.

In summary, this is a case where it is considered that the proposal complies with some policies within the development plan but conflicts with others. The approval of outline application DM/18/5130 is a relevant material consideration. The proposal complies with Policies DP4, DP6, DP21, DP26, DP27, DP38 and DP41 of the District Plan, although there is some conflict with Policies DP12, DP15, DP34 and DP39 of the District Plan.

It is considered that the harm to the nearby Listed building at West Riddens Farm is at the lower end of the scale and the public benefits of providing a well designed rural development on this site outweighs the less than substantial harm to the Listed Building.

To conclude it is your Officer's view that whilst there is conflict with some policies in the development plan as set out above, overall the planning application complies with the development plan when read as a whole. The scheme is for three new dwellings in a relatively sustainable location that accords with Policy DP6 of the District Plan, and there are not considered to be any other material considerations that would indicate that the application should be refused.

In light of the above it is recommended that the application is approved.

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.

Approved plans

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. Notwithstanding the submitted details the development shall not be carried out unless and until samples of materials and finishes to be used for external walls / roofs / fenestration and rainwater goods of the proposed buildings have been submitted to and approved by the Local Planning Authority. The works shall be carried out in accordance with the approved details unless otherwise agreed with the Local Planning Authority in writing.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031 and Policies AS1 and AS2 of the Ansty, Staplefield and Brook Street Neighbourhood Plan.

4. The buildings shall not be occupied until the parking spaces/turning facilities/and garages shown on the submitted plans have been provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the parking/turning/and garaging of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways and to accord with Policy DP21 of the District Plan 2014 - 2031 and Policy AS1 of the Ansty, Staplefield and Brook Street Neighbourhood Plan.

5. Within six months of the implementation of the development, maximum visibility splays shall be provided at the site access onto Burgess Hill Road in accordance with a plan to be submitted to and approved by the Local Planning Authority. These splays shall thereafter be kept clear of all obstructions to visibility above a height of one metre above the adjoining road level.

Reason: In the interests of road safety and to accord with Policy DP21 of the District Plan 2014 - 2031 and Policies AS1 and AS2 of the Ansty, Staplefield and Brook Street Neighbourhood Plan.

6. No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved Site Layout/Landscaping 15/178/Sk37. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development and to accord with Policy DP21 of the District Plan 2014 - 2031 and Policies AS1 and AS2 of the Ansty, Staplefield and Brook Street Neighbourhood Plan.

7. 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 Layout/Landscaping 15/178/Sk37.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies and to accord with Policy DP21 of the District Plan 2014 - 2031 and Policies AS1 and AS2 of the Ansty, Staplefield and Brook Street Neighbourhood Plan.

8. No part of the development shall be first occupied until the electric vehicle charging space(s) have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: To provide sustainable travel options in accordance with current sustainable transport policies and to accord with Policy DP21 of the District Plan 2014 - 2031 and Policies AS1 and AS2 of the Ansty, Staplefield and Brook Street Neighbourhood Plan.

9. No development shall be commenced until such time as plans and details have been submitted to and approved in writing by the Local Planning Authority showing the site set up during construction. This shall include details for all temporary contractors buildings, plant and stacks of materials, provision for the temporary parking of contractors vehicles and the loading and unloading of vehicles associated with the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of construction.

Reason: To avoid undue congestion of the site and consequent obstruction to access and to accord with Policy DP21 of the District Plan 2014 - 2031 and Policies AS1 and AS2 of the Ansty, Staplefield and Brook Street Neighbourhood Plan.

10. The development hereby permitted shall not commence unless and until details of the proposed foul and surface water drainage and means of disposal have been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until all the approved drainage works have been carried out in accordance with the approved details. The details shall include a timetable for its

implementation and a management and maintenance plan for the lifetime of the development which shall include arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. Maintenance and management during the lifetime of the development should be in accordance with the approved details.

Reason: To ensure that the proposal is satisfactorily drained and to accord with the NPPF requirements and Policy DP41 of the District Plan (2014 - 2031).

11. If during construction, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority), shall be carried out until a method statement identifying, assessing the risk and proposing remediation measures, together with a programme, shall be submitted to and approved in writing by the Local Planning Authority. The remediation measures shall be carried out as approved and in accordance with the approved programme. If no unexpected contamination is encountered during development works, on completion of works and prior to occupation a letter confirming this should be submitted to the Local Planning Authority. If unexpected contamination is encountered during development works, on completion of works and prior to occupation, the agreed information, results of investigation and details of any remediation undertaken will be produced to the satisfaction of and approved in writing by the Local Planning Authority.

Reason: To ensure that the risks from land contamination to the future users of the land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

12. The recommendations set out in the Preliminary Ecological Assessment and Buildings Assessment report by The Ecology Partnership (March 2018) shall be implemented in full unless otherwise agreed in writing by the local planning authority.

If there is a delay of greater than 24 months between the surveys that this report was based on (March 2018) and demolition of existing buildings and / or site clearance, an updated report and recommendations shall be submitted to, and approved in writing by, the local planning authority prior to commencement. All works shall then proceed full accordance with the updated report.

Reason: To ensure that the proposals contribute to a net gain in biodiversity, in accordance with DP38 of the District Plan.

13. 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 houses hereby approved, whether or not consisting of an addition or alteration to their roofs, nor any other alteration to their roofs, shall be carried out, (nor shall any building or enclosure, swimming or other pool be provided within the curtilage of the dwelling houses) without the specific grant of planning permission from the Local Planning Authority.

Reason: To prevent the overdevelopment of the site and to accord with Policies DP26 and DP34 of the Mid Sussex District Plan 2014 - 2031 and Policies AS1 and AS2 of the Ansty, Staplefield and Brook Street Neighbourhood Plan.

14. The development hereby permitted shall not be occupied until trees/shrubs/a hedge of species to be approved in writing by the Local Planning Authority have been planted along the north western and south western site boundaries. In the event that any such trees, or shrubs or plants die or become seriously damaged or diseased within a period of 5 years following planting they shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing with the LPA.

Reason: In the interests of the visual amenities of the locality and to accord with Policy DP37 of the Mid Sussex District Plan 2014 - 2031 and Policies AS1 and AS2 of the Ansty, Staplefield and Brook Street Neighbourhood Plan.

15. The existing Oak trees at the site entrance shall be retained and protected in accordance with the details in the submitted Tree Report by Sutlieff Tree Services Limited, dated 14/06/2018 before the development commences, for the duration of the development and the oak trees shall not be damaged, destroyed, uprooted, felled, lopped or topped during that period without the previous written consent of the Local Planning Authority. Any trees removed without such consent or dying or being severely damaged or becoming seriously diseased during that period shall be replaced in the following planting season with trees of such size and species as may be agreed with the Local Planning Authority.

Reason: To ensure the retention of vegetation important to the visual amenity and/or ecology of the area and to accord with Policy DP37 of the Mid Sussex District Plan 2014 - 2031 and Policies AS1 and AS2 of the Ansty, Staplefield and Brook Street Neighbourhood Plan.

INFORMATIVES

1. In accordance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. 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.

3. 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-orcrossovers-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-orcrossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-constructionapplicationform/>

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
Sections	15/178/SK04		26.05.2020
Proposed Elevations	15/178/SK33	Plot 2	26.05.2020
Proposed Floor Plans	15/178/SK34	Plot 3	26.05.2020
Site Plan	15/178/SK36		26.05.2020
Landscaping	15/178/SK37		26.05.2020
Location Plan	15/178/Loc B		26.05.2020
Visibility Plans	15/178/01		26.05.2020
Existing Floor Plans	15/178/SK01		26.05.2020
Existing Elevations	15/178/SK02		26.05.2020
Existing Elevations	15/178/SK03		26.05.2020
Other	15/178/SK20	A	26.05.2020
Existing Elevations	15/178/SK21		26.05.2020
Proposed Floor Plans	15/178/SK30	Plot 1	26.05.2020
Proposed Elevations	15/178/SK31	Plot 1	26.05.2020
Proposed Floor Plans	15/178/SK32	Plot 2	26.05.2020
Proposed Elevations	15/178/SK35	Plot 3	26.05.2020

APPENDIX B – CONSULTATIONS

Southern Water Services (Sussex)

Thank you for your letter dated 03/07/2020.

Environment Agency shall be consulted directly regarding the use of a private wastewater treatment works which disposes of effluent to sub-soil irrigation.

The Council's 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.

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.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).

Website: southernwater.co.uk or by email at: SouthernWaterPlanning@southernwater.co.uk
Parish Consultation

No objection.

MSDC Tree Officer

To be reported.

MSDC Contaminated Land Officer

My comments remain the same as they did under DM/18/5130 and are reproduced below.

The application looks to demolish the existing dwelling and erect three new dwellings.

Part of the site has had historical use as agricultural land, and may have been used for the storage of items such as biocides, fuels, animal corpses etc. which have the potential to cause localised contamination.

Given the above it is appropriate to attach a discovery strategy, so that in the event any potential contamination is discovered during ground works, that all works stop until the matter has been dealt with in a manner approved by the local authority.

Recommendation: Approve with conditions:

1) If during construction, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the LPA), shall be carried out until a method statement identifying, assessing the risk and proposing remediation measures, together with a programme, shall be submitted to and approved in writing by the LPA. The remediation measures shall be carried out as approved and in accordance with the approved programme. If no unexpected contamination is encountered during development works, on completion of works and prior to occupation a letter confirming this should be submitted to the LPA. If unexpected contamination is encountered during development works, on completion of works and prior to occupation, the agreed information, results of investigation and details of any remediation undertaken will be produced to the satisfaction of and approved in writing by the LPA

WSSC Highways Authority

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 Local Development 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 WSSC 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.

Summary

West Sussex County Council was consulted previously on Highways Matter for this site under outline planning application DM/18/5130 that sought approval for demolition of the existing dwelling and barn and replacement with three new dwellings with all matters reserved except for Access, Appearance, Layout and Scale. No highways objections were raised and this application was granted planning permission.

This proposal is of similar nature to DM/18/5130 and seeks approval for demolition of the existing dwelling and barn and replacement with three dwellings. The proposal will result in 1 x 3 bedroom dwelling (Plot 2) and 2 x 4 bedroom dwellings (Plots 1 and 3).

The site is located and accessed via Burgess Hill Road (B2036) which is a B-classified road subject to national speed limit in this location.

The LHA requests additional information pertaining to the parking arrangements as set out below.

Vehicular Access

Access to the proposed dwellings will be utilised through the existing shared access arrangements onto Burgess Hill Road.

Visibility splays at the existing access have been demonstrated at 2.4m (x) distance. Splays of 120m can be achieved in each direction. While the splays are substandard for the posted speed limit, it is appreciated that the access is existing and has been operating for some time without any evidence of highway safety concern.

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 accidents within the vicinity of the site. Therefore there is no evidence to suggest that the existing access is operating unsafely or that the proposal would exacerbate an existing safety concern.

The existing access will be widened to 4.8m into the site to facilitate two passing vehicles and to assist the manoeuvre from the highway. Any access works on the public highway must be constructed under a licence obtained by WSCC Highways to a specification agreed with them. The Local Highway Authority (LHA) appreciates that the proposal may generate an intensification of movements; however this is not anticipated to be a highway safety concern given the road serves several other dwellings.

Car Parking

Parking provision for the proposed dwellings will be provided within the proposed garages and hardstanding area for each plot. The WSCC Car Parking Calculator (PDC) updated August 2019, would expect 3 parking spaces to be provided for each plot.

Plot 1 - The proposed garage measures circa 3.8m x 5.7m internally which is insufficient to accommodate vehicle considering the minimum requirements of 3 x 6 m for a single garage (including space for cycle storage) as outlined in Manual for Streets (MfS) guidance. Under the revised WSCC parking guidance, each garage space (3 x 6m) counts as 0.5 of a parking space. The applicant may wish to consider enlarging the garage to comply with MfS

standards. The remaining expected provision for Plot 1 should be demonstrated on a revised plan.

Plot 2 - The proposed double garage for plot 2 has the adequate internal measurements of 6 x 6m. Each double garage (6 x 6m) counts as one parking space towards the expected provision. The hardstanding area fronting the garage appears of sufficient size to accommodate 2 additional vehicles considering the minimum requirements of 2.4 x 4.8m per single parking bay.

Plot 3 - The proposed garage measures circa 6.7m x 5.9m internally. It is appreciated that this is slightly below the required standards; however, it cannot be counted towards the proposed parking provision. The applicant may wish to consider enlarging the garage to comply with MfS standards.

Overall the proposal could potentially result in overspill parking of 2-3 spaces, therefore the applicant is requested to demonstrate that sufficient parking of 3 spaces per dwelling is provided for the development. Please raise the above and re-consult.

Further comments:

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 Local Development 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.

The LHA has been re-consulted on this proposal following submission of additional information pertaining to the parking provision for Plots 1 and 3.

Parking Provision

The proposed garage for Plot 1 falls marginally short of the minimum depth requirement; however, this is not anticipated to result in a highway safety concern given that the garage can accommodate one vehicle whilst allowing space for cycle storage. WSCC Policy for single garages, as previously advised counts as 0.5 parking space towards the proposed provision. Subsequently, the overall parking provision for Plot 1 would be assessed based on the above guidance.

Parking provision for Plot 1: 1 single garage and 2/3 parking spaces within the hardstanding area resulting in total of 2.5/3.5 parking spaces.

Parking for Plot 2: 1 double garage (counts as one parking space) and 1/ 2 spaces within the hardstanding area resulting in total of 2/3 spaces.

The proposed double garage for Plot 3 is slightly substandard, however as pointed out in the additional information the garage would be wider, and this would allow extra space to accommodate bicycle provision.

Parking provision for Plot 3: 1 double garage (counts as one parking space) and 2 spaces within the hardstanding area resulting in total of 3 spaces.

The WSCC Car Parking Demand (PDC) Calculator would expect 3 parking spaces to be provided for each dwelling. Based on the above assessment, the proposed parking provision would be considered adequate.

The proposed site plan demonstrates communal turning area for vehicles to turn and exit in forward gear onto the public highway.

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 all new homes. Active EV charging points should be provided for the development in accordance with current EV sales rates within West Sussex (Appendix B of WSCC Guidance on Parking at New Developments) and Mid Sussex Local Plan policy. Ducting should be provided to all remaining parking spaces to provide 'passive' provision for these to be upgraded in future. Details of this can be secured via condition and a suitably worded condition is advised below.

In order to promote the use of sustainable transport methods, the LHA recommends that secure and covered cycle is provided for this development. Cycle provision can be accommodated within the proposed garages and details of this can be secured via planning condition.

Conclusion

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

If the LPA are minded to approve this application, the following conditions are advised.

Conditions

Vehicle parking and turning

No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved Site Layout/Landscaping 15/178/Sk37. These spaces shall thereafter be retained for their designated use.

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

Cycle parking

No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the approved Site Layout/Landscaping 15/178/Sk37.

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

Electric Vehicle Charging Spaces

No part of the development shall be first occupied until the electric vehicle charging space(s) have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: To provide sustainable travel options in accordance with current sustainable transport policies.

MSDC Drainage

The Flood Risk and Drainage Team acknowledge that this application is a full application associated with the outline application DM/18/5130. The Planning Officer has confirmed that a full updated response is required. The Flood Risk and Drainage Officer has therefore reviewed the submission without reference to the consultation response provided for the outline application DM/18/5130.

FLOOD RISK

The site is within flood zone 1 and is at low fluvial flood risk (risk of flooding from Main Rivers). The site is not within an area identified as having possible surface water (pluvial) flood risk.

There are not any historic records of flooding occurring on this site and in this area. This does not mean that flooding has never occurred here, instead, that flooding has just never been reported.

SURFACE WATER DRAINAGE

The Planning, Sustainability and Heritage Statement submitted states that a Foul Sewage, Utilities and Surface Water Assessment has been submitted in support of this application. However, this document does not appear to be available for the officer to review.

The application form submitted as part of the application states that surface water drainage shall be managed via soakaways.

The BGS infiltration potential map shows the site to be in an area with high infiltration potential. Therefore, the use of infiltration drainage such as permeable paving or soakaways may be to be possible on site.

We advise the applicant to be aware that private surface water drainage systems must remain within individual property curtilage. Any shared surface water features must be located within areas of public realm. We would advise the applicant that any impermeable surfaces within public realm will also require surface water drainage.

Further information into our general requirements for surface water drainage is included within the 'General Drainage Requirement Guidance' section.

FOUL WATER DRAINAGE

The application form states that the development will utilise package treatment plant to manage foul water drainage. The submitted plans of the development do not show whether individual package treatment plants or a single shared system is proposed.

We would advise the applicant that appropriate means of managing treated foul effluent will be required for all treatment plants provided. A shared plant and it's means of managing treated foul effluent will be required to be located within public realm.

Further information into our general requirements for foul water drainage is included within the 'General Drainage Requirement Guidance' section.

SUMMARY OF FURTHER INFORMATION REQUIRED

At this time, we will require the following further information:

- Submission of the Foul Sewage, Utilities and Surface Water Assessment report mentioned within the submission.
- Confirmation of whether surface water drainage shall utilise individual systems or a shared system.
- Confirmation of whether foul water drainage shall utilise individual systems or a shared system.
- Plan showing a suitable means of managing treated foul effluent is available for each package treatment plant. This does not need to be a detailed design but should show consideration to the likely required land take.

GENERAL DRAINAGE REQUIREMENT GUIDANCE

SURFACE WATER DRAINAGE

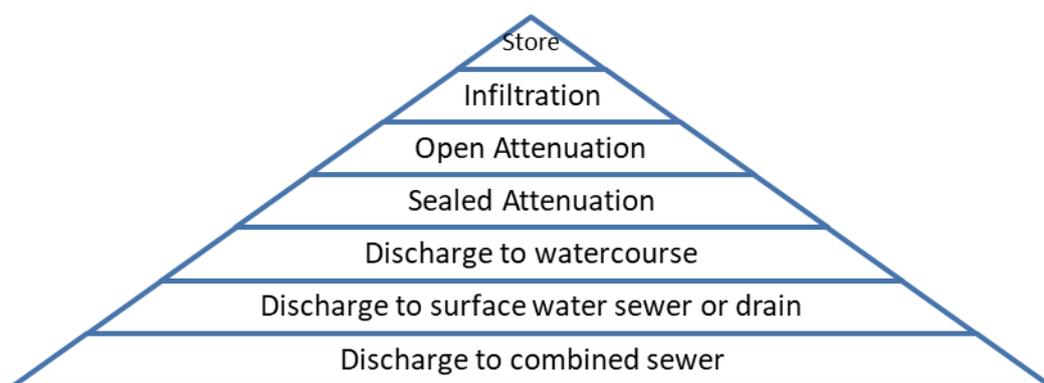
Proposed development will need to fully consider how it will manage surface water run-off. The hierarchy of surface water disposal will need to be followed and full consideration will need to be made towards the development catering for the 1 in 100-year storm event plus extra capacity for climate change. Climate change allowances should be in line with the Environment Agency's climate change allowance recommendations.

The use of pumped surface water drainage is not considered to be sustainable and therefore would not be considered an appropriate means of managing surface water as part of a development.

Multiple dwellings / multiple unit development will need to provide a maintenance and management plan that identifies how the various drainage systems will be managed for the lifetime of the development, who will undertake this work and how it will be funded.

The proposed development drainage will need to:

- Follow the hierarchy of surface water disposal, 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' came 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

PRE-APP	OUTLINE	FULL	RESERVED	DISCHARGE	DOCUMENT SUBMITTED
		✓	✓		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 (including increased surface water flood risk)</p>	<ul style="list-style-type: none"> 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.

DESCRIPTION OF DEVELOPMENT	INFORMATION REQUIRED
Multiple plot development	<ul style="list-style-type: none"> • A Maintenance and Management Plan 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.
Public sewer under or adjacent to site	<ul style="list-style-type: none"> • Evidence of approvals to build over or within proximity to public sewers will need to be submitted. <p><u>Advice</u> Consultation will need to be made with the sewerage undertaker if there is a Public Sewer running under or adjacent to the proposed development.</p> <p>Building any structure over or within proximity to such sewers will require prior permission from the sewerage undertaker. Any development within 8m of a sewer will require consultation.</p>

DESCRIPTION OF DEVELOPMENT	INFORMATION REQUIRED
MSDC culvert under or adjacent to site	<ul style="list-style-type: none"> Evidence of approvals to build over or within proximity to MSDC assets will need to be submitted. <p><u>Advice</u> 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. Consultation should be made where such an asset is within 8m of any development.</p> <p>Building any structure over or within 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.</p> <p>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	<ul style="list-style-type: none"> Plan showing watercourse maintenance strip <p><u>Advice</u> 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>

INFORMATION REQUIREMENTS - SURFACE WATER DRAINAGE

PROPOSED SURFACE WATER DRAINAGE METHOD	INFORMATION REQUIRED
Infiltration e.g. Soakaways	<ul style="list-style-type: none"> Percolation test results Sizing calculations, details and plans 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. Climate change allowances for residential development is 40% and for commercial development is 30%. Calculations which show the proposed soakaway will have a half drain time of 24 hours or less.

<p style="text-align: center;">PROPOSED SURFACE WATER DRAINAGE METHOD</p>	<p style="text-align: center;">INFORMATION REQUIRED</p>
<p>Outfall to watercourse</p>	<ul style="list-style-type: none"> • Evidence discharge rate will be restricted in accordance with <i>West Sussex Lead Local Flood Authority Policy for the Management of Surface Water</i> (https://www.midsussex.gov.uk/media/3826/ws-llfa-policy-for-management-of-surface-water.pdf). <p><u>Advice</u> You cannot discharge surface water unrestricted to a watercourse.</p> <p>Discharge rates should be restricted to the Greenfield QBar runoff rate for the positively drained area for all events up to and including the 1 in 100-year rainfall event with climate change.</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 <i>Ordinary Watercourse Consent (OWC)</i> may need to be applied for. Guidance into the OWC application process can be found on West Sussex County Council's website at</p> <p>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>
<p>Outfall to public sewer</p>	<ul style="list-style-type: none"> • Evidence discharge rate will be restricted in accordance with <i>West Sussex Lead Local Flood Authority Policy for the Management of Surface Water</i> (https://www.midsussex.gov.uk/media/3826/ws-llfa-policy-for-management-of-surface-water.pdf). • Evidence connection and discharge rate has been approved with responsible sewerage undertaker. <p><u>Advice</u> You cannot discharge surface water unrestricted to a sewer. Discharge of surface water into a foul sewer system is not usually acceptable.</p> <p>Discharge rates should be restricted to the Greenfield QBar runoff rate for the positively drained area for all events up to and including the 1 in 100-year rainfall event with climate change. Unless agreed otherwise with the sewerage provider.</p>

<p style="text-align: center;">PROPOSED SURFACE WATER DRAINAGE METHOD</p>	<p style="text-align: center;">INFORMATION REQUIRED</p>
<p>SuDS and attenuation</p>	<ul style="list-style-type: none"> • Evidence any discharge rates will be restricted in accordance with <i>West Sussex Lead Local Flood Authority Policy for the Management of Surface Water</i> (https://www.midsussex.gov.uk/media/3826/ws-llfa-policy-for-management-of-surface-water.pdf). • Percolation test results • Sizing calculations, details and plans to demonstrate that any infiltration / attenuation will be able to cater for the 1 in 100-year storm event plus have extra capacity for climate change. Climate change allowances for residential development is 40% and for commercial development is 30%. • Calculations which show the proposed soakaway will have a half drain time of 24 hours or less. <p><u>Advice</u> 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>You cannot discharge surface water unrestricted to a watercourse or sewer.</p>

Further comments: The Flood Risk and Drainage Team acknowledge that this application is a full application associated with the outline application DM/18/5130. The Planning Officer has confirmed that a full updated response is required. The Flood Risk and Drainage Officer has therefore reviewed the submission without reference to the consultation response provided for the outline application DM/18/5130.

FLOOD RISK

The site is within flood zone 1 and is at low fluvial flood risk (risk of flooding from Main Rivers). The site is not within an area identified as having possible surface water (pluvial) flood risk.

There are not any historic records of flooding occurring on this site and in this area. This does not mean that flooding has never occurred here, instead, that flooding has just never been reported.

SURFACE WATER DRAINAGE

Following a request for further information to be provided Simon Dent Associates has provided further details of how surface water drainage shall be managed for the development.

It is proposed that surface water for the site shall be managed through attenuation and discharge into a watercourse at a controlled rate. It has been confirmed that access to a watercourse is available within land owned by the applicant and access shall be granted for the lifetime of the development.

The principle of the proposed surface water drainage strategy is acceptable. However detailed drainage design, and infiltration test results will need to be produced. This additional information can be subject to a planning condition.

We would advise the applicant that discharge into a watercourse will likely require Ordinary Watercourse Consent. This is a separate process to planning and is managed by the Lead Local Flood Authority. Information on this 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/flooding/flood-risk-management/ordinary-watercourse-land-drainage-consent/>. Further information into our general requirements for surface water drainage is included within the 'General Drainage Requirement Guidance' section.

FOUL WATER DRAINAGE

Following a request for further information to be provided Simon Dent Associates has provided further details of how foul water drainage shall be managed for the development.

It is proposed that foul water for the site shall be managed using individual package treatment plants. Treated foul effluent shall then be discharged to a watercourse via gravity. It has been confirmed that access to a watercourse is available within land owned by the applicant and access shall be granted for the lifetime of the development.

The principle of the proposed foul water drainage strategy is acceptable. However detailed drainage design will need to be produced. This additional information can be subject to a planning condition.

We would advise the applicant that treated foul effluent should remain separate from surface water drainage, however discharges can share the same headwall. This is to limit the risk of contamination and to assist with maintenance and repair for the lifetime of the development.

Discharge into a watercourse will likely require Ordinary Watercourse Consent. This is a separate process to planning and is managed by the Lead Local Flood Authority. Information on this 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/flooding/flood-risk-management/ordinary-watercourse-land-drainage-consent/>.

Further information into our general requirements for foul water drainage is included within the 'General Drainage Requirement Guidance' section.

SUGGESTED CONDITIONS

C18F - MULTIPLE DWELLINGS/UNITS

The development hereby permitted shall not commence unless and until details of the proposed foul and surface water drainage and means of disposal have been submitted to and approved in writing by the local planning authority. No building shall be occupied until all the approved drainage works have been carried out in accordance with the approved details. The details shall include a timetable for its implementation and a management and maintenance plan for the lifetime of the development which shall include arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. Maintenance and management during the lifetime of the development should be in accordance with the approved details.

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

Ecologist

In my opinion, there are no biodiversity policy grounds for refusal or amendment of the proposals. Requirements for avoidance, mitigation and enhancement measures, as well as updated survey to ensure these measures are based on up-to-date information are covered by condition 10 of the outline consent.

MSDC Conservation Officer

The application site is a farmstead with dwelling and barns located to the south east of West Riddens Farm. West Riddens Farm itself is Grade II listed and has a number of associated outbuildings which would be regarded as curtilage listed. The existing buildings on the site itself appear to date from the 20th century and may originally have formed part of the same farm as West Riddens, later separated as Oaktree Farm. The site and West Riddens Farm are located within a rural setting to the south of the hamlet of Ansty.

The current proposal is for full planning permission for the demolition of the existing buildings on the site and the construction of three dwellings. Outline planning permission was granted for development of a similar description on 30.05.2019.

At present, the existing barns to the north west boundary of the site (adjacent to West Riddens Farm), are a prominent feature of the setting of the historic farmstead. Although not of any architectural merit they are of an agricultural character which compliments the rural nature of the setting of the listed and curtilage listed buildings. As such, they have a neutral impact on that setting, and also serve to shield the existing bungalow dwelling on the site from view from the direction of the farm.

At the time of the outline application it was my opinion in that the proposed new development of three houses on the site was likely to have a detrimental impact on the character of the setting of the historic farmstead. New, relatively high density, residential development on this site will serve to domesticate this part of the listed and curtilage listed buildings' setting. This will be at odds with the current rurality of that setting, which makes a strong positive contribution to the manner in which the special interest of the buildings is appreciated. This was my view notwithstanding the prior approval for conversion of the barns, which could be expected to preserve more of their existing agricultural character.

In my opinion, the principle of the proposed development remains harmful to the setting of the listed building and of the curtilage listed farmstead, causing an less than substantial degree of harm in terms of the NPPF. However, notwithstanding this objection on Heritage grounds the outline proposal was on balance considered acceptable and approval was granted. The proposal now under consideration is for a detailed scheme, and it therefore important that the design and landscaping of this scheme should as far as possible mitigate the less than substantial harm caused by the development to the setting of the heritage assets at Riddens Farm. This would be in accordance with the requirements of the relevant Historic England guidance on the Setting of Heritage Assets (GPA3).

I therefore have the following comments to offer in with this aim in mind:

In terms of the design concept of the scheme overall while I would not disagree with the rural/agricultural aesthetic, as it stands the proposal comprises three substantial 'barns' in a loose arrangement and subdivided by domestic curtilages which if the intention is to reference a traditional farmyard will be unsuccessful. Usually you would expect a traditional farmstead to comprise one barn and a number of other buildings of differing, usually lower, scales and varied forms, reflecting their different functions within the farm. Where grouped such as on the development site, such buildings would often be arranged around an open

yard, and would not be standing in separate domestic plots as is proposed here. These aspects of the scheme should be reconsidered if the 'rural' character of the development is to be maximised and the urban/domestic character minimised, as would be desirable in order to mitigate the harm to the setting of Riddens Farm, according to the requirements of GPA3.

Plot 1. The barn style aesthetic of the proposed new house is broadly in keeping with the rural context and the scale appears no greater than the existing agricultural building on this part of the site. However aspects of the fenestration may benefit from reconsideration including the size, uniformity and regularity of the windows to some of the elevations which results in a 'domestic' character not sympathetic to the overall aesthetic, and the cluster of rooflights to the east elevation which adds clutter to the sweep of the roof. I would also recommend that the uPVC rainwater goods are revised to painted metal.

Plot 2: The scale and massing of this building result in a rather monolithic appearance, which would benefit from being broken down to avoid a second building of a 'barn' typology. The integration of the garage at ground floor is a negative feature of the design which detracts from the appearance of the building- a detached garage could allow for reduction in the scale of the house and for the bulk to be broken down somewhat. I have the same concerns as expressed in relation to Plot 1 in respect of the fenestration and rainwater goods. Aspects of the detail of the fenestration (those which appear to reference midstrete doors) also reinforce the 'barnlike' character of the house which as above needs reconsideration.

Plot 3: Again, I have similar concerns regarding the barn typology of this building, the fenestration and rainwater goods.

The landscaping of the scheme will also be important. Whilst the detail of this could be controlled by condition I have concerns regarding specific aspects of the site layout as shown in the proposal which are:

- The subdivision of the area between the buildings which is not in keeping with the 'farmstead' character
- The apparent lack of allowance for additional natural screening to the boundary with Riddens Farm, which was referred to in the outline proposal but does not seem to form part of the current detailed proposal? I would expect this screening to be substantial allowing for sufficient depth and height of vegetation for the screening to be effective year round.