



## **Agenda Update Sheet**

**District Planning Committee  
19<sup>th</sup> January 2023**

## Agenda Item 5:

### APPLICATION DM/22/2012

#### **Parish Council-further comments**

The Parish Council reiterates our previous comments – Drainage must be to the north, not south, thus avoiding draining into Reeds Lane Recreation ground. We remain concerned about the unproven travel plan, relating specifically to travel to and from the site. Given the remote/rural location and lack of public transport there will be a revert to use of the car for which we still believe there is inadequate parking provision.

In response to the request from WSCC requiring clarification surrounding the previously proposed footpath link to Reeds Lane, the Parish Council reiterate there is no right of access over to Reeds Lane.

#### **Ecological Consultant comments (summary)**

Recommend approval subject to conditions to secure the ecological enhancements set out in the application and a lighting strategy.

#### **Highway Authority comments**

West Sussex County Council, in its capacity as Local Highway Authority (LHA), have been re-consulted on proposals for 66-bed care home on land west of Goldcrest Drive. In comments dated 21 December 2022 further information was requested. The applicant has now provided this, summarised below:

- Goldcrest Drive is to remain privately maintained and thus no highways licence for access works would be required - the applicant should gain permission from the proprietor of Goldcrest Drive.
- Previously indicated footpath link to Reeds Lane will not be included due to this being in land outside of the applicants ownership. Whilst this may have been beneficial, the LHA acknowledge that the proposed linking footpath to Goldcrest Drive would provide an alternative route.
- The Transport Statement (TS) has been updated to include TRICs data for peak hour trips. The trip rate agreed for consented 70-bed scheme (DM/21/1062) has been used (0.165 AM and 0.136 PM). For the 66-bed scheme this would result in 11 trips in the AM and 9 in the PM peak hours respectively (para. 5.13 table states 11 in AM and 10 in PM peak hours as per DM/21/1062 and thus is considered robust where the PM peak has been rounded up). No road network capacity issue is anticipated as a result of these additional movements within the peak hours.

#### **Travel Plan (TP)**

In comments dated 06/12/22 LHA requested modifications to the TP. An updated full TP has been provided to which the LHA wish to make the following comments. Further additions required by our Local Transport Improvements Officer are included in bold:

- Para. 4.12 now refers to the Cycle to Work salary sacrifice scheme, cycle training courses, car share scheme, cycle journey planner which will be advertised and made available to employees. **However, the TP should also include a commitment by the care home to signing up to the scheme with one of the providers (several providers are available). Staff will not be able to take advantage of the scheme unless the employer signs-up with a provider. Similarly, with regard to cycle**

**training, to help encourage employees to cycle to work, the TP could include a commitment to funding (or subsidising) cycle training for members of staff.**

- The Pindar Travel Plan mapping tool will also be encouraged to be used by the TP Co-ordinator.
- Para. 5.8 states that the TP will aim to reduce private car (single occupancy) use by 10% as is considered appropriate for the rural location. Traffic counts will be undertaken in years 1,3 and 5 in accordance with the TRICS UK Standard Assessment Methodology (aka TRICS SAM). **The TP should clearly state the number of trips expected between 7am and 7pm on a typical weekday (as should appear in the TA) and what 10% trip rate reduction target would be by year 5 (using TRICs data). LHA has worked this out to be circa. 114 over 12-hours (baseline) and thus circa. 102 target by year 5. The applicant required to commission a TRICS organisation to undertake SAM surveys in years 1, 3, and 5. This section of the TP should be expanded on to demonstrate this is understood along with clear setting out of the 12 hour trips and reduction targets using the TRICs data.**
- **The remedial measures required at year 5 if the target is not met should be stated. For workplaces the simplest thing to do if the target is not met is to implement parking management measures to discourage staff from driving unnecessarily (particularly as lone drivers). To this end I would suggest that the remedial measure should be a requirement to produce a staff parking management plan. Measures could include introducing a permit system (e.g. to staff living further than 1.5 miles from the site) and conversion of some standard staff parking bays to car share only bays.**

The LHA advise that these updates to the TP are made prior to completion of the Unilateral Undertaking which its understood is currently being prepared for the £3500 monitoring fee.

Amend condition 3 to read:

No development shall commence unless and until details of the proposed flood risk management methods, including flood compensation and levels (pre and post development) throughout the site, have been submitted to and approved in writing by the local planning authority.

Reason: To ensure that flood risk is satisfactorily managed and to accord with the NPPF requirements and Policy DP41 of the Mid Sussex District Plan 2014 - 2031.

Amend condition 8 to read:

Prior to the commencement of development approved by this planning permission, a remediation strategy giving full details of the remediation measures required and how they are to be undertaken, based on the Geo-environmental appraisal report by Calabrian, refence:7189/1, dated June 2022, shall be submitted to 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 and to accord with Policy DP41 of the Mid Sussex District Plan 2014 - 2031 and paragraph 183 of the National Planning Policy Framework.

Amend condition 14 to read:

Prior to first occupation, a lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To safeguard the ecology of the area and to accord with policy DP38 of the Mid Sussex District Plan 2014-2031.

Add additional conditions to read:

Prior to commencement a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard the ecology of the area and to accord with policy DP38 of the Mid Sussex District Plan 2014-2031.

Prior to any development above slab level a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Ecological Impact Assessment (The Landscape Partnership, June 2022) shall be submitted to and approved in writing by the local planning authority.

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.

Reason: To safeguard the ecology of the area and to accord with policy DP38 of the Mid Sussex District Plan 2014-2031.

Prior to first occupation, a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority.

The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To safeguard the ecology of the area and to accord with policy DP38 of the Mid Sussex District Plan 2014-2031.

Add three informatives to read:

1. In accordance with Article 35 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. The proposed development will require formal address allocation. You are advised to contact the Council's Street Naming and Numbering Officer before work starts on site. Details of fees and developers advice can be found at [www.midsussex.gov.uk/streetnaming](http://www.midsussex.gov.uk/streetnaming) or by phone on 01444 477175.
3. You are advised that this planning permission requires compliance with a planning condition(s) before development commences. You are therefore advised to contact the case officer as soon as possible, or you can obtain further information from: <https://www.gov.uk/guidance/use-of-planning-conditions#discharging-and-modifying-conditions> (Fee of £116 will be payable per request). If you carry out works prior to a pre-development condition being discharged then a lawful start will not have been made and you will be liable to enforcement action.

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