



Agenda Update Sheet

District Planning Committee

Date 17th December 2019

Agenda item 5:

Recommended for Approval

APPLICATION NO: DM/18/4979

Officer comment;

In respect of undertaking the planning balance/conclusion your officer has, pursuant to and in discharge of its duty under s66 and the requirements of Policy DP34, had special regard to the desirability of preserving the setting of the listed buildings and having applied the appropriate tests under paragraphs 189 - 196 of the NPPF accordingly, is satisfied that the development is acceptable.

The above statement is also applicable to the executive summary section of the report.

Pg 16 Recommendation A

In the event that minor amendments are required to the proposed conditions such amendments can be delegated to officers. In all other cases, any amendments will be undertaken in consultation with the Chair and Vice Chair of the District Planning Committee.

Pg 18 Summary of Representations

Heritage

5th bullet point under above heading should read as;

“Historic England’s assessment is narrowly construed to Ockley Manor itself.”

3 additional emails have been sent to the Council and the Planning Committee as follows;

Mr Rayner’s email reiterate issues already set out in the representation section of the report relating to the impact of development on heritage assets and highway safety.

Cllr Budgen’s email raises concerns relating to Gypsy and Traveller provision in relation to the lack of on-site provision and the justification for accepting a financial contribution for off-site provision.

Cllr Kirsty Lord’s email raises concerns over the site access and whether it can actually be delivered given issues raised relating to the plans, the traffic model assumptions relating to the school and the underestimation of traffic arriving from Burgess Hill, and, the wider network effects of the development.

Pg 20 Summary of Consultees

MSDC Conservation Officer

Additional comments received stating;

In relation to the Non Designated Heritage Assets at Ockley Manor, there are several of these within the former farmyard to the north of the Manor House. I would consider these to include:

- The buildings forming the farm courtyard (the Old Malthouse, The Old Dairy, and the Old Granary) (possibly partly 17th century in origin)
- The small former cart or cowshed to the north of Ockley Manor (c. 1800)
- The 19th century multifunctional barn to the north east of Ockley Manor

Given the age of these buildings (which appears to be 18th century or earlier in some cases), and their group value with each other and with the designated heritage assets within the Ockley Manor historic farmstead, I would consider that the NDHAs have a moderate to high significance within the local context.

Pg 28 Relevant Planning History

5th Paragraph down should read as follows;

In respect of Hassocks as a location for development the Inspector stated (paragraph 81)....

Pg 32 Hassocks Neighbourhood Plan

The Independent Examiner, Andrew Ashcroft, sent his report on the submission draft of the Neighbourhood Plan on 16 December 2019. This report has been published on the MSDC website. At its meeting on 13 January 2020, Cabinet be asked will consider the Examiner's Report, agree the Decision Statement in response to his recommendations, and, recommend the Neighbourhood Plan (as amended) for referendum.

At this stage the Neighbourhood Plan must be given more than the limited weight identified in the Committee Report.

In line with Section 70 (2) of the Town and Country planning Act 1990 (as amended) Officers have had regard to the Examiner's Report and post-examination draft Neighbourhood Plan so far as is material to the application. The Examiner has made a number of recommendations which change the following policies of the Neighbourhood Plan which are material to the determination of this application

Policy1 – Local Gap

Policy 2 – Local Green Spaces

Policy 3 Green Infrastructure

Policy 4 – Managing Surface Water

Policy 5 – Enabling Zero Carbon

Policy 6 - Development Proposals Affecting the South Downs National Park

Policy 9 – Character and Design

Policy 10 – Protection of Open Space

Policy 11 – Outdoor Playing Space

Policy 13 – Education Provision

Policy 16 – Land to the North of Clayton Mills and Mackie Avenue

Policy 17 – Affordable Housing

There are no recommended changes to Policy 8 – Air Quality Management.

Having had regard to the post examination draft Neighbourhood Plan, your officers having given it appropriate weight are content that there are no changes which would lead to a different recommendation.

Pg 33 Other Material Considerations and relevant Legislation

National Design Guidance (October 2019)

Pg 43 South Down National Park

2nd paragraph insert the word 'avoid' on third line between 'to' and 'construction'.

Pg 56 Heritage Assets

Non-Designated Heritage Assets;

Pg 57 Heritage Assets

Assessment of Heritage Assets (Designated and Non Designated)

The following text should be considered as part of this section of the report.

As highlighted within this report section DP34 of District Plan states that proposals affecting non-designated heritage assets will be considered in accordance with the policies in the National Planning Policy Framework (NPPF) and current Government guidance. The NPPF (para 197) is clear in how planning applications should be determined when they have an impact on a non-designated heritage asset.

Firstly, the effect of an application on the significance of the non-designated heritage assets should be taken into account. In this case the Council's Conservation Officer considers that within the local context the buildings would have a moderate to high significance.

Secondly, in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. In this case the Council's Conservation Officer considers that the impact on the non-designated heritage assets will be less than substantial.

Members should therefore take into account the less than substantial harm to the non-designated heritage assets of moderate to high significance when coming to a balanced judgement. This should be balanced against the substantial positive benefits that flow from the development of up to 500 dwellings and land for the provision of a primary school, on the site that forms one of the strategic site allocations within the District Plan (DP11 refers).

Pg 104 Infrastructure

Under West Sussex County Council add the following provision;

- A financial contribution to the upgrading of footpath 5k between the railway line and footpath 11k.

Pg 110 Planning Balance and Conclusion

The following text should be considered as part of the section of the report.

Whilst the proposal will cause less than substantial harm to the non - designated heritage assets of moderate to high significance, a balanced judgement on this issue must be made in accordance with the NPPF. This less than substantial harm has been balanced against the positive benefits that flow from the development of up to 500 dwellings and the provision of land for a primary school on the site that forms one of the strategic site allocations within the District Plan (DP11 refers). It is judged that the benefits of the scheme significantly outweigh the less than substantial harm to the non-designated heritage assets.

Pg 116 Recommended Conditions

Additional wording (underlined) to be added to condition 8 as follows;

No phase of the development hereby permitted shall not commence unless and until details of the proposed foul and surface water drainage and means of disposal to serve that phase have been submitted to and approved in writing the by the Local Planning Authority. No building shall be occupied until all the approved drainage works to serve that building have been carried.....

Additional wording (underlined) to be added to condition 9 as follows;

No phase of the development shall take place unless and until details of the existing and proposed site levels of that phase have been submitted to and approved in writing.....

Condition 12 – 2nd line should read as ‘detailed’

Pg 119 Recommended Conditions

Condition 23 – Plan reference is Rev I not Rev G.

Condition 24 – add ‘)’ after 2019.

Pg 120 Recommended Conditions

Condition 30 – 2nd line add the words ‘outline and’ before ‘reserved matters’. Replace ‘stage’ with ‘stages’.

Pg 121 Recommended Conditions

Condition 35 – add the words ‘(except for properties with private access rights),’ after ‘non-emergency traffic’.

Agenda Item 7:

Recommended for Approval

APPLICATION NO: DM/19/1148

P253, in the second paragraph, replace the first sentence with the following: ‘In this particular case there is a cluster of 13 houses (plots 22 to 33 and plot 58).’ In the sixth line of this paragraph replace ‘two more dwellings’ with ‘three more dwellings’

Agenda Item 8:

Recommended for Approval

APPLICATION NO: DM/19/2764

Pg 280 Consultations

Drainage Engineer

The proposed increase in units will result in a negligible difference on impermeable surfaces and as such we've no further comments to make in relation to the surface water drainage.

The increase in units will however increase the foul water drainage from the site as a whole. We are aware that the public foul water pumping station which services the site has limited capacity and that Southern Water are currently utilising tankers to remove waste from the pumping station. As such the increase in foul water volumes from the site will need to be reviewed by Southern Water.

We would advise that Southern Water are contacted directly in relation to the proposed increase in units on the site and the impact that could have on the existing foul water drainage system.

Pg 290 In the paragraph that begins 'The re-plan area...', in the second sentence delete the words 'for the 19 new units, in addition to further provision relating to the 34 approved units (none of which previously would have provided EV charging points) and replace these words with 'which equates to 28% of 53 units'.

P308 Southern Water revised comments:

Thank you for your letter dated 08/11/2019.

Our initial investigations indicate that Southern Water can provide foul sewage disposal at manhole TQ33214703 to service the proposed development. Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer.

We request that should this application receive planning approval, the following informative is attached to the consent:

A formal application for connection to the public sewerage system is required in order to service this development. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructure-charges> The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SUDS).

Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long-term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation of the SUDS scheme.
- Specify a timetable for implementation.
- Provide a management and maintenance plan for the lifetime of the development.

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The Council's technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse.

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. Southern Water requires the existing access arrangements to the pumping station to be maintained with regards to unhindered 24 hours/7 days a week access.

In determining the application, we ask that the Planning Authority take into account the provisions of National Planning Policy Framework (NPPF) regarding the encroachment of development towards existing potentially polluting uses.

The proposed development is located approximately 70 metres of the Foxhill Haywards Heath Wastewater Treatment Works. A precautionary buffer zone distance of 500 metres from the perimeter fence of the WWTW has been used for the purposes of this planning consultation response.

Due to the potential odour nuisance from a Waste Water Treatment Works, no habitable development should be located within the 1.5 OdU odour contour of the WWTW. An Odour survey will need to be carried out to a specification agreed with Southern Water to identify and agree the 1.5 OdU contour.

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. We request that should this application receive planning approval, the following condition is attached to the consent: "Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water."

This initial assessment does not prejudice any future assessment or commit to any adoption agreements under Section 104 of the Water Industry Act 1991. Please note that non-compliance with Sewers for Adoption standards will preclude future adoption of the foul and surface water sewerage network on site. The design of drainage should ensure that no groundwater or land drainage is to enter public sewers.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119), www.southernwater.co.uk or by email at developerservices@southernwater.co.uk

Agenda Item 9:

APPLICATION NO: DM/19/3845

Pg 318, Consultations

MSDC Waste team has confirmed that there is sufficient space for the provision of waste and recycling collection at the properties and there is adequate turning space for refuse vehicles.