

10 May 2022

Meetings of Council Committees are broadcast live through the [Mid Sussex District Council's YouTube channel](#). Owing to continuing public health restrictions, very limited space is available to observe proceedings in-person. Those wishing to do so must reserve a seat by completing a [Registration Form](#) by 4pm on the working day prior to the meeting.

Dear Councillor,

A meeting of **DISTRICT PLANNING COMMITTEE** will be held in the **COUNCIL CHAMBER** at these offices on **THURSDAY, 19TH MAY, 2022 at 2.00 pm** when your attendance is requested.

Yours sincerely,
KATHRYN HALL
Chief Executive

A G E N D A

Pages

1. To receive apologies for absence.
 2. To receive Declarations of Interest from Members in respect of any matter on the Agenda.
 3. To confirm Minutes of the previous meeting of the District Planning Committee held on 17 March 2022. **3 - 6**
 4. To consider any items that the Chairman agrees to take as urgent business.
- Recommended for Approval.**
5. DM/21/3385 - Land to the South of Kings Way, Burgess Hill, West Sussex, RH15 0XP. **7 - 68**
 6. DM/21/3959 - Lydhurst Estate, Warninglid Lane, Warninglid, Haywards Heath, West Sussex, RH17 5TG. **69 - 134**

7. DM/21/3870 - Burgess Hill Northern Arc, Land North and North West of Burgess Hill, between Bedelands Nature Reserve in the East and, Goddard's Green Waste Water Treatment Works in the West.

135 - 222

Recommended for Refusal.

None.

Other Matters.

None.

8. Questions pursuant to Council Procedure Rule 10.2 due notice of which has been given.

Human Rights Act

The reports and recommendations set out in this agenda have been prepared having regard to the requirements of the Human Rights Act 1998.

Risk Assessment

In formulating the recommendations on the agenda, due consideration has been given to relevant planning policies, government guidance, relative merits of the individual proposal, views of consultees and the representations received in support, and against, the proposal.

The assessment of the proposal follows the requirements of the 1990 Town and Country Planning Act and is based solely on planning policy and all other material planning considerations.

Members should carefully consider and give reasons if making decisions contrary to the recommendations, including in respect of planning conditions.

Where specifically relevant, for example, on some applications relating to trees, and on major proposals which are likely to have a significant impact on the wider community, potential risks associated with the proposed decision will be referred to in the individual report.

NOTE: All representations, both for and against, the proposals contained in the agenda have been summarised. Any further representations received after the preparation of the agenda will be reported verbally to Members at the meeting. Any other verbal or additional information will be presented at the meeting.

The appropriate files, which are open to Member and Public Inspection, include copies of all representations received.

To: **Members of District Planning Committee:** Councillors D Sweatman, B Forbes, R Bates, P Coote, A Eves, S Hatton, R Jackson, C Laband, G Marsh, A Peacock, C Trumble and R Whittaker

**Minutes of a meeting of District Planning Committee
held on Thursday, 17th March, 2022
from 2.00 pm - 3.45 pm**

Present: D Sweatman (Chairman)
P Coote (Vice-Chairman)

R Bates
A Eves
S Hatton

C Laband
C Trumble
R Webb

R Whittaker

Absent: Councillors B Forbes, R Jackson and A Peacock

The Chairman noted there were technical difficulties so the meeting could not be live-streamed and in the absence of Cllr Forbes the Chairman proposed Cllr Coote stand in as Vice-Chairman. The Committee agreed.

1. TO RECEIVE APOLOGIES FOR ABSENCE.

Apologies were received from Councillors Forbes, Jackson and Peacock.

2. TO RECEIVE DECLARATIONS OF INTEREST FROM MEMBERS IN RESPECT OF ANY MATTER ON THE AGENDA.

None.

3. TO CONFIRM MINUTES OF THE PREVIOUS MEETING OF THE DISTRICT PLANNING COMMITTEE HELD ON 24 FEBRUARY 2022.

The Minutes of the Committee meeting held on 24 February 2022 were agreed as a correct record and signed by the Chairman.

4. TO CONSIDER ANY ITEMS THAT THE CHAIRMAN AGREES TO TAKE AS URGENT BUSINESS.

None.

5. DM/21/2627 - LAND AT AND ADJACENT TO FORMER SEWAGE TREATMENT WORKS, FAIRBRIDGE WAY, BURGESS HILL, RH15 8GL.

Stephen Ashdown, Planning Team Leader for Major Development and Enforcement introduced the application for approval of reserved matters pursuant to the outline application for the access, appearance, landscaping, layout and scale comprising 307 (use class c3) residential units, car and cycle parking, internal roads, a LEAP (400 sq.m) and associated boundary treatments. The officer noted that he had not received comments from the Environmental Health Officer on a matter relating to noise. He suggested that the recommendation on pg 13 be amended, and that subject to receipt of satisfactory comments from Environmental Health Officer, the officers will agree any additional conditions with the Chairman and Vice-chairman.

He highlighted that the access had been determined and delivered through a previous planning application, the site will provide 100% affordable dwellings using

modern methods of construction in prefabricated modular form. The site had underground constraints that would restrict the development, the layout of the site was broadly in accordance with the parameters approved at the outline stage and highlighted the areas that had been amended. The site would consist of two and three storey buildings, had a strong urban form, was supported by a landscape visual statement, and there would be no additional development over and above the original parameters. He confirmed that the Council would have nomination rights for over 75% of the rented accommodation across the site.

The officer advised the site will have four-character areas with render and brick facades, 112 EVCs consisting of communal points and on-plot points, and the remaining parking spaces will have passive provision for future installation. Additional planting will be provided on the western side of the site to give a green corridor, and a planting scheme will break up the large parking areas and help screen the pumping station.

Ms Ruth Beard, agent for the applicant spoke in favour of the application.

Mr Ben Rushton spoke in favour of the application.

Chairman reiterated that the Urban Designer and the Design Review Panel main concern over the extensive use of rendering and dominance of the parking areas. He highlighted the development would have 100 % affordable housing on a constrained site.

Members noted the constraints of the site and commended the modular construction of the dwellings which would speed up delivery of the scheme. They expressed concern over the use of renewable energy sources and lack of connectivity with adjacent developments, location of the play area, cycle storage, lack of garages and bus stops.

The officer confirmed that when the Building Regulations change, condition four will cover the installation of PV cells. The Council can only control the installation of PV cells, as they impact the design of the site; air source heat pumps do not require planning permission. A footpath will be provided in the south east corner of the development and the Council is in discussion with Countryside regarding connectivity to the Feeks Farm development. Garages are not normally provided on affordable housing schemes as they increase the cost to the homeowner. He noted the issue of cycle storage and advised that cycle hubs are being provided and will be controlled by a condition. No bus service will be provided for the site as it had not been required at the outline planning stage. The site had been decontaminated as part of the 2014 permission and the works completed predated current legislation.

Members discussed working hours on the site, the impact of the impending changes to Building Regulations on subsequent phases of the development, expressed an aspiration for the Council to retain good quality housing design and the adaptability of the dwellings for whole life.

The Team Leader confirmed condition 21 of the outline planning permission required a construction management plan and approval will be given for normal working hours; the Council has no control over the tariff used for ECVs, and as a local Authority they can only approve the number and location of the ECVs. Later phases of the development would have to comply with any revised building regulations, 20% of the dwellings would be built to M4(2) standards and can be adapted and 4 dwellings would be specifically designed for wheelchair users.

The Chairman expressed concern with the longevity of rendering but noted it dispersed the large expanse of red bricks.

Several Members noted their support of the scheme, commended the inclusion of balconies and that 60% of the units would have two or three bedrooms.

As there were no further questions or contributions the Chairman took Members to a named vote on the recommendations outlined in the report. This was proposed by Cllr Trumble and seconded by Cllr Whittaker and was unanimously approved.

Councillor	For	Against	Abstain
Bates, R.	Y		
Coote, P	Y		
Eves, A.	Y		
Laband, C	Y		
Sweatman, D	Y		
Trumble, C	Y		
Webb, R.	Y		
Whittaker, R	Y		

RESOLVED

It is recommended that reserved matters consent is granted subject to the conditions set out in Appendix A and subject to the receipt of satisfactory comments from Environmental Health Officer, the officers will agree any additional conditions in consultation with the Chairman and Vice-chairman.

6. DM/21/2628 - LAND TO REAR OF FRIARS OAK, LONDON ROAD, HASSOCKS, BN6 9NA.

Steven King, Team Leader for Planning Applications introduced the application for reserved matters application for the approval of appearance, landscaping, layout and scale at land to the rear of the Friars Oak pursuant to outline planning permission DM/19/1897, comprising of a residential development of 130 dwellings and associated access together with change of use of part of the land to country open space, following the provision of a new pedestrian tunnel under the railway. He drew the Members' attention to the agenda update sheet, noting further comments had been received from Hassocks Parish Council, correction of typing errors and the additional condition relating to the wheelchair accessible unit.

He highlighted that the previous outline planning permissions approved access to the site and the use of the land at the end of site as public open space. On appeal the Planning Inspector had granted outline planning permission for the site and the Committee had approved a subsequent application. He noted separate approval had been given by the Planning Inspector to divert a section of the Public Right of Way along the boundary of the site around a flood area and Network Rail were constructing a pedestrian access under the railway, but it was not as part of the application before the committee.

The officer noted the perimeter style layout of the site attenuation ponds and area of public open space in the centre of the site. The site would have three-character areas with different housing types with affordable housing dispersed throughout the site, and 70% of the plots would have EVCs. He noted the design was appropriate for the

site with additional planting of trees throughout the site, there were no objections from Highways and the existing floodplain had been relocated. He advised that issues had been raised regarding the infrastructure and confirmed that the legal agreement has been signed at the outline planning permission stage. Hassocks Parish Council request for allotments was not part of the application before the committee and confirmed the application was policy compliant.

Cllr Nick Owens, Hassocks Parish Council spoke in objection to the application.

Mr Hough, agent for the applicant spoke in favour of the application.

Members discussed requested clarification on the impact of the impending changes to building regulations on stage of construction, access to the site, noted the opposition to the application by Hassocks Parish Council, noted the roads would be put up for adoption by Highways, the housing mix and affordable housing and the installation of the pedestrian access tunnel under the railway.

The Chairman noted that the developers must comply with the new building regulations once they are in force.

In response to a Member's question the officer advised that commencement of construction is when the developer has made a meaning full start on the ground, i.e., the installation of foundations to start the development. He confirmed the access to the site had been agreed under the outline planning permission,

As there were no further questions or contributions the Chairman took the Members to the recommendation. This was proposed by Cllr Trumble and seconded by Cllr Whittaker and was approved 8 in favour and 1 against.

Councillor	For	Against	Abstain
Bates, R.	Y		
Coote, P	Y		
Eves, A.	Y		
Hatton, S		Y	
Laband, C	Y		
Sweatman, D	Y		
Trumble, C	Y		
Webb, R.	Y		
Whittaker, R	Y		

RESOLVED

It is recommended that reserved matters consent is granted subject to the conditions set out in Appendix A.

7. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 10.2 DUE NOTICE OF WHICH HAS BEEN GIVEN.

None.

The meeting finished at 3.45 pm

Chairman

MID SUSSEX DISTRICT COUNCIL

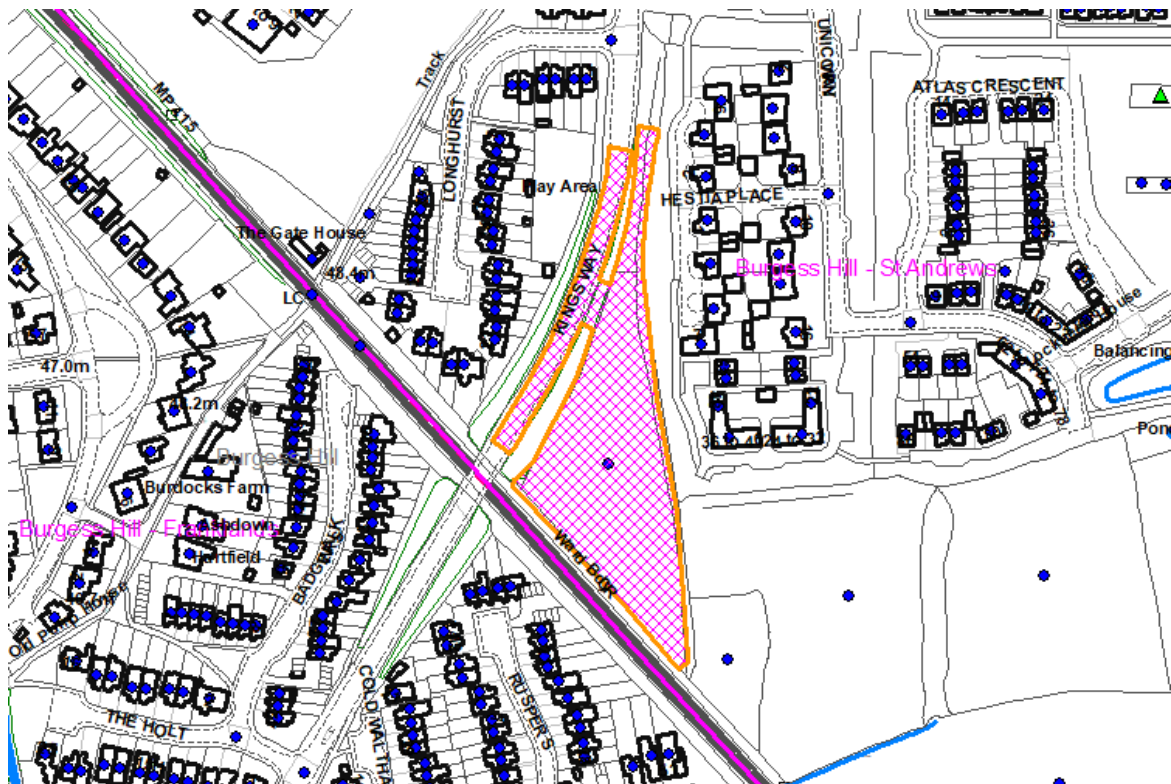
District Wide Committee

19 MAY 2022

RECOMMENDED FOR PERMISSION

Burgess Hill

DM/21/3385



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**LAND TO THE SOUTH OF KINGS WAY BURGESS HILL WEST SUSSEX
RH15 0XP**

**ERECTION OF A 68 BEDROOM RESIDENTIAL CARE FACILITY, WITH
ASSOCIATED ACCESS WORKS, CAR PARKING, SERVICING, PRIVATE
AMENITY SPACE, LANDSCAPING AND BOUNDARY TREATMENT.
(AMENDED PLANS 14.03.2022)**

FRONTIER ESTATES LIMITED

POLICY: Ancient Woodland / Area of Special Control of Adverts / Built Up
Areas / Countryside Gap / Classified Roads - 20m buffer / Planning
Agreement / Planning Obligation / Aerodrome Safeguarding (CAA) /

Sewer Line (Southern Water) / Sewer Line (Southern Water) / SWT
Bat Survey / Highways Agreement (WSSC) / Minerals Local Plan
Safeguarding (WSSC) /

ODPM CODE: Largescale Major Other

13 WEEK DATE: 25th February 2022

WARD MEMBERS: Cllr Roger Cartwright / Cllr Matthew Cornish /

CASE OFFICER: Joseph Swift

PURPOSE OF REPORT

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

EXECUTIVE SUMMARY

This application seeks planning permission for the erection of a 68 bedroom residential care facility, with associated access works, car parking, servicing, private amenity space, landscaping and boundary treatment.

Planning legislation requires the application to be determined in accordance with the Development Plan unless material circumstances indicate otherwise.

National planning policy states that planning should be genuinely plan led. The Council has an up to date District Plan and is able to demonstrate that it has a five year housing land supply. Planning decisions should therefore be in accordance with the development plan unless material considerations indicate otherwise. As the Council can demonstrate a 5 year supply of deliverable housing land the planning balance set out in the NPPF is an un-tilted one.

This application seeks planning permission for the erection of a 68 bedroom residential care facility, with associated access works, car parking, servicing, private amenity space, landscaping and boundary treatment.

The application site is located within the built up area boundaries and is located within a sustainable location with access to a number of sustainable transport options. In addition Policies DP25 and DP30 of the Mid Sussex District Plan, together with Policy S3 of the Burgess Hill Neighbourhood Plan provide clear support for specialist accommodation which is further supported by the emerging Site Allocations DPD. As such the proposal is considered acceptable in principle and the proposal should be afforded substantial weight to the benefits of adding to the local supply with the provision of the proposed care home in light of the significant unmet need within Mid Sussex.

The proposed design, layout and scale of the development is considered acceptable and it would not cause harm to the character and appearance of the area. It is not

considered to cause significant harm to the neighbouring amenities.

The proposal will deliver positive social and economic benefits through the delivery of housing which reflects one of the key objectives of the NPPF and in the short term the proposal would also deliver a number of construction jobs.

There will be a neutral impact in respect of highway safety, drainage, ecology, trees, contamination and there will be no likely significant effect on the Ashdown Forest SPA and SAC.

Officers consider that in the context of the adopted District Plan and Neighbourhood Plan, the proposed development of the site complies with the development plan and there are no material planning considerations indicating a decision should be made otherwise than in accordance with it.

The application is thereby considered to comply with policies DP1, DP6, DP17, DP20, DP21, DP25, DP26, DP29, DP30, DP37, DP38, DP39 and DP41 of the District Plan, policies S3 and S4 of the Burgess Hill Neighbourhood Plan, The Mid Sussex Design Guide SPD and the relevant provisions of the NPPF.

Recommendation A

It is recommended that planning permission be approved subject to the completion of a satisfactory S106 Legal Agreement to secure infrastructure contributions and the conditions set in Appendix A.

Recommendation B

It is recommended that if the applicants have not submitted a satisfactory signed planning obligation securing the necessary infrastructure payments by the 21st July 2022, then it is recommended that permission be refused at the discretion of the Divisional Lead for Planning and Economy, for the following reasons:

1. 'The application fails to comply with policies DP20 of the Mid Sussex District Plan in respect of the infrastructure contributions required to serve the development.'

SUMMARY OF REPRESENTATIONS

12 Third party letters of representation have been received in regards to this application, objecting to the proposal for the following reasons:

- Overdevelopment of the site
- Lack of parking
- Highway safety/access
- Inadequate outdoor space
- Light pollution
- Loss of trees
- Conflict with the adopted development plan

- Unsustainable
- Poor design
- Sound Pollution
- Impact on wildlife
- Impact on character
- Need
- Ancient woodland
- Flooding/drainage
- Infrastructure already overwhelmed
- Land should be for benefit of young families
- Construction traffic/noise and disturbance

While 1 third party letters of representation has been received neither objecting or supporting the proposal but raising the following points:

- Sufficient screening along boundary with Kings Way
- Existing mature trees retained
- Junction needs to be carefully designed with signage
- Junction safety

SUMMARY OF CONSULTATIONS

WSSC Waste and Minerals: No comment

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

MSDC Housing Officer: C2 facility would not give rise to an affordable housing requirement.

WSSC Highways: No objection subject to conditions

WSSC Flood Risk:No objection.

WSSC Infrastructure Contributions: £12,093 Library contribution £68,860 TAD

WSSC Fire and Rescue: Hydrant Condition

Burgess Hill Town Council: Recommend Refusal

MSDC Drainage Engineer: No Objections subject to condition

Aboriculturist: No objections subject to conditions

Consultant Ecologist: no biodiversity policy reasons for refusal or amendment of the proposals, subject to conditions.

MSDC Environmental Health- Protection: No objection subject to conditions.

MSDC Environmental Health -Contaminated Land: Approve with conditions

Design Panel: Support the scheme subject to changes to address issues.

MSDC Street Naming: Informative 29

MSDC Urban Designer: No objections subject to conditions and confirmation that the downpipe design can be achieved.

INTRODUCTION

This application seeks planning permission for the erection of a 68 bedroom residential care facility, with associated access works, car parking, servicing, private amenity space, landscaping and boundary treatment.

RELEVANT PLANNING HISTORY

BH/190/80: Outline application for one house or bungalow for agricultural worker or farm manager. REFUSED

SITE AND ITS SURROUNDINGS

The application site is a triangled piece of land located to the south/south east of Kings Ways, with the railway line running along the south western boundary, with a mixture of Ancient Woodland, open land and housing development of Unicorn Way and Hestia Place along the eastern boundary. Kings Was is located at a higher level than the application site, with the road rising at a higher level at the south western part of the site, with the change in level reduced at the northern part of the site.

The application site is designated within the Mid Sussex District plan as being within the built up area boundaries of Burgess Hill. An area of land to the south east is designated as Ancient Woodland, with the trees along the north/north west boundary and the trees along the eastern boundary being subject to a TPO (TP/19/0002).

APPLICATION DETAILS

This application seeks planning permission for the erection of a 68 bedroom residential care facility, with associated access works, car parking, servicing, private amenity space, landscaping and boundary treatment.

The proposed residential care facility will be three storeys in height measuring a maximum of 61 metres in width, by 42 metres in depth, with an eaves height of 9.6 metres and an overall height of some 12.6 metres. Plans show that the proposal is to be constructed of a mixture of facing brickwork, tile hanging and cladding walls, with a tiled roof and a metal colonnade.

Access is to be gained off Kings Way towards the north of the site, with 19 car parking spaces and 2 disabled spaces located to the north (front) of the proposed residential care facility together with a bin store measuring some 4.5 metres in depth, by 4.5 metres in width, with an overall height of some 2.8 metres.

In addition to the 68 bedrooms with ensuite bathrooms, the proposal would provide communal lounges, quiet spaces, dining areas, assisted bathrooms, hair salon and café, together with associated facilities for residents. The proposal will also include staff offices, laundry, kitchen, plant area and cycle parking. Furthermore, the proposal has been designed with several outdoor areas for seating and a path which goes around the majority of the building.

LEGAL FRAMEWORK AND LIST OF POLICIES

Planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Specifically Section 70 (2) of the Town and Country Planning Act 1990 states:

'In dealing with such an application the authority shall have regard to:

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

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

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

The requirement to determine applications "in accordance with the plan" does not mean applications must comply with each and every policy, but is to be approached on the basis of the plan taken as a whole. This reflects the fact, acknowledged by the Courts, that development plans can have broad statements of policy, many of which may be mutually irreconcilable so that in a particular case one must give way to another.

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 for this part of Mid Sussex consists of the District Plan and the Burgess Hill Neighbourhood Plan.

National policy (which is contained in the National Planning Policy Framework and National Planning Policy Guidance) does not form part of the development plan but is an important material consideration.

Mid Sussex District Plan

The District Plan was adopted at Full Council on 28th March 2018 and forms part of the development plan. Relevant policies include:

Policy DP1: Sustainable Economic Development
Policy DP6: Settlement Hierarchy
Policy DP17: Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC)
Policy DP20 Securing Infrastructure
Policy DP21: Transport
Policy DP25: Community Facilities and Local Services
Policy DP26: Character and Design
Policy DP29 Noise, Air and Light Pollution
Policy DP30: Housing Mix
Policy DP37: Trees, Woodland and Hedgerows
Policy DP39: Sustainable Design and Construction
Policy DP38: Biodiversity
Policy DP41: Flood Risk and Drainage

Burgess Hill Neighbourhood Plan

The Burgess Hill Neighbourhood Plan was made January 2016 and so forms part of the development plan. The most relevant policies are:

Policy S3 Protect and Enhance existing community and medical/health facilities
Policy S4 Parking Standards for New Developments

Development Infrastructure and Contributions Supplementary Planning Document (SPD)

Mid Sussex Design Guide Supplementary Planning Document (SPD)

The Council has adopted a 'Mid Sussex Design Guide' SPD that aims to help deliver high quality development across the district that responds appropriately to its context and is inclusive and sustainable. The Design Guide was adopted by Council on 4th November 2020 as an SPD for use in the consideration and determination of planning applications. The SPD is a material consideration in the determination of planning applications.

National Planning Policy Framework (NPPF) (July 2021)

The NPPF 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 objectives to sustainable development, such that the planning system needs to perform an economic objective, a social objective and an environmental objective. This means ensuring sufficient land of the right type to support growth; providing a supply of housing and creating a high quality

environment with accessible local services; and using natural resources prudently. An overall aim of national policy is '*significantly boosting the supply of homes.*'

Paragraph 12 of the NPPF 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.*'

Paragraph 38 of the NPPF states '*Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.*'

With specific reference to decision-taking paragraph 47 states that planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise.

National Planning Policy Guidance

National Design Guide

Ministerial Statement and Design Guide

On 1 October 2019 the Secretary of State for the Ministry of Housing, Communities and Local Government made a statement relating to design. The thrust of the statement was that the Government was seeking to improve the quality of design and drive up the quality of new homes. The Government also published a National Design Guide, which is a material planning consideration.

The National Design Guide provides guidance on what the Government considers to be good design and provides examples of good practice. It notes that social, economic and environmental change will influence the planning, design and construction of new homes and places.

Assessment

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.

Using this as the starting point the development plan in Mid Sussex consists of the District Plan (2018) and the Burgess Hill Neighbourhood Plan.

The District Plan is up to date and the Council can demonstrate a 5 year supply of deliverable housing land.

The site lies within the built-up boundary of Burgess Hill where development is generally acceptable in principle and is supported by policy DP6 which states:

Development will be permitted within towns and villages with defined built-up area boundaries.

The principle of the development is also supported by DP25 which states that:

The provision or improvement of community facilities and local services that contribute to creating sustainable communities will be supported.

The preamble to this policy in the District Plan sets out a list of community facilities and local services and the list includes 'specialist accommodation and care homes'.

Furthermore, The District Plan also makes it clear in the supporting text to policy DP30 that the Council's policy approach is to look positively on the provision of C2 uses on potential housing sites. Specifically, Policy DP30 says:

'Whilst more attention may need to be paid towards matters of design, neighbouring land uses and security, schemes falling within Use Class C2 are considered to usually have a lesser impact on existing communities, for instance through lower vehicle usage levels and reduced parking requirements. For this reason, provided the scheme makes efficient use of land, any site considered appropriate for housing development would be positively considered for such older person accommodation through the decision-making process.'

At local level Policy S3 of the Burgess Hill Neighbourhood Plan relates to community, health and medical facilities and in part states:

'Support will be given to allocating new facilities or improving existing ones.'

Although, the Neighbourhood Plan does not define community facilities, the definition within the District Plan has been used which includes care homes.

In addition, as set out within a recent appeal for a 64 bed care home at Land East of Turners Hill Road, Felbridge (APP/D3830/W/21/3281350) paragraph 62 of the Framework and the Planning Practice Guidance stresses the need to provide housing for older people is critical in view of the rising numbers in the overall population, while also identifying that there is a significant unmet need for registered care homes within Mid Sussex which is afforded substantial weight to the benefit of adding to the local supply with the provision of a care home.

In view of the above it is considered that the development is acceptable in principle and substantial weight should be afforded to the benefits of adding to the local supply with the provision of a proposed care home.

It is also relevant that the emerging Site Allocations Document Plan Document (DPD) which following consultation at Regulation 18 stage and Regulation 19 consultation, was formally submitted to the Secretary of State for Housing, Communities and Local Government. Hearing sessions were held in June 2021 and the Inspector has issued the Main Modifications and consultation on these modification commenced on 29th November 2021 and closed on 24th January 2022. One of the modifications (MM3) suggested by the Inspector is the inclusion of a policy relating to accommodation for Older People and Care Homes, which states:

There is an identified need for specialist accommodation for older people comprising at least 665 additional extra care units (Use Class C2) by 2030, of which at least 570 should be leasehold. The Housing and Economic Needs Assessment Addendum (August 2016) identified forecast demand for care homes (Use Class C2) at 2031 as 2,442 bedspaces. The Council will support proposals that will contribute to meeting these types of specialist accommodation. Proposals for specialist accommodation for older people and care homes will be supported where:

- a) It is allocated for such use within the District Plan, Site Allocations DPD or Neighbourhood Plan; or*
- b) It forms part of a strategic allocation; or*
- c) It is located within the Built-Up Area Boundary as defined on the Policies Map; or*
- d) Where the site is outside the Built-Up Area, it is contiguous with the Built-Up Area Boundary as defined on the Policies Map and the development is demonstrated to be sustainable, including by reference to the settlement hierarchy (policy DP4).*

In all circumstances, the site must be accessible by foot or public transport to local shops, services, community facilities and the wider public transport network. Proposals must demonstrate how reliance on the private car will be reduced and be accompanied by a Travel Plan which sets out how the proposal would seek to limit the need to travel and how it offers a genuine choice of transport modes, recognising that opportunities to maximise sustainable transport solutions will vary between urban and rural areas.

In a recent planning decision regarding a proposed C2 care home in countryside at Turners Hill Road, Crawley Down (DM/20/3081) the Inspector confirmed at para. 4 of his decision letter that:

'Given the advanced stage towards adoption of the SADPD, and the relevance of that emerging policy SA39 to this appeal, that policy attracts a significant degree of weight for the purposes of this appeal.'

Significant weight can therefore be given to this policy in this case.

Design and Character

Policy DP26 in the District Plan seeks to ensure a high standard of design in all new development and requires new development to demonstrate a sensitive approach to urban design by respecting the character of the locality in which they take place.

It states:

'All development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development:

- *is of high quality design and layout and includes appropriate landscaping and greenspace;*
- *contributes positively to, and clearly defines, public and private realms and should normally be designed with active building frontages facing streets and public open spaces to animate and provide natural surveillance;*
- *creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- *protects open spaces, trees and gardens that contribute to the character of the area;*
- *protects valued townscapes and the separate identity and character of towns and villages;*
- *does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP29);*
- *creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- *incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- *positively addresses sustainability considerations in the layout and the building design;*
- *take the opportunity to encourage community interaction by creating layouts with a strong neighbourhood focus/centre; larger (300+ unit) schemes will also normally be expected to incorporate a mixed use element;*
- *optimises the potential of the site to accommodate development.'*

The MSDC Design Guide has been adopted and is a material consideration in the determination of the application. This document seeks to inform and guide the quality of design for all development across Mid Sussex District. It sets out a number of design principles to deliver high quality, new development that responds appropriately to its context and is inclusive and sustainable. Within the Design Guide there is support for site optimisation.

The application went to the design panel at the pre-application stage, where the following comments were made:

'Overall, the panel agreed this was a well thought through scheme that had addressed most of the concerns raised at the previous DRP and it especially benefitted from the attractive design of the proposed care-home.

The changes to the building entrance were an improvement including the colonnade (which also featured around the patio area) providing it is the bolder design as represented in the 3D images (rather than the elevations).

The internal layout works well especially the relationship of the communal spaces and outdoor areas. The corridors also benefit from being terminated by windows that bring in natural light.

The panel particularly liked the relationship of the tiling and brickwork and the sage green metalwork/windows. However, the quality of the design is dependent on the materials specification and the detailing of the junctions for it to appear as good as it does in the 3D visuals and avoid it looking hard-edged. Further consideration therefore needs to be given to the following:

- Use of natural/clay tiles rather than machine-cut tiles.*
- Avoiding an interlocking block tile system for the corners as this is unlikely to result in the elegant appearance shown in the 3D visuals. Another approach will therefore need to be considered for the corners; for instance, a metal trim finish may be better especially around the windows.*
- The junction of the tiles with the roof coping will need to be carefully handled.*
- The concealed gutter is an important detail, however there were concerns about cold bridging and its structural robustness that will need further reviewing. It was also unclear how the rainwater downpipes will be recessed within the façade.*

It was agreed that 1:5 scale details are therefore needed to demonstrate the key junctions, and preferably submitted as part of the application rather than left to condition.

The panel also had the following other concerns:

- There is a possible conflict between natural ventilation and infection control. Unless this is resolved, then the building would need a mechanical ventilation system which would have a significant implication upon the design as there would be a requirement for extra plant (such as air handling equipment) and service zones and possibly no need for chimneys.*
- The needs of dementia-related occupants require special consideration as balconies will not be suitable and the perimeter will need to be secure as well as soft-edged.*
- The site entrance / access and the area around the car park risks appearing engineered / hard-edged. Consideration needs to be given to addressing the*

level differences in a more organic way. For instance, the right-angle junction on to the road appears to be causing a problem as it is generating a 90-degree bend and steep slope which risks having an engineered appearance especially if a barrier is needed to safeguard the drop in levels on the bend. This might be addressed with a shallower angled junction on to Kings Way enabling a gentler bend that would have a more organic appearance and allow the soft landscaping to be better integrated.

- The high-level footpath access from the entrance was also questioned as it generates a retaining wall and fence that rises high above the car park and consequently risks looking like a hard-edged security feature. To reduce this height disparity, consideration could be given to sloping the car park which should also reduce the steepness of the site access.*
- There were concerns about the impact of level changes upon the trees and ancient woodland particularly along the eastern boundary where grade level differences are proposed. To properly assess the change in depth and impact over the RPA's, it will be necessary to illustrate the before and after dimensions. The proximity of construction to existing trees also needs to be considered to ensure they are protected.*
- The bin store occupies a prominent location near to the entrance but is not shown on the 3D visuals. It will need the same care and attention as the rest of the building design.*
- The relationship of the building and landscape appears acceptable, but the scheme still suffers from a large building envelope (and car park) on a constrained site that provides limited outside space for residents and limited opportunity for an expansive landscape. Nevertheless, there are various seating areas providing space for residents to sit outside and socialise and the fringes of the site benefit from being softened by woodland fringe planting and new trees which could work well if planted with appropriate species. The opportunity should also be taken to create more biodiversity with bat / bird / bee habitats.*

Overall Assessment

The panel support the scheme subject to changes that address the above issues.'

Since the draft proposal was reviewed at pre-application stage by the Design Panel, the applicants amended their drawings for submission with this planning application. These have been reviewed by the Councils Urban Designer, full details of these comments are set out within the appendix B. The majority of these issues have been addressed. The Urban Designer concern to ensure that the drain pipes can be accommodated internally is being addressed by the applicant and will be controlled by condition should planning permission be granted.

The application site is set at a lower level than Kings Way, with significant screening along the boundary which is to remain. Due to this significant change in levels, combined with the screening and the design of the proposal, with a mixture of materials and hipped and gabled roof it breaks up the overall appearance and bulk of

the proposal and as such the proposed scheme is considered to be of an appropriate size and scale.

It is noted that the building footprint and car parking take up a large proportion of the site, however, in this particular case within the built up area, the proposal is considered to provide sufficient outdoor space, while also benefitting from established screening which will soften its overall impact. In addition the proposed mixture of materials and finishes is considered appropriate, details of which can be secured by a suitably worded condition. The proposal is considered to be of an appropriate design, size and scale that is in-keeping with the character of the wider locality.

Officers would agree with the assessment of both the DRP and Urban Designer and subject to appropriate conditions it is considered that the application would comply with Policy DP26 of the District Plan, the design principles DG37, DG38 and DG39 set out in the Design Guide SPD and the relevant provisions of the NPPF.

Access and Transport

Policy DP21 the Mid Sussex District Plan requires development to: be sustainably located to minimise the need for travel; promote alternative means of transport to the private car, including provision of suitable facilities for secure and safe cycle parking; not cause a severe cumulative impact in terms of road safety and increased traffic congestion; be designed to adoptable standards, or other standards as agreed by the Local Planning Authority, including road widths and size of garages; and provide adequate car parking in accordance with parking standards as agreed by the Local Planning Authority or in accordance with the relevant Neighbourhood Plan.

The application has been submitted with a Transport Statement and a Travel Plan. The application is seeking to provide a total of 21 car parking spaces (2 of which area accessible spaces) an additional space is also provided for an ambulance. It is set out within the Transport Statement that 5 will have EV charging points, together with 10 cycle parking spaces.

Although there are concerns raised by third parties in relation to the access, highway safety and parking, these views are not shared by the Highway Authority. WSCC Highways have been consulted on this application and have raised no objections to the proposal subject to conditions on access and a construction management plan.

In view of the above it is considered that from a highway safety perspective the application complies with Policy DP21 of the Mid Sussex District Plan.

Sustainable Design and Construction

District Plan policy DP39 relates to Sustainable Design and Construction and states:

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

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

Paragraph 154 of the NPPF seeks to ensure new development helps, *'to reduce greenhouse gas emissions, such as through its location, orientation and design.'* In determining planning applications paragraph 157 expects new development to, *'take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.'*

A sustainability statement submitted with the application sets out various measures to ensure that the building design and construction is sustainable, these include:

- Proposed energy strategy will comply with the related Building regulations Part L2A.
- Fabric first and energy demand reduction approach
- Building U-values exceed building regulations
- High efficient LED lighting with automatic control strategy for energy saving
- Sanitary wares high-efficiency
- Low water flow rates
- High efficiency ventilation system that recovers heat loss in winter and cooling in summer
- - Centralised, high efficiency gas condensing boiler plant for heating and hot water (system to be integrated with renewable technologies such as solar panels)
- Central heating integrated with renewable technologies
- Energy strategy is adaptable and can be connected to a future low/zero carbon district heating network

The submitted Sustainability Statement is considered acceptable in meeting the above policies and guidance in terms of sustainable design and construction. It should be noted that in respect of policy DP39 of the District Plan, the wording of this policy is supportive of improving the sustainability of developments, but there are no prescriptive standards for developments to achieve in respect of carbon emission reductions. Similarly, the wording of principle DG37 of the Council's Design Guide seeks applicants to demonstrate and consider sustainable matters as part of their design approach, including the use of renewable technologies, but it does not require their use.

The accessibility of the site

The accessibility of the site, or the sustainable location of it is also a key consideration. Para 112 of the NPPF states that:

"applications for development should:

a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second - so far as possible - to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;"

Policy DP21 requires development to be sustainably located to minimise the need for travel.

In this case the application is located within the built up area boundaries of Burgess Hill which is defined within the Mid Sussex District Plan as a category 1 settlement and as such is a settlement with a comprehensive range of employment, retail, health, education and leisure services and facilities. These settlements benefit from good public transport provision and will act as a main service centre for smaller settlements. As set out within WSCC Highways comments the well located to encourage travel by sustainable modes including the use of walking, cycling and public transport.

It is therefore considered that this site is sustainably located and would comply with Policy DP21 of the Mid Sussex District Plan and the provisions of the NPPF.

Impact on neighbouring amenity

Policy DP26 of the District Plan relates to character and design of proposals. Within this there is a requirement that proposals do *'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'*.

A similar ethos is found within Principles DG45, 46 47 and 48 of the Mid Sussex Design Guide.

The application site is well screened on the western and eastern/north eastern side and is set approximately 23 metres from the closest residential dwellings. Due to these distances combined with the level of screening it can be reasonably concluded that the proposal would not cause significant harm in terms of overlooking, loss of privacy, reduction in sunlight and daylight and a loss of outlook.

Policy DP29 states:

'The environment, including nationally designated environmental sites, nationally protected landscapes, areas of nature conservation or geological interest, wildlife

habitats, and the quality of people's life will be protected from unacceptable levels of noise, light and air pollution by only permitting development where:

Noise pollution:

- It is designed, located and controlled to minimise the impact of noise on health and quality of life, neighbouring properties and the surrounding area;*
- If it is likely to generate significant levels of noise it incorporates appropriate noise attenuation measures;*

Noise sensitive development, such as residential, will not be permitted near existing or proposed development generating high levels of noise unless adequate sound insulation measures, as supported by a noise assessment are incorporated within the development.

In appropriate circumstances, the applicant will be required to provide:

- an assessment of the impact of noise generated by a proposed development;*
or
- an assessment of the effect of noise by an existing noise source upon a proposed development;'*

A Noise and Vibration Management Plan has been submitted as part of this application, the Councils Environmental Protection Officer has been consulted and has not raised any objections to the proposal, however, conditions are recommended on air quality, odour, soundproofing, hours of deliveries and plant and machinery. Subject to these recommended conditions the proposal is not considered to cause significant harm to neighbouring amenities and is considered to comply with Policies DP26 and DP29 of the Mid Sussex District Plan and Principles DG45, 46 47 and 48 of the Mid Sussex Design Guide.

Drainage

Policy DP41 of the District Plan relates to flood risk and drainage seeks to ensure development is safe across its lifetime and not increase the risk of flooding elsewhere. It requires *'For the redevelopment of brownfield sites, any surface water draining to the foul sewer must be disconnected and managed through SuDS following the remediation of any previously contaminated land.'*

The Drainage Officer has been consulted on this application, they have raised no objections to the proposal subject to condition. As such subject to this condition the proposal is considered to comply with Policy DP41 of the Mid Sussex District Plan.

Trees

Policy DP37 of the District Plan states that: *"The District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected."*

An Arboricultural Report has been submitted as part of this application, The Councils Tree Officer has made the following comments:

'I have reviewed the amended document and I am happy that it shows the rises in soil levels can be managed to have minimal impact on the health of these important trees on the eastern boundary.

It is noted within the report full details on spot levels as they rise between the retained trees and finished level for the surfacing around the building will be confirmed in further detailed design, and should be conditioned along with how the French drain system will be incorporated and installed.

As per my previous comments a detailed AMS is requested which should incorporate the amended details in the updated AIA.'

Subject to the above recommended conditions the proposal is considered to have an acceptable impact upon the surrounding trees in accordance with the above mentioned conditions.

Ecology

Policy DP38 of the District Plan relates to biodiversity and states in part that biodiversity will be protected and enhanced by ensuring development avoids damage to, protects and enhances the special characteristics of locally designated sites such as ancient woodland.

The application has been submitted with an Preliminary Ecological Appraisal, Reptile Survey, Invertebrate Report, Great Crested Newt Survey and a Botanical Report. The Councils Ecology Consultant has confirmed that adequate surveys have been undertaken and significant impacts can be avoided, adequately mitigated or as a last resort compensated for, in addition to achieving the 15 metre buffer zone.

The Ecology consultant has raised no biodiversity policy reasons for refusal subject to conditions of a wildlife mitigation and habitat protection plan, habitat enhancement and management plan and external lighting. Subject to these conditions it is considered that the proposal would comply with policy DP38 of the District Plan and 180 of the NPPF

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 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.

This planning application does not result in a net increase in dwellings within the 7km zone of influence and so mitigation is not required.

Atmospheric pollution

Increased traffic emissions as a consequence of new development may result in additional 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 potential effects of the proposed development are incorporated into the overall results of the transport model prepared for the Site Allocations DPD, which indicates there would not be an overall impact on Ashdown Forest. 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.

Infrastructure

Policy DP20 requires applicants to provide for the costs of additional infrastructure required to service their developments and mitigate their impact. This includes securing affordable housing which is dealt with under Policy DP31 of the District

Plan. Policy DP20 sets out that infrastructure will be secured through the use of planning obligations.

The Council has approved three Supplementary Planning Documents (SPDs) in relation to developer obligations (including contributions). The SPDs are:

- a) A Development Infrastructure and Contributions SPD which sets out the overall framework for planning obligations
- b) An Affordable Housing SPD
- c) A Development Viability SPD

The National Planning Policy Framework sets out the government's policy on planning obligations in paragraphs 54 and 56. Respectively, these paragraphs state:

'Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.'

and:

'Planning obligations should only be sought where they meet all of the following tests:

- *necessary to make the development acceptable in planning terms;*
- *directly related to the development; and*
- *fairly and reasonably related in scale and kind to the development.'*

These tests reflect the statutory tests set out in Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 (CIL Regulations).

West Sussex County Council Contributions:

Libraries £12,093
TAD £68,860

District Council Contributions:

Leisure and Housing have been consulted on this application. Housing have confirmed that the C2 use would not give rise to affordable housing requirements and Leisure have not made any financial contribution requests, which is normal for care homes providing nursing support for residents, there is no requirement for contributions toward outdoor play space, formal sport or community buildings.

The WSCC contributions would need to be secured through an appropriately worded Section 106 planning obligation. The S106 Agreement is currently being progressed and subject to the completion of this the proposal is considered to comply with Policy DP20 of The Mid Sussex District Plan.

Planning Balance and Conclusion

Planning legislation requires the application to be determined in accordance with the Development Plan unless material circumstances indicate otherwise. As the proposed scheme does not comply with certain aspects of the Development Plan, other material considerations need to be considered in determining the application, including the NPPF.

National planning policy states that planning should be genuinely plan led. The Council has a recently adopted District Plan and is able to demonstrate that it has a five year housing land supply. Planning decisions should therefore be in accordance with the development plan unless material considerations indicate otherwise. As the Council can demonstrate a 5 year supply of deliverable housing land the planning balance set out in the NPPF is an un-tilted one.

This application seeks planning permission for the erection of a 68 bedroom residential care facility, with associated access works, car parking, servicing, private amenity space, landscaping and boundary treatment.

The application site is located within the built up area boundaries and is located within a sustainable location with access to a number of sustainable transport options. In addition Policies DP25 and DP30 of the Mid Sussex District Plan, together with Policy S3 of the Burgess Hill Neighbourhood Plan provide clear support for specialist accommodation which is further supported by the emerging Site Allocations DPD. As such the proposal is considered acceptable in Principle and the proposal should be afforded substantial weight to the benefits of adding to the local supply with the provision of the proposed care home in light of the significant unmet need within Mid Sussex.

The proposed design, layout and scale of the development is considered acceptable and it would not cause harm to the character and appearance of the area. It is not considered to cause significant harm to the neighbouring amenities.

The proposal will deliver positive social and economic benefits through the delivery of housing which reflects one of the key objectives of the NPPF and in the short term the proposal would also deliver a number of construction jobs. The Council would also receive a new homes bonus.

There will be a neutral impact in respect of highway safety, drainage, ecology, trees, contamination and there will be no likely significant effect on the Ashdown Forest SPA and SAC.

Officers consider that in the context of the adopted District Plan and Neighbourhood Plan, the proposed development of the site complies with the development plan and there are no material planning considerations indicating a decision should be made otherwise than in accordance with it.

The application is thereby considered to comply with policies DP1, DP6, DP17, DP20, DP21, DP25, DP26, DP29, DP30, DP37, DP38, DP39 and DP41 of the

APPENDIX A – RECOMMENDED CONDITIONS

1. Approved Plans

The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interest of proper planning.

2. 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.

3. No development above ground slab level shall be carried out unless and until a schedule of materials and finishes to be used for external walls / roofs / fenestration of the proposed dwellings and bin store 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.

4. No development above ground slab level shall be carried out unless and until detailed drawings (at an appropriate scale) showing how the internal rainwater downpipes are to be constructed 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.

5. No development shall commence until details have been submitted and approved by the Local Planning Authority to show the location of the solar PV and air-source heat pumps. The works shall be carried out in accordance with the approved details prior to occupation unless otherwise agreed with the Local Planning Authority in writing.

Reason: In the interests of achieving an energy efficient, sustainable development and to accord with Policy DP39 of the Mid Sussex District Plan 2014 - 2031.

6. No development above ground slab level shall be carried out unless and until detailed drawings (at an appropriate scale) showing depth of the reveal, balustrading, colonnade, front entrance and extruded glazing and cladding system 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.

7. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,

the anticipated number, frequency and types of vehicles used during construction, the method of access and routing of vehicles during construction, the parking of vehicles by site operatives and visitors, the loading and unloading of plant, materials and waste, the storage of plant and materials used in construction of the development, the erection and maintenance of security hoarding, the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders), details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area and to accord with Policy DP21 of the Mid Sussex District Plan.

8. No part of the development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the details shown on drawing ITB16520-GA-002.

Reason: In the interests of road safety and to accord with Policy DP21 of the Mid Sussex District Plan.

9. Construction hours: Works of construction or demolition, including the use of plant and machinery, as well as any delivery or collection of plant, equipment or materials for use during the demolition/construction phase necessary for implementation of this consent shall be limited to the following times:

Monday - Friday 08:00 - 18:00 Hours
Saturday 09:00 - 13:00 Hours
Sundays and Bank/Public Holidays no work permitted

Reason: To protect the amenities of the surrounding residential dwelling and to accord with MSDC Policy DP29: Noise, Air and Light Pollution.

10. Soundproofing: Prior to the commencement of the development hereby permitted, a scheme for protecting the proposed development from noise, that implements the glazing and background ventilation measures described in the Noise & Vibration Impact Assessment reference RUK2021N00244-RAM-RP-XX-XX-AC-0001 (Ramboll, dated October 2021), as well as an overheating assessment with

appropriate mitigation, shall be submitted and approved in writing by the Local Planning Authority. All works, which form part of the approved scheme shall be maintained in accordance with the approved details.

Reason - To protect the amenities of future occupiers and to accord with MSDC Policy DP29: Noise, Air and Light Pollution

11. Air Quality: Prior to the commencement of any residential part of the development hereby permitted, the details of a scheme of mitigation measures to improve air quality relating to the development shall be submitted and approved in writing by the Local Planning Authority. The scheme be in accordance with, and to a value derived in accordance with, the Air quality and emissions mitigation guidance for Sussex which is current at the time of the reserved matters application. All works which form part of the approved scheme shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

Reason: To protect the surrounding residential dwellings and to accord with MSDC Policy DP29: Noise, Air and Light Pollution.

12. Hours for operational deliveries: No commercial goods or commercial waste shall be loaded, unloaded, stored or otherwise handled within the application site outside the hours of 07:30 - 18:00 Hours Monday - Friday, 09:00 - 17:00 Hours, Saturday, none permitted on Sundays or Bank/Public Holidays.

Reason: to protect neighbouring amenities and to accord with MSDC Policy DP29: Noise, Air and Light Pollution.

13. Fixed Plant and Machinery (operational): The use hereby permitted shall not come into use until scheme has been submitted to the LPA demonstrating that the noise rating level (LAr,Tr) of on-site plant and machinery shall be at least 5dB below the background noise level (LA90,T) at the nearest residential facade. All measurements shall be defined and derived in accordance with BS4142: 2014+A1:2019. The assessment shall be carried out with the plant/machinery operating at its maximum setting. The approved measures shall be implemented before the development is brought into use and thereafter be maintained in accordance with the approved details.

Reason: to protect neighbouring amenities and to accord with MSDC Policy DP29: Noise, Air and Light Pollution.

14. 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.

Reason: In the interests of health of future occupiers and to accord with Policy DP1 of the Mid Sussex District Plan 2014 - 2031.

15. 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 Mid Sussex District Plan (2014 - 2031).

16. Prior to the commencement of construction of any building or the car park subject of this permission, including construction of foundations, full details of a hard and soft landscaping scheme shall be submitted to and approved by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land, and details of those to be retained, together with measures for their protection in the course of development, information shall also be provided on the rise in levels between the retained trees and the finished levels around the building, together with details of how the french drain system will be incorporated and installed. These and these works shall be carried out as approved. These works shall be carried out as approved. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed by the Local Planning Authority. Any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity and of the environment of the development and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

17. No development above slab level shall be carried out unless and until details showing the proposed location of the required fire hydrants or stored water supply shall be submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Service.

Reason: In the interests of amenity and in accordance with policy DP20 of the Mid Sussex District Plan 2014 - 2031 and in accordance with The Fire & Rescue Service Act 2004.

18. Prior to the first occupation of any building forming part of the proposed development the developer will at their own expense install the fire hydrant in the approved location to BS 750 standards or stored water supply and arrange for their connection to a water supply which is appropriate in terms of both pressure and volume for the purposes of firefighting.

The fire hydrant shall thereafter be maintained as part of the development by the water undertaker at the expense of the Fire and Rescue Service if adopted as part

of the public mains supply (Fire Services Act 2004) or by the owner / occupier if the installation is retained as a private network.

Reason: In the interests of amenity and to accord with policy DP20 in the Mid Sussex Local Plan 2014-2031 and in accordance with The Fire & Rescue Service Act 2004.

19. A minimum of 20% of the units hereby permitted shall be part M4(2) (Adaptable and Accessible) compliant, and shall be fully implemented prior to completion of the development and thereafter be so maintained and retained. No dwelling shall be occupied until a verification report confirming compliance with category M4(2) has been submitted to and agreed with the Local Planning Authority.

Reason: To ensure that the development provides a range of house types to meet accessibility and adaptability needs to comply with Policy DP28 of the Mid Sussex District Plan.

20. The development shall not be occupied until the sustainability measures set out in the accompanying Sustainability Assessment have been implemented.

Reason: In the interests of achieving an energy efficient, sustainable development and to accord with Policy DP39 of the Mid Sussex District Plan 2014 - 2031.

21. The development hereby permitted shall be carried out in accordance with the recommendations set out within the Preliminary Ecological Appraisal, Great Crested Newt eDNA Survey Report, Reptile Survey Report, Report of a scoping assessment of invertebrate habitat and botanical Report unless otherwise approved in writing by the Local Planning Authority.

Reason: To prevent loss of, and contribute to a net gain in, biodiversity, in accordance with policies DP38 of the Mid Sussex District Plan and 180 of the NPPF.

INFORMATIVES

1. 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 or by phone on 01444 477175.
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. 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.
4. In order to ensure approval of the Air Quality condition, we strongly recommend that the above scheme is agreed in advance with the Council's Air Quality Officer.
5. exact position of the public assets must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised.

Please note:

- The 150 mm public surface water sewers requires a clearance of 3 metres on either side of the public surface water sewers to protect it from construction works and to allow for future maintenance access.
- No development or tree planting should be carried out within 3 metres of the external edge of the public surface waters sewer without consent from Southern Water.
- No soakaway, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public surface water sewer .
- All existing infrastructure should be protected during the course of construction works.

Please refer to: southernwater.co.uk/media/3011/stand-off-distances.pdf

6. Southern Water requires a formal application for a connection to the public foul and surface water sewer to be made by the applicant or developer.

To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements

Plans Referred to in Consideration of this Application

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

Plan Type	Reference	Version	Submitted Date
Proposed Sections	A-DT-102	P2	01.04.2022
Proposed Sections	A-DT-101	P3	01.04.2022
Proposed Sections	A-DT-103	P1	01.04.2022
Proposed Sections	201224-LS-1006	P2	14.03.2022
Landscaping Details	201224-LP-1001	B	04.10.2021
Landscaping Details	201224-LS-1002	A	21.09.2021
Landscaping Details	201224-LS-1001	P4	14.03.2022
Landscaping Details	201224-LS-1007	3	14.03.2022
Location Plan	A-01-100	A	21.09.2021
Existing Block Plan	A-01-101	P1	21.09.2021
Proposed Block Plan	A-01-102	P1	21.09.2021
Proposed Floor Plans	A-03-301	P1	21.09.2021
Proposed Floor Plans	A-03-302	P1	21.09.2021
Proposed Floor Plans	A-03-303	P1	21.09.2021
Existing Sections	A-04-101	P1	21.09.2021
Proposed Sections	A-04-102	P1	21.09.2021
Proposed Elevations	A-05-101	P4	14.03.2022
Proposed Elevations	A-05-102	P2	04.10.2021
Site Plan	A-90-100	P1	21.09.2021
Proposed Sections	A-DT-100	P1	21.09.2021
Proposed Floor Plans	DR-03-001	P1	21.09.2021
Proposed Roof Plan	DR-03-005	P1	21.09.2021

APPENDIX B – CONSULTATIONS

Parish Consultation

OBSERVATIONS: RECOMMEND REFUSAL

The following points were raised:

' DP21 ' the scheme does not provide adequate parking There were limited disabled parking spaces for residents and staff. The scheme doesn't support MSDC's sustainable modes of travel scheme for transport

' DP40 ' no sustainable energy scheme was proposed. 4.3 of the Design and Access Statement suggested panels could be put in, the Town Council requests these.

' Highways Safety ' The Committee expressed concern on the distance between the bridge and the entrance point to the site and requested Highways comments.

' Environmental ' The Committee expressed concerns over the loss of five ponds citing DP38 which protects valued landscapes.

WSCC Waste and Minerals:

Thank you for consulting West Sussex County Council, Waste and Minerals on the above application.

The application site in question does not meet the criteria for consulting West Sussex County Council as set out in the Minerals and Waste Safeguarding Guidance therefore, the minerals and waste authority would offer a no comment to the proposed development. A summary of these thresholds is attached to this email and a short video (approx. 20 mins) explaining minerals and waste safeguarding and when the County Council should be

consulted is available by clicking this link:

<http://www.westsussex.gov.uk/ssr/mwsfgrdngrsntn.ppsx>. To hear the audio, view the slides as a 'slide show'.

The decision maker should be satisfied that the proposals minimise waste generation, maximise opportunities for re-using and recycling waste, and where necessary include waste management facilities of an appropriate type and scale (Policy W23 of the West Sussex Waste Local Plan, 2014).

Southern Water:

Thank you for your letter dated 29/09/2021.

Please see the attached extract from Southern Water records showing the approximate position of our public surface water sewers in the vicinity of the development site. The exact position of the public assets must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised.

Please note:

- The 150 mm public surface water sewers requires a clearance of 3 metres on either side of the public surface water sewers to protect it from construction works and to allow for future maintenance access.
- No development or tree planting should be carried out within 3 metres of the external edge of the public surface waters sewer without consent from Southern Water.
- No soakaway, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public surface water sewer.
- All existing infrastructure should be protected during the course of construction works.

Please refer to: southernwater.co.uk/media/3011/stand-off-distances.pdf

The impact of any works within the highway/access road on public apparatus shall be assessed and approved, in consultation with Southern Water, under a NRSWA enquiry in order to protect public apparatus. Please send these enquiries to Developer.Services@southernwater.co.uk

Furthermore, 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.

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

To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements

In situations where surface water is being considered for discharge to our network, we require the below hierarchy for surface water to be followed which is reflected in part H3 of the Building Regulations. Whilst reuse does not strictly form part of this hierarchy, Southern Water would encourage the consideration of reuse for new developments.

- Reuse
- Infiltration
- Watercourse
- Storm sewer
- Combined Sewer

Guidance on Building Regulations is here:

gov.uk/government/publications/drainage-and-waste-disposal-approved-document-h

The planning application form makes reference to drainage using Sustainable Drainage Systems (SuDS).

under certain circumstances SuDS will be adopted by Southern Water should this be requested by the developer. Where SuDS form part of a continuous sewer system, and are not an isolated end of pipe SuDS component, adoption will be considered if such systems comply with the latest Sewers for Adoption (Appendix C) and CIRIA guidance available here:

water.org.uk/sewerage-sector-guidance-approved-documents

ciria.org/Memberships/The_SuDS_Manual_C753_Chapters.aspx

Where SuDS rely upon facilities which are not adoptable by sewerage undertakers 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 submitted drawing (92001 Rev-P02) shows permeable pavement used for surface water drainage which is not acceptable to Southern Water. The drainage design should ensure that no groundwater or land drainage will enter the public sewerage network.

Should the applicant wish to offer the sewers for adoption under section 104 of the Water Industry Act, the drainage design should comply with the Sewerage Sector Guidance (water.org.uk/sewerage-sector-guidance-approved-documents/) standards and Southern Water's requirements. Please note that non-compliance with the Sewerage Sector Guidance 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. Applications for adoption of sewers by Southern Water can be made via the online service, Get Connected: developerservices.southernwater.co.uk

We request that should this planning application receive planning approval, the following informative is attached to the consent: Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water 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).

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

MSDC Housing Officer:

The planning statement and plans submitted indicate that this is to be brought forward as a C2 facility and as such would not give rise to an affordable housing requirement. Should any plans be submitted which change the use to C3, please ensure that Housing Enabling are consulted.

WSCC Highways:

Background

The proposed development is for the provision of a care home (under land use class C2) with 68 bedrooms, car parking and landscaping. The proposals would be accessed from Kings Way which has a 30mph speed limit. To the south Kings Way connects to the B2113 Folders Lane at a mini-roundabout. To the north Kings Way becomes Cants Lane.

The highway aspect of the proposals are supported by way of a Transport Statement (TS) which includes Trip Rate Information System (TRICS) data and a Stage 1 Road Safety Audit (RSA). The LHA undertook pre-application discussions with the applicant on the proposals in February 2021.

Access and Visibility

It is proposed to provide access to the site via a new priority junction onto Kings Way. The form and location of the access was discussed and agreed as part of pre-application engagement with the LHA at the pre-application stage.

As per the LHA advice speed surveys were undertaken on Kings Way on 1 March 2021, which recorded 85th percentile speeds of 37.1mph northbound and 37.9mph, southbound. With the adjustment for gradient (1 in 30 northbound and 1 in 45 southbound) visibility splays of 61m are required. This was agreed as part of pre-application discussions within the applicant's TS drawing ITB16520-GA-002 demonstrates that these can be achieved.

The access works will be subject to a Section 278 Agreement and technical check with the LHA's Highway Agreements Team.

Stage 1 Road Safety Audit (RSA)

A Stage 1 Road Safety Audit (RSA) has been carried out on the site access onto Kings Way. The content of the RSA including the Designers Response has been commented on by the Auditor. The Auditor has agreed the elements of the Designer's Response and considers the mitigation on each point as sufficient evidence.

Capacity

A trip generation analysis for the maximum number of proposed usage at the site has been undertaken using the industry standard TRICS software. The development proposals are predicted to generate 11 and 10 vehicular trips in the AM and PM peak hours respectively. The LHA would not consider the proposals would have a 'unacceptable' impact on the network.

Parking and Layout

Car and cycle parking provision will be in line with current WSCC guidelines. The applicant has stated 25 parking spaces within their supporting SN. The LHA would be satisfied with this amount of parking and given the sites layout this is likely to be the maximum that could realistically be provided. Parking for staff will be confirmed later. However, it is envisaged that given the sites location, some staff could travel to the site via more sustainable modes of transport.

In terms of site layout, the proposals will be supported by swept path diagrams which will demonstrate the likely types of larger vehicles entering the site. It was confirmed during our meeting that this is likely to be an infrequent occurrence.

Accessibility

The site is well located to encourage travel by sustainable modes including the use of walking, cycling and public transport. These will provide opportunities for staff and visitors to travel to the site. The attached Travel Plan within the supporting information would be accepted and provide visitors and staff workable means to access the site using more sustainable modes.

Conclusion

Having assessed the contents of the TS and mindful of our pre-application discussion the LHA would be satisfied that the proposals are sufficient in regards of Highway Safety. The LHA would advise the following conditions be attached to any planning consent:

Access (Access to be provided prior to first occupation)

No part of the development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the details shown on drawing ITB16520-GA-002.

Reason: In the interests of road safety.

Construction Management Plan

No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters;

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,

- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area.

INFORMATIVE

The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

WSCC Flood Risk:

West Sussex County Council (WSCC), in its capacity as the Lead Local Flood Authority (LLFA), has been consulted on the above proposed development in respect of surface water drainage.

The following is the comments of the LLFA relating to surface water drainage and flood risk for the proposed development and any associated observations, recommendations and advice.

Flood Risk Summary

Current surface water flood risk based on 30 year and 100 year events: Low risk

Comments:

Current surface water mapping shows that the proposed site is at low risk from surface water flooding.

This risk is based on modelled data only and should not be taken as meaning that the site will/will not definitely flood in these events.

Any existing surface water flow paths across the site should be maintained and mitigation measures proposed for areas at high risk.

Reason: NPPF paragraph 163 states - 'When determining any planning application, local planning authorities should ensure flood risk is not increased elsewhere.'

Modelled groundwater flood hazard classification: Moderate risk

Comments:

The area of the proposed development is shown to be at moderate risk from groundwater flooding based on current mapping. This risk is based on modelled data only and should not be taken as meaning that the site will/will not suffer groundwater flooding.

The potential for ground water contamination within a source protection zone has not been considered by the LLFA. The LPA should consult with the EA if this is considered as risk.

Watercourses nearby?: No

Comments:

Current Ordnance Survey mapping shows no watercourses running adjacent or across the site. The nearest watercourse appears to be approximately 60m south east of the site.

Local or field boundary ditches, not shown on Ordnance Survey mapping, may exist around or across the site. If present these should be maintained and highlighted on future plans.

Works affecting the flow of an ordinary watercourse will require ordinary watercourse consent and an appropriate development-free buffer zone should be incorporated into the design of the development.

Records of any surface water flooding within the site?: No

Comments:

We do not have any records of historic surface water flooding within the confines of the proposed site. This should not be taken that the site itself has never suffered from flooding, only that it has never been reported to the LLFA.

Future development - Sustainable Drainage Systems (SuDS)

The FRA and Outline Drainage Strategy for this application proposes that permeable paving, below ground attenuation, surface water pumping station with a restricted discharge to the main sewer would be used to control the surface water from this development.

As per the District Drainage Engineer's comments, further information is required to ensure any potential development can drain sustainably.

The FRA states 'The site offers limited opportunity to deliver a natural SuDS solution to enhance the amenity of a development of this nature in this setting'. SuDS design should be fully integrated into a master plan as an essential part of land use and development planning and considered in conjunction with other aspects of the design.

In the spirit of SuDS implementation, and in line with many of the policies within the West Sussex Lead Local Flood Authority Policy for the Management of Surface Water, betterment for surface water systems on the new developments should be sought. This could include retention at source through rain gardens, swales or bioretention systems prior to disposal to reduce peak flows. SuDS landscaping significantly improves the local green infrastructure provision and biodiversity impact of the developments whilst also having surface water benefits.

SuDS Policy 3 within the West Sussex LLFA Policy for the Management of Surface Water also states that 'Drainage schemes should be designed to match greenfield discharge rates and follow natural drainage routes as far as possible; pumps should therefore not form part of drainage schemes' Surface water pumping stations are not considered sustainable and should only be used where there is no other practicable method of surface water drainage.

It is unlikely that West Sussex Highways will allow a surface water connection to the Highway system unless it can be proved that a historic connection already exists.

Please note that Schedule 3 of the Flood and Water Management Act 2010 has not yet been implemented and WSCC does not currently expect to act as the SuDS Approval Body (SAB) in this matter.

WSCC Infrastructure Contributions:

02.11.2021

Planning Application details - Erection of a 68 bedroom residential care facility, with associated access works, car parking, servicing, private amenity space, landscaping and boundary treatment.

Summary of Contributions

Education			
School Planning Area	N/A		
Population Adjustment	68.0		
	Primary	Secondary	6th Form
Child Product	0.0000	0.0000	0.0000
Total Places Required	0.0000	0.0000	0.0000
Library			
Locality	Burgess Hill		
Contribution towards Hassocks/Hurstpierpoint/Steyping	£0		
Contribution towards Burgess Hill	£11,320		
Contribution towards East Grinstead/Haywards Heath	£0		
Population Adjustment	68.0		
Sqm per population	30/35		
Waste			
Adjusted Net. Households	68		
Fire			
No. Hydrants	TBC		
Population Adjustment	N/A		
£/head of additional population	N/A		
TAD- Transport			
Net Population Increase	68.0		
Net Parking Spaces	21		
Net Commercial Floor Space sqm	0		
Total Access (commercial only)	0.0000		

Summary of Contributions

S106 type	Monies Due
Education - Primary	No contribution
Education - Secondary	No contribution
Education - 6th Form	No contribution
Libraries	£11,320
Waste	No contribution
Fire & Rescue	No contribution
No. of Hydrants	secured under Condition
TAD	£64,478
Total Contribution	£75,798

Note: The above summary does not include the installation costs of fire hydrants. Where these are required on developments, (quantity as identified above) as required under the

Fire Services Act 2004 they will be installed as a planning condition and at direct cost to the developer. Hydrants should be attached to a mains capable of delivering sufficient flow and pressure for fire fighting as required in the National Guidance Document on the Provision of Water for Fire Fighting 3rd Edition (Appendix 5)

The above contributions are required pursuant to s106 of the Town and Country planning Act 1990 to mitigate the impacts of the subject proposal with the provision of additional County Council service infrastructure, highways and public transport that would arise in relation to the proposed development.

Planning obligations requiring the above money is understood to accord with the Secretary of State's policy tests outlined by the in the National Planning Policy Framework, 2019.

The CIL Regulations 2010 (as amended by the CIL amendment Regulations 2019) came into force on 1st September 2019 and clarify that an authority collecting contributions through the use of S106 agreements may now lawfully charge a fee for monitoring the planning obligations they contain. From 1st April 2020 West Sussex County Council will implement a S106 monitoring fee of £200 per trigger, per year of monitoring. Financial triggers are monitored for an average of three years and will therefore produce a fee of £600 per trigger, with non-financial triggers taking around six years to fulfil and therefore costing £1200.

The proposal falls within the Mid Sussex District and the contributions comply with the provisions of Mid Sussex District Local Development Framework Supplementary Planning Document- Development Infrastructure and Contributions July 2018.

All TAD contributions have been calculated in accordance with the stipulated local threshold and the methodology adopted as Supplementary Planning Guidance (SPG) in November 2003.

The calculations have been derived on the basis of an increase in 68 net bedrooms, and an additional 21 car parking spaces.

Please see below for a Breakdown and explanation of the WSCC Contribution Calculators. Also see the attached spreadsheet for the breakdown of the calculation figures. For further explanation please see the Sussex County Council website (<http://www.westsussex.gov.uk/s106>).

5. Deed of Planning Obligations

- a) As a deed of planning obligations would be required to ensure payment of the necessary financial contribution, the County Council would require the proposed development to reimburse its reasonable legal fees incurred in the preparation of the deed.
- b) The deed would provide for payment of the financial contribution upon commencement of the development.
- c) In order to reflect the changing costs, the deed would include arrangements for review of the financial contributions at the date the payment is made if the relevant date falls after 31st March 2022. This may include revised occupancy rates if payment is made after new data is available from the 2021 Census.
- d) **Review of the contribution towards the provision of additional library floorspace should be by reference to an appropriate index, preferably RICS BCIS All-in TPI. This figure is subject to annual review.**

The contributions generated by this proposal shall be spent on providing additional facilities at Burgess Hill Library.

The contributions generated by this proposal shall be spent on public realm and connectivity improvements programme in Burgess Hill

Recent experience suggests that where a change in contributions required in relation to a development or the necessity for indexation of financial contributions from the proposed development towards the costs of providing service infrastructure such as libraries is not specifically set out within recommendations approved by committee, applicants are unlikely to agree to such provisions being included in the deed itself. Therefore, it is important that your report and recommendations should cover a possible change in requirements and the need for appropriate indexation arrangements in relation to financial contributions.

Please ensure that applicants and their agents are advised that any alteration to the housing mix, size, nature or tenure, may generate a different population and thus require re-assessment of contributions. Such re-assessment should be sought as soon as the housing mix is known and not be left until signing of the section 106 Agreement is imminent.

Where the developer intends to keep some of the estate roads private we will require provisions in any s106 agreement to ensure that they are properly built, never offered for adoption and that a certificate from a suitably qualified professional is provided confirming their construction standard.

Where land is to be transferred to the County Council as part of the development (e.g. a school site) that we will require the developer to provide CAD drawings of the site to aid design/layout and to ensure that there is no accidental encroachment by either the developer or WSCC.

It should be noted that the figures quoted in this letter are based on current information and will be adhered to for 3 months. Thereafter, if they are not consolidated in a signed S106 agreement they will be subject to revision as necessary to reflect the latest information as to cost and need.

Please see below for a Breakdown of the Contribution Calculators for clarification of West Sussex County Council's methodology in calculating Contributions. For further explanation please see the Sussex County Council website (<http://www.westsussex.gov.uk/s106>).

Breakdown of Contribution Calculation Formulas:

1. Library Infrastructure

There are two methodologies used for calculating library infrastructure Contributions. These have been locally tailored on the basis of required contributions and the nature of the library in the locality, as below:

Library infrastructure contributions are determined by the population adjustment resulting in a square metre demand for library services. The square metre demand is multiplied by a cost multiplier which determines the total contributions as below:

Contributions = SQ M Demand x Cost Multiplier

a) Square Metre Demand

The square metre demand for library floor space varies across the relevant districts and parishes on the basis of library infrastructure available and the settlement population in each particular locality. The local floorspace demand (LFD) figure varies between 30 and 35 square metres per 1000 people and is provided with each individual calculation.

Square Metre Demand = (Adjusted Population x LFD) / 1000

b) Cost Multiplier- Library Infrastructure

WSCC estimated cost of providing relatively small additions to the floorspace of existing library buildings is £5,549 per square metre. This figure was updated by Royal Institute of Chartered Surveyors' Building Cost Information Service All-In Tender Price Index for the 2021/2022 period.

2. TAD- Total Access Demand

The methodology is based on total access to and from a development. An **Infrastructure Contribution** is required in respect of each occupant or employee provided with a parking space, as they would be more likely to use the road infrastructure. The **Sustainable Transport Contribution** is required in respect of each occupant or employee not provided with a parking space which would be likely to rely on sustainable transport.

TAD = Infrastructure contribution + Sustainable Transport contribution

a) Infrastructure Contribution

Contributions for Infrastructure are determined by the new increase in car parking spaces, multiplied by WSCC's estimated cost of providing transport infrastructure per vehicle Infrastructure cost multiplier. The Infrastructure cost multiplier as at 2021/2022 is £1,450 per parking space.

Infrastructure contributions = Car parking spaces x Cost multiplier

b) Sustainable Transport Contribution

This is derived from the new car parking increase subtracted from the projected increase in occupancy of the development. The sustainable transport contribution increases where the population is greater than the parking provided. The sustainable transport figure is then multiplied by the County Council's estimated costs of providing sustainable transport infrastructure cost multiplier (£724).

Sustainable transport contribution = (net car parking - occupancy) x 724

Note: occupancy is determined by projected rates per dwelling and projected people per commercial floorspace as determined by WSCC.

07.04.2022

The Provision of Service Infrastructure Related to Land to the South of Kings Way, Burgess Hill, West Sussex, RH15 0XP

Planning Application details - Erection of a 68 bedroom residential care facility, with associated access works, car parking, servicing, private amenity space, landscaping and boundary treatment.

Summary of Contributions

Education			
School Planning Area	0		
Population Adjustment	68.0		
	Primary	Secondary	6th Form
Child Product	0.0000	0.0000	0.0000
Total Places Required	0.0000	0.0000	0.0000
Library			
Locality	Burgess Hill		
Contribution towards Hassocks/ Hurstpierpoint/Steyping	£0		
Contribution towards Burgess Hill	£12,093		
Contribution towards East Grinstead/Haywards Heath	£0		
Population Adjustment	68.0		
Sqm per population	30/35		
Waste			
Adjusted Net. Households	68		
Fire			
No. Hydrants	TBC		
Population Adjustment	N/A		
£/head of additional population	N/A		
TAD- Transport			
Net Population Increase	68.0		
Net Parking Spaces	21		
Net Commercial Floor Space sqm	0		
Total Access (commercial only)	0.0000		

Summary of Contributions

S106 type	Monies Due
Education - Primary	No contribution
Education - Secondary	No contribution
Education - 6th Form	No contribution
Libraries	£12,093
Waste	No contribution
Fire & Rescue	No contribution
No. of Hydrants	secured under Condition
TAD	£68,860
Total Contribution	£80,953

The above contributions are required pursuant to s106 of the Town and Country planning Act 1990 to mitigate the impacts of the subject proposal with the provision of additional County Council service infrastructure, highways and public transport that would arise in relation to the proposed development.

Planning obligations requiring the above money is understood to accord with the Secretary of State's policy tests outlined by the in the National Planning Policy Framework, 2019.

The CIL Regulations 2010 (as amended by the CIL amendment Regulations 2019) came into force on 1st September 2019 and clarify that an authority collecting contributions through the use of S106 agreements may now lawfully charge a fee for monitoring the planning obligations they contain. From 1st April 2020 West Sussex County Council will implement a S106 monitoring fee of £200 per trigger, per year of monitoring. Financial triggers are monitored for an average of three years and will therefore produce a fee of £600 per trigger, with non-financial triggers taking around six years to fulfil and therefore costing £1200.

The proposal falls within the Mid Sussex District and the contributions comply with the provisions of Mid Sussex District Local Development Framework Supplementary Planning Document- Development Infrastructure and Contributions July 2018.

All TAD contributions have been calculated in accordance with the stipulated local threshold and the methodology adopted as Supplementary Planning Guidance (SPG) in November 2003.

The calculations have been derived on the basis of an increase in 68 net bedrooms, and an additional 21 car parking spaces.

Please see below for a Breakdown and explanation of the WSCC Contribution Calculators. Also see the attached spreadsheet for the breakdown of the calculation figures. For further explanation please see the Sussex County Council website (<http://www.westsussex.gov.uk/s106>).

5. Deed of Planning Obligations

- a) As a deed of planning obligations would be required to ensure payment of the necessary financial contribution, the County Council would require the proposed development to reimburse its reasonable legal fees incurred in the preparation of the deed.
- b) The deed would provide for payment of the financial contribution upon commencement of the development.
- c) In order to reflect the changing costs, the deed would include arrangements for review of the financial contributions at the date the payment is made if the relevant date falls after 31st March 2023. This may include revised occupancy rates if payment is made after new data is available from the 2021 Census.
- d) Review of the contribution towards the provision of additional library floorspace should be by reference to an appropriate index, preferably RICS BCIS All-In TPI. This figure is subject to annual review.**

The contributions generated by this proposal shall be spent on providing additional facilities at Burgess Hill Library.

The contributions generated by this proposal shall be spent on public realm and connectivity improvements programme in Burgess Hill

Recent experience suggests that where a change in contributions required in relation to a development or the necessity for indexation of financial contributions from the proposed development towards the costs of providing service infrastructure such as libraries is not specifically set out within recommendations approved by committee, applicants are unlikely to agree to such provisions being included in the deed itself. Therefore, it is important that your report and recommendations should cover a possible change in requirements and the need for appropriate indexation arrangements in relation to financial contributions.

Please ensure that applicants and their agents are advised that any alteration to the housing mix, size, nature or tenure, may generate a different population and thus require re-assessment of contributions. Such re-assessment should be sought as soon as the housing mix is known and not be left until signing of the section 106 Agreement is imminent.

Where the developer intends to keep some of the estate roads private we will require provisions in any s106 agreement to ensure that they are properly built, never offered for

adoption and that a certificate from a suitably qualified professional is provided confirming their construction standard.

Where land is to be transferred to the County Council as part of the development (e.g. a school site) that we will require the developer to provide CAD drawings of the site to aid design/layout and to ensure that there is no accidental encroachment by either the developer or WSCC.

It should be noted that the figures quoted in this letter are based on current information and will be adhered to for 3 months. Thereafter, if they are not consolidated in a signed S106 agreement they will be subject to revision as necessary to reflect the latest information as to cost and need.

Please see below for a Breakdown of the Contribution Calculators for clarification of West Sussex County Council's methodology in calculating Contributions. For further explanation please see the Sussex County Council website (<http://www.westsussex.gov.uk/s106>).

Breakdown of Contribution Calculation Formulas:

1. School Infrastructure Contributions

The financial contributions for school infrastructure are broken up into three categories (primary, secondary, sixth form). Depending on the existing local infrastructure only some or none of these categories of education will be required. Where the contributions are required the calculations are based on the additional amount of children and thus school places that the development would generate (shown as **TPR- Total Places Required**). The TPR is then multiplied by the Department for Children, Schools and Families school building costs per pupil place (**cost multiplier**).

School Contributions = TPR x cost multiplier

a) TPR- Total Places Required:

TPR is determined by the number of year groups in each school category multiplied by the child product.

TPR = (No of year groups) x (child product)

Year groups are as below:

- Primary school- **7** year groups (aged 4 to 11)
- Secondary School- **5** year groups (aged 11 to 16)
- Sixth Form School Places- **2** year groups (aged 16 to 18)

Child Product is the adjusted education population multiplied by average amount of children, taken to be 14 children per year of age per 1000 persons (average figure taken from 2001 Census).

Child Product = Adjusted Population x 14 / 1000

Note: The adjusted education population for the child product excludes population generated from 1 bed units, Sheltered and 55+ Age Restricted Housing. Affordable dwellings are given a 33% discount.

b) Cost multiplier- Education Services

The cost multiplier is a figure released by the Department for Education. It is a school building costs per pupil place as at 2022/2023, updated by Royal Institute of Chartered Surveyors' Building Cost Information Service All-In Tender Price Index. Each Cost multiplier is as below:

- o Primary Schools- **£20,229 per child**
- o Secondary Schools- **£30,480 per child**
- o Sixth Form Schools- **£33,056 per child**

2. Library Infrastructure

There are two methodologies used for calculating library infrastructure Contributions. These have been locally tailored on the basis of required contributions and the nature of the library in the locality, as below:

Library infrastructure contributions are determined by the population adjustment resulting in a square metre demand for library services. The square metre demand is multiplied by a cost multiplier which determines the total contributions as below:

Contributions = SQ M Demand x Cost Multiplier

a) Square Metre Demand

The square metre demand for library floor space varies across the relevant districts and parishes on the basis of library infrastructure available and the settlement population in each particular locality. The local floorspace demand (LFD) figure varies between 30 and 35 square metres per 1000 people and is provided with each individual calculation.

Square Metre Demand = (Adjusted Population x LFD) / 1000

b) Cost Multiplier- Library Infrastructure

WSCC estimated cost of providing relatively small additions to the floorspace of existing library buildings is £5,928 per square metre. This figure was updated by Royal Institute of Chartered Surveyors' Building Cost Information Service All-In Tender Price Index for the 2022/2023 period.

3. TAD- Total Access Demand

The methodology is based on total access to and from a development. An **Infrastructure Contribution** is required in respect of each occupant or employee provided with a parking space, as they would be more likely to use the road infrastructure. The **Sustainable Transport Contribution** is required in respect of each occupant or employee not provided with a parking space which would be likely to rely on sustainable transport.

TAD = Infrastructure contribution + Sustainable Transport contribution

a) Infrastructure Contribution

Contributions for Infrastructure are determined by the new increase in car parking spaces, multiplied by WSCC's estimated cost of providing transport infrastructure per vehicle Infrastructure cost multiplier. The Infrastructure cost multiplier as at 2022/2023 is £1,549 per parking space.

Infrastructure contributions = Car parking spaces x Cost multiplier

b) Sustainable Transport Contribution

This is derived from the new car parking increase subtracted from the projected increase in occupancy of the development. The sustainable transport contribution increases where the population is greater than the parking provided. The sustainable transport figure is then multiplied by the County Council's estimated costs of providing sustainable transport infrastructure cost multiplier (£773).

Sustainable transport contribution = (net car parking - occupancy) x 773

Note: occupancy is determined by projected rates per dwelling and projected people per commercial floorspace as determined by WSCC.

WSCC Fire and Rescue:

This proposal has been considered by means of desktop study, using the information and plans submitted with this application, in conjunction with other available WSCC mapping and Fire and Rescue Service 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:

1) Prior to the commencement of the development details showing the proposed location of [1] one fire hydrant or stored water supply (in accordance with the West Sussex Fire and Rescue Guidance Notes) shall be submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Service. These approvals shall not be unreasonably withheld or delayed.

2) Prior to the first occupation of any dwelling/unit forming part of the proposed development that they will at their own expense install the fire hydrant (or in a phased programme if a large development) in the approved location to BS 750 standards or stored water supply and arrange for their connection to a water supply which is appropriate in terms of both pressure and volume for the purposes of firefighting.

The fire hydrant shall thereafter be maintained as part of the development by the water undertaker at the expense of the Fire and Rescue Service if adopted as part of the public mains supply (Fire Services Act 2004) or by the owner / occupier if the installation is retained as a private network.

As part of the Building Regulations 2004, adequate access for firefighting vehicles and equipment from the public highway must be available and may require additional works on or off site, particularly in very large developments. (BS5588 Part B 5) for further information please contact the Fire and Rescue Service

If a requirement for additional water supply is identified by the Fire and Rescue Service and is subsequently not supplied, there is an increased risk for the Service to control a potential fire. It is therefore recommended that the hydrant condition is implemented.

Reason: In the interests of amenity and in accordance with Mid Sussex District Plan (2014 - 2031) Key Policies DP18 and DP19 and in accordance with The Fire & Rescue Service Act 2004.

MSDC Drainage Engineer:

(25.10.2021)

We need further information from this proposal to prove that it can drain.

The proposal has not confirmed where it will discharge both foul water and surface water.

The Curtins FRA & Outline Drainage Strategy informs in 3.1 of manholes in Kingsway itself and assumes these are part of a surface water system the site can connect to. These manholes are likely part of the WSCC highway drainage system and do not form part of the Southern Water surface water network. Any connection to this system will require the formal consent from West Sussex County Council.

In addition, the Curtins FRA & Outline Drainage Strategy seems to assume that there will be a foul drainage system within Kingsway. From Southern Water's records there are no foul sewers within Kingsway, and any connection is likely to require a significant length of new sewer to an existing system.

Please can the downstream connections for both foul water and surface water be confirmed. Without this information, the development cannot prove it can discharge surface water and foul water.

(04.04.2022)

FLOOD RISK

The site is in flood zone 1 and is at low fluvial flood risk (risk of flooding from Main Rivers). Most of the site is shown to be at low surface water flood risk.

There are no historic records of flooding occurring on this site or the immediate area surrounding the site. A lack of historic records of flooding does not mean that flooding has never occurred, instead, that flooding has just never been reported.

SEWERS ON SITE

The Southern Water public sewer map does not show any public sewers located within or within proximity to the redline boundary of the site.

The Southern Water sewer maps do show a surface water drainage system in Kings Way. It is my current understanding that this may be part of the West Sussex County Council highway drainage system.

There may be sewers located on the site not shown on the plan which are now considered public sewers. Any drain which serves more than one property, or crosses into the site from a separate site is likely to now be considered a public sewer. Advice in relation to this situation can be found on the relevant water authority's website.

SURFACE WATER DRAINAGE

The BGS infiltration potential map shows the site to be in an area with low infiltration potential. Therefore, the use of infiltration drainage such as permeable paving or soakaways is unlikely to be possible on site. To ensure the drainage hierarchy is followed this will need to be confirmed through infiltration testing on site as part of detailed drainage design.

The development proposal has submitted a Flood Risk Assessment & Outline Drainage Strategy. This is the Curtins document 079011 Revision: P02 Issue Date: Dec 2021.

The evaluation of flood risk within the FRA aligns with our understanding of the site.

The development proposes to attenuate surface water run-off within a tank which will discharge surface water via a surface water pump to drainage system with Southern Water identified manhole 6756. Justification for this method is that the hierarchy of surface water disposal has been followed to this method. It has been found that infiltration tests reveal the ground to have insufficient porosity, there are no local watercourses, there is a lack of fall for gravity discharge, and a local drainage system is within useable proximity to the site, namely manhole 6756.

I agree with the percolation testing revealing that there is little to no percolation available with the ground. However, the proposed method of pumping surface water is only acceptable if all other possible methods have been exhausted. In addition, the proposed point of discharge to manhole 6756, is not confirmed to be either a surface water sewer or combined sewer. It is our current understanding that manhole 6756 may be part of the West Sussex County Council's highway drainage system, and not a combined sewer.

This means if the development has no other alternative but to discharge surface water to manhole 6756, then it will have no way of draining the site if permission is not granted for this connection and discharge.

Therefore, to establish that this development can safely dispose of surface water this way, it must identify the owners of this drainage system and manhole 6756 and obtain at least in principle agreement of connection and discharge from those who are responsible for it.

It is my current understanding that manhole 6765 may be a part of the WSCC highway drainage system.

FOUL WATER DRAINAGE

It is proposed that the development will pump foul water to manhole 6756. The development has not established the ownership and the type of this drain. Therefore, to establish that this development can safely dispose of foul water this way, it must identify the owners of this system and manhole 6756 and obtain at least in principle agreement of connection and discharge from those who are responsible for it.

It is my current understanding that manhole 6765 may be a part of the WSCC highway drainage system.

SUMMARY OF FURTHER INFORMATION REQUIRED

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

- Confirmation of the ownership of the Kings Way drainage system with identified manhole 6756.
- Evidence of communication with owner of Kings Way drainage system with agreement in principle for connection and discharge to it.

Receipt of the requested additional information does not mean further information will not be requested, nor does it guarantee that the Flood Risk and Drainage Team will not object to the development. Neither does it prevent the team from recommending a flood risk or drainage condition.

CONDITION RECOMMENDATION

No condition suggested at this time.

GENERAL DRAINAGE REQUIREMENT GUIDANCE

Mid Sussex District Council's flood risk and drainage requirements are based on relevant national and local policies and guidance.

SURFACE WATER DRAINAGE

Finalised detailed surface water drainage design is required to be submitted and approved prior to construction starting on site. The design should be based on the Environment Agency's latest climate change allowances and follow the latest West Sussex Lead Local Flood Authority Policy for the Management of Surface Water (<https://www.westsussex.gov.uk/fire-emergencies-and-crime/dealing-with-extreme-weather/flooding/flood-risk-management/flood-reports-projects-and-policies/>).

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.

The locating of attenuation, detention, or infiltration devices (including permeable surfacing) within flood extents is not acceptable.

Table 1 overleaf sets out a list of information the detailed surface water drainage design should include. Developers are encouraged to complete the table and provide as a cover page to future drainage design submissions.

FOUL WATER DRAINAGE

Finalised detailed foul water drainage design is required to be submitted and approved prior to construction starting on site. The use of public foul sewer connection should always be prioritised over non-mains drainage options.

The use of non-mains foul drainage should consider the latest Environment Agency's General Binding Rules (<https://www.gov.uk/guidance/general-binding-rules-small-sewage-discharge-to-a-surface-water>).

The Environment Agency have advised that any existing septic tank foul drainage systems that are found to not comply with the latest Binding Rules will need to be replaced or upgraded.

Table 2 overleaf sets out a list of information the detailed foul water drainage design should include. Developers are encouraged to complete the table and provide as a cover page to future drainage design submissions.

Table 1: Detailed drainage design requirements – surface water

Requirement	Location of information within submitted design
<i>For all designs</i>	
Greenfield runoff rate details for the area to be drained (using FEH or a similar approved method)	
On-site infiltration test results	
Plans / details of areas to be drained based on finalised development plans	
Calculations showing the system has been designed to cater for the 1 in 100-year storm event, plus appropriate allowance for climate change	
Detailed drainage plans, including invert levels and pipe diameters, showing entire drainage system	
Maintenance and management plan ¹	
<i>For soakaways</i>	
Sizing calculations (to cater for 1 in 100-year plus climate change event)	
Half drain time (<24 hours)	
Construction details	
<i>For discharge to watercourse</i>	
Discharge rate (1 in 1 or QBar Greenfield rate for drained area) ²	
Outfall location and construction details	
Attenuation sizing calculations (to cater for 1 in 100-year plus climate change event)	
<i>For discharge to sewer</i>	
Discharge rates (restricted to 1 in 1 or QBar Greenfield rate for drained area unless otherwise agreed with sewerage provider)	
Discharge location and manhole number	
Outline approval from sewerage provider in relation to connection, discharge rate and connection location ³	
Attenuation sizing calculations (to cater for 1 in 100-year plus climate change event)	

¹ The scale of this document should reflect the scale of the development and the complexity of the drainage system.

² If the 1 in 1 or QBar Greenfield runoff rate cannot be achieved, then evidence into why a higher discharge rate has been proposed should be provided. Due to improvements in drainage systems the 2l/s minimum will not be accepted without justification.

³ Formal approval via S106 etc is not required.

Table 2: Detailed drainage design requirements – foul water

Requirement	Location of information within submitted design
<i>For all designs</i>	
Plans showing entire drainage system, including invert levels, pipe diameters, falls and outfall/connection location	
Foul flow calculations and confirmation proposed system is sized appropriately	
<i>For connection to main foul sewer</i>	
Discharge location and manhole number	
Evidence of communication with Water Authority regarding connection ⁴	
<i>For non-mains system with drainage field</i>	
Evidence of permeability (infiltration) test results specific to treated effluent drainage fields	
Evidence that either: <ul style="list-style-type: none"> a) The system meets latest General Binding Rules b) An Environmental Permit application is to be submitted 	

(05.04.2022)

FLOOD RISK

The site is in flood zone 1 and is at low fluvial flood risk (risk of flooding from Main Rivers). Most of the site is shown to be at low surface water flood risk.

There are no historic records of flooding occurring on this site or the immediate area surrounding the site. A lack of historic records of flooding does not mean that flooding has never occurred, instead, that flooding has just never been reported.

SEWERS ON SITE

The Southern Water public sewer map does not show any public sewers located within or within proximity to the redline boundary of the site.

The Southern Water sewer maps do show a surface water drainage system in Kings Way. It is my current understanding that this may be part of the West Sussex County Council highway drainage system.

There may be sewers located on the site not shown on the plan which are now considered public sewers. Any drain which serves more than one property, or crosses into the site from a separate site is likely to now be considered a public sewer. Advice in relation to this situation can be found on the relevant water authority's website.

SURFACE WATER DRAINAGE

⁴ Formal approval via S106 etc is not required.

The BGS infiltration potential map shows the site to be in an area with low infiltration potential. Therefore, the use of infiltration drainage such as permeable paving or soakaways is unlikely to be possible on site. To ensure the drainage hierarchy is followed this will need to be confirmed through infiltration testing on site as part of detailed drainage design.

The development proposal has submitted a Flood Risk Assessment & Outline Drainage Strategy. This is the Curtins document 079011 Revision: P02 Issue Date: Dec 2021.

The evaluation of flood risk within the FRA aligns with our understanding of the site.

The development proposes to attenuate surface water run-off within a tank which will discharge surface water via a surface water pump to drainage system with Southern Water identified manhole 6756 or systems within Longhurst. Justification for this method is that the hierarchy of surface water disposal has been followed to this method. It has been found that infiltration tests reveal the ground to have insufficient porosity, there are no local watercourses, there is a lack of fall for gravity discharge, and a local drainage system is within useable proximity to the site, namely manhole 6756 or the systems in Longhurst.

I agree with the percolation testing revealing that there is little to no percolation available with the ground. However, the proposed method of pumping surface water is only acceptable if all other possible methods have been exhausted. In addition, the proposed point of discharge to manhole 6756, is not confirmed to be either a surface water sewer or combined sewer. It is our current understanding that manhole 6756 may be part of the West Sussex County Council's highway drainage system, and not a combined sewer.

The development has received communication with Southern Water that confirm capacity within the local public foul and surface water systems for this development. In addition, the development has identified an alternative point of connection to the public foul drainage system at Longhurst.

This will require the formal approval for connection and an agreed rate of discharge from Southern Water.

FOUL WATER DRAINAGE

It is proposed that the development will pump foul water to manhole 6756. The development has not established the ownership and the type of this drain. Therefore, to establish that this development can safely dispose of foul water this way, it must identify the owners of this system and manhole 6756 and obtain at least in principle agreement of connection and discharge from those who are responsible for it.

The development has received communication with Southern Water that confirm capacity within the local public foul and surface water systems for this development. In addition, the development has identified an alternative point of connection to the public foul drainage system at Longhurst.

This will require the formal approval for connection and an agreed rate of discharge from Southern Water.

CONDITION RECOMMENDATION

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.

GENERAL DRAINAGE REQUIREMENT GUIDANCE

Mid Sussex District Council's flood risk and drainage requirements are based on relevant national and local policies and guidance.

SURFACE WATER DRAINAGE

Finalised detailed surface water drainage design is required to be submitted and approved prior to construction starting on site. The design should be based on the Environment Agency's latest climate change allowances and follow the latest West Sussex Lead Local Flood Authority Policy for the Management of Surface Water (<https://www.westsussex.gov.uk/fire-emergencies-and-crime/dealing-with-extreme-weather/flooding/flood-risk-management/flood-reports-projects-and-policies/>).

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.

The locating of attenuation, detention, or infiltration devices (including permeable surfacing) within flood extents is not acceptable.

Table 1 overleaf sets out a list of information the detailed surface water drainage design should include. Developers are encouraged to complete the table and provide as a cover page to future drainage design submissions.

FOUL WATER DRAINAGE

Finalised detailed foul water drainage design is required to be submitted and approved prior to construction starting on site. The use of public foul sewer connection should always be prioritised over non-mains drainage options.

The use of non-mains foul drainage should consider the latest Environment Agency's General Binding Rules (<https://www.gov.uk/guidance/general-binding-rules-small-sewage-discharge-to-a-surface-water>).

The Environment Agency have advised that any existing septic tank foul drainage systems that are found to not comply with the latest Binding Rules will need to be replaced or upgraded.

Table 2 overleaf sets out a list of information the detailed foul water drainage design should include. Developers are encouraged to complete the table and provide as a cover page to future drainage design submissions.

Table 3: Detailed drainage design requirements – surface water

Requirement	Location of information within submitted design
<i>For all designs</i>	
Greenfield runoff rate details for the area to be drained (using FEH or a similar approved method)	
On-site infiltration test results	
Plans / details of areas to be drained based on finalised development plans	
Calculations showing the system has been designed to cater for the 1 in 100-year storm event, plus appropriate allowance for climate change	
Detailed drainage plans, including invert levels and pipe diameters, showing entire drainage system	
Maintenance and management plan ⁵	
<i>For soakaways</i>	
Sizing calculations (to cater for 1 in 100-year plus climate change event)	
Half drain time (<24 hours)	
Construction details	
<i>For discharge to watercourse</i>	
Discharge rate (1 in 1 or QBar Greenfield rate for drained area) ⁶	
Outfall location and construction details	
Attenuation sizing calculations (to cater for 1 in 100-year plus climate change event)	
<i>For discharge to sewer</i>	
Discharge rates (restricted to 1 in 1 or QBar Greenfield rate for drained area unless otherwise agreed with sewerage provider)	
Discharge location and manhole number	
Outline approval from sewerage provider in relation to connection, discharge rate and connection location ⁷	
Attenuation sizing calculations (to cater for 1 in 100-year plus climate change event)	

⁵ The scale of this document should reflect the scale of the development and the complexity of the drainage system.

⁶ If the 1 in 1 or QBar Greenfield runoff rate cannot be achieved, then evidence into why a higher discharge rate has been proposed should be provided. Due to improvements in drainage systems the 2l/s minimum will not be accepted without justification.

⁷ Formal approval via S106 etc is not required.

Table 4: Detailed drainage design requirements – foul water

Requirement	Location of information within submitted design
<i>For all designs</i>	
Plans showing entire drainage system, including invert levels, pipe diameters, falls and outfall/connection location	
Foul flow calculations and confirmation proposed system is sized appropriately	
<i>For connection to main foul sewer</i>	
Discharge location and manhole number	
Evidence of communication with Water Authority regarding connection ⁸	
<i>For non-mains system with drainage field</i>	
Evidence of permeability (infiltration) test results specific to treated effluent drainage fields	
Evidence that either: <ul style="list-style-type: none"> a) The system meets latest General Binding Rules b) An Environmental Permit application is to be submitted 	

Arboriculturist:

(31/03/2022)

I have reviewed the revised arboricultural report and I'm not sure the amendments address my concerns regarding the impact of the raised levels on the RPAs of the high quality trees along the eastern boundary.

I note that that within the AIA there is reference to the retaining wall impacting on the periphery of the RPA of T71 in order to manage the differences in levels. However I cannot see any reference to how the changes in levels will affect the other trees. I have particular concern for T64 -T68. It would be helpful if the details provided from the previously submitted sections are incorporated within the report to assess how this will affect the long term health of these trees.

As previously requested a detailed AMS would be needed which I would think can be conditioned.

(06.04.2022)

I have reviewed the amended document and I am happy that it shows the rises in soil levels can be managed to have minimal impact on the health of these important trees on the eastern boundary.

It is noted within the report full details on spot levels as they rise between the retained trees and finished level for the surfacing around the building will be confirmed in further detailed

⁸ Formal approval via S106 etc is not required.

design, and should be conditioned along with how the French drain system will be incorporated and installed.

As per my previous comments a detailed AMS is requested which should incorporate the amended details in the updated AIA.

Consultant Ecologist:

(31.03.2022)

I am unable to find the results of the recommended botanical survey of the grassland, recommended in para 7.10, page 23 of the preliminary ecological appraisal report by Tim Moya Associates and this document provides confusing information about the grassland describing it as both lowland meadow priority habitat and semi-improved and marshy grassland. The former comprises unimproved neutral grassland which is very scarce and would represent a significant constraint to development. Whilst the latter are more likely, there is limited information on species present or any systematic sampling to determine species richness with this presumably being deferred to the recommended botanical survey. Therefore it is important that the grassland type is correctly classified and that this is evidenced.

There are reports for all other recommended phase 2 surveys so hopefully this is just an omission, but this needs to be clarified to enable proper assessment of the biodiversity impact.

With regard to other matters, I am satisfied that adequate surveys have been undertaken and that significant impacts can be avoided, adequately mitigated or, as a last resort, compensated for in accordance with Policy 180 of the NPPF, subject to suitable conditions.

I note that the layout achieves the minimum 15m buffer required by Policy DP37 between development and the adjacent ancient woodland.

Opportunities for positive wildlife enhancements appear limited due to the amount of development, even assuming that the grassland is confirmed to be of lower value, and so this will need to be weighed against other material considerations.

(11.04.2022)

Recommendations

Further to submission of the 'National Vegetation Classification Botanical Survey Report' I am satisfied that this provides adequate information to conclude that the grassland is of relatively low conservation interest and not a significant constraint to development. Based on this and previous comments, there are, in my opinion, no biodiversity policy reasons for refusal or amendment of the proposals, subject to the following conditions:

No development shall commence until the following details have been submitted to, and approved by, the local planning authority:

a wildlife mitigation and habitat protection plan (which may be integrated with tree protection measures);

a habitat enhancement and management plan (which may be integrated into a landscape and ecological enhancement and management plan LEMP); and

an external lighting assessment demonstrating how light pollution of surrounding tree belts will be avoided to prevent impacts on bats and other nocturnal wildlife.

The approved details shall be implemented in full unless otherwise approved in writing by the local planning authority.

Reason: to prevent loss of, and contribute to a net gain in, biodiversity, in accordance with policies DP37, DP38 of the Mid Sussex District Plan and 180 of the NPPF.

MSDC Environmental Health- Protection:

This development is directly adjacent to the railway line. The accompanying Noise and Vibration Impact assessment by Ramboll recommends specific glazing types and trickle vents to address the noise levels and includes the following paragraph in Section 5.1:

It should be noted that the requirements are to meet internal levels for background ventilation only. During periods of overheating, the levels may be exceeded in if higher rates of ventilation and thus greater free area on the façade are required. This should be developed during detailed design in conjunction with the design team to minimise risk of occupants having to choose between overheating and noise.

Given that many of the affected rooms are SW facing, the thermal comfort/ventilation aspect should be addressed by way of an overheating assessment. I recommend a condition for this, along with other conditions to address deliveries, plant noise, air quality etc.

- Construction hours: Works of construction or demolition, including the use of plant and machinery, as well as any delivery or collection of plant, equipment or materials for use during the demolition/construction phase necessary for implementation of this consent shall be limited to the following times:

Monday - Friday 08:00 - 18:00 Hours

Saturday 09:00 - 13:00 Hours

Sundays and Bank/Public Holidays no work permitted

Reason - To accord with MSDC Policy DP29: Noise, Air and Light Pollution

- Air Quality: Prior to the commencement of any residential part of the development hereby permitted, the details of a scheme of mitigation measures to improve air quality relating to the development shall be submitted and approved in writing by the Local Planning Authority. The scheme be in accordance with, and to a value derived in accordance with, the Air quality and emissions mitigation guidance for Sussex which is current at the time of the reserved matters application. All works which form part of the approved scheme shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

Informative - In order to ensure approval, we strongly recommend that the above scheme is agreed in advance with the Council's Air Quality Officer.

Reason - To accord with MSDC Policy DP29: Noise, Air and Light Pollution

- Odour: The kitchen facilities of the development hereby permitted shall not be brought into use until a scheme for the installation of equipment to control the emission of fumes and odour from the premises has been submitted to and approved

in writing by the Local Planning Authority, and the scheme as approved has been implemented. The submitted odour control scheme shall be in accordance with current best practice and shall include an odour risk assessment, as well as a maintenance and monitoring schedule for the odour control system, to ensure adequate control of odours, to align with the manufacturer's instructions.

Reason - To accord with MSDC Policy DP29: Noise, Air and Light Pollution

- Soundproofing: Prior to the commencement of the development hereby permitted, a scheme for protecting the proposed development from noise, that implements the glazing and background ventilation measures described in the Noise & Vibration Impact Assessment reference RUK2021N00244-RAM-RP-XX-XX-AC-0001 (Ramboll, dated October 2021), as well as an overheating assessment with appropriate mitigation, shall be submitted and approved in writing by the Local Planning Authority. All works, which form part of the approved scheme shall be maintained in accordance with the approved details.

Reason - To accord with MSDC Policy DP29: Noise, Air and Light Pollution

- Hours for operational deliveries: No commercial goods or commercial waste shall be loaded, unloaded, stored or otherwise handled within the application site outside the hours of 07:30 - 18:00 Hours Monday - Friday, 09:00 - 17:00 Hours, Saturday, none permitted on Sundays or Bank/Public Holidays.

Reason - To accord with MSDC Policy DP29: Noise, Air and Light Pollution

- Fixed Plant and Machinery (operational): The use hereby permitted shall not come into use until scheme has been submitted to the LPA demonstrating that the noise rating level (LAr,Tr) of on-site plant and machinery shall be at least 5dB below the background noise level (LA90,T) at the nearest residential facade. All measurements shall be defined and derived in accordance with BS4142: 2014+A1:2019. The assessment shall be carried out with the plant/machinery operating at its maximum setting. The approved measures shall be implemented before the development is brought into use and thereafter be maintained in accordance with the approved details

MSDC Environmental Health -Contaminated Land:

Having looked at historical records I have no particular concerns with regards to this site.

However, given the size of the build, and the sensitivity of the end use, a discovery strategy should also be attached, so that in the event that contamination is found, that works stop until such time that a further assessment has been made, and further remediation methods put in place if needed.

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.

Design Panel:

Overall, the panel agreed this was a well thought through scheme that had addressed most of the concerns raised at the previous DRP and it especially benefitted from the attractive design of the proposed care-home.

The changes to the building entrance were an improvement including the colonnade (which also featured around the patio area) providing it is the bolder design as represented in the 3D images (rather than the elevations).

The internal layout works well especially the relationship of the communal spaces and outdoor areas. The corridors also benefit from being terminated by windows that bring in natural light.

The panel particularly liked the relationship of the tiling and brickwork and the sage green metalwork/windows. However, the quality of the design is dependent on the materials specification and the detailing of the junctions for it to appear as good as it does in the 3D visuals and avoid it looking hard-edged. Further consideration therefore needs to be given to the following:

- Use of natural/clay tiles rather than machine-cut tiles.
- Avoiding an interlocking block tile system for the corners as this is unlikely to result in the elegant appearance shown in the 3D visuals. Another approach will therefore need to be considered for the corners; for instance, a metal trim finish may be better especially around the windows.
- The junction of the tiles with the roof coping will need to be carefully handled.
- The concealed gutter is an important detail, however there were concerns about cold bridging and its structural robustness that will need further reviewing. It was also unclear how the rainwater downpipes will be recessed within the façade.

It was agreed that 1:5 scale details are therefore needed to demonstrate the key junctions, and preferably submitted as part of the application rather than left to condition.

The panel also had the following other concerns:

- There is a possible conflict between natural ventilation and infection control. Unless this is resolved, then the building would need a mechanical ventilation system which would have a significant implication upon the design as there would be a requirement for extra plant (such as air handling equipment) and service zones and possibly no need for chimneys.
- The needs of dementia-related occupants require special consideration as balconies will not be suitable and the perimeter will need to be secure as well as soft-edged.
- The site entrance / access and the area around the car park risks appearing engineered / hard-edged. Consideration needs to be given to addressing the level

differences in a more organic way. For instance, the right-angle junction on to the road appears to be causing a problem as it is generating a 90-degree bend and steep slope which risks having an engineered appearance especially if a barrier is needed to safeguard the drop in levels on the bend. This might be addressed with a shallower angled junction on to Kings Way enabling a gentler bend that would have a more organic appearance and allow the soft landscaping to be better integrated.

- The high-level footpath access from the entrance was also questioned as it generates a retaining wall and fence that rises high above the car park and consequently risks looking like a hard-edged security feature. To reduce this height disparity, consideration could be given to sloping the car park which should also reduce the steepness of the site access.
- There were concerns about the impact of level changes upon the trees and ancient woodland particularly along the eastern boundary where grade level differences are proposed. To properly assess the change in depth and impact over the RPA's, it will be necessary to illustrate the before and after dimensions. The proximity of construction to existing trees also needs to be considered to ensure they are protected.
- The bin store occupies a prominent location near to the entrance but is not shown on the 3D visuals. It will need the same care and attention as the rest of the building design.
- The relationship of the building and landscape appears acceptable, but the scheme still suffers from a large building envelope (and car park) on a constrained site that provides limited outside space for residents and limited opportunity for an expansive landscape. Nevertheless, there are various seating areas providing space for residents to sit outside and socialise and the fringes of the site benefit from being softened by woodland fringe planting and new trees which could work well if planted with appropriate species. The opportunity should also be taken to create more biodiversity with bat / bird / bee habitats.

Overall Assessment

The panel support the scheme subject to changes that address the above issues.

MSDC Street Naming:

Weekly list date: 27.09.2021 and 01.10.2021

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

Linda Symes
Street Naming and Numbering Officer

Informative (Info29)

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

Planning applications requiring SNN informative

DM/21/3385

DM/21/3446

DM/21/2047

MSDC Urban Designer:

15/03/2022

The 1:5 eaves detail is helpful and appears to demonstrate how the tiles seamlessly extend around the eaves to the vertical face. However, I still have the following concerns/issues:

- The downpipe is shown neatly inset within the building face, but I am not convinced by the drawing as the downpipe appears to sit directly in front/abreast of the insulation with no facing cover in between. The sliver of insulation may need to be removed to rectify this resulting in a cold bridge that may not meet Building Reg requirements.
- A plan section of the inset downpipe (which would help clarify the above detail) that I requested has not been supplied, nor has a section of the brick/tile interface at the eaves been provided.

We need these details, as the quality of the building is dependent on them. I would also be grateful for Neil's thoughts as he is better qualified to advise on these construction details.

As previously advised in my 7/1/22 email please include conditions to cover the other details of the facade.

In respect of Sarah's issues with the boundary trees, I would suggest this specifically needs a condition that requires detailed sections of the eastern boundary that accurately demonstrate the relationship of the existing trees with the proposed changes in the ground level.

16.02.2022

I can't find your 24th Jan email but I am assuming they cover the issues that I raised in my attached email. The revised sections of the boundaries and the vehicular access/car park appear to have responded to our requirements but I will defer to Sarah. I am nevertheless sceptical about their assurance that no vehicular barrier is required; it would be helpful if WSCC Highways could be consulted on this.

The other issues that I raised have not been responded to in Peter's email, so it would be helpful to get further clarification. I will await the formal issue of the revised drawings and Sarah's feedback before I draft my obs.

07.01.2022

I have the following comments:

Entrance/Car Park

- I am not convinced that that the retaining wall on the outside of the bend does not require a barrier; it may be worth consulting Highways on this. If it does require a

barrier it would be better to design it now rather than wait till it's too late and end up with a bolted-on engineered solution. I had hoped the section would feature the adjacent large tree on the east boundary (which Sarah had some concerns about) to give a better idea of this relationship.

- The trees articulating the parking area would benefit from wider planting bays to provide more generous safeguarding.

Boundary Section Drawings

- The sections also need to show the existing ground level on the eastern boundary so Sarah can assess the impact of level changes upon the trees and ancient woodland.
- The following are incorrectly labelled: section BB should be the south west boundary w. the railway; section CC is the eastern boundary with the Persimmon development (not with the railway)
- The boundary railings/treatment that secure the communal garden area will need to be provided or included as part of the condition that covers landscaping.

Detailing of the Building

- The details of the rainwater pipe arrangement are sketchy and confusing. More detailing (1:5 scale sections) and clearer labelling is needed (especially in respect of the hidden gutter). I am concerned that both the recessed and hidden downpipes will be undermined by the insulation requirements (as both cut across the insulation), and it would be helpful to get Building Control's advice on this, and because it would be better to avoid the additional downpipe. A section is needed that shows the recessed downpipe (both in plan and elevation). The eaves needs greater detail and a section of the brick/tile interface at the eaves is also required.
- The details of the corners and window returns are acceptable.
- The brick-faced blind windows look acceptable; I would nevertheless like a section to demonstrate the depth of the reveal. These and other details such as the balustrading, colonnade, front entrance and extruded glazing and cladding system should also be subject to a condition.
- The elevation of the café on the NE elevation needs to be clearer - the dotted outline of the bin store obscures it and would be better omitted on this particular elevation.

Sustainability

- The addition of the solar PV's and air-source heat pumps are welcomed; but this needs to be clearly annotated and secured through condition.

Layout of the Patio Areas

- The patio areas on the SE side are now acceptable, but the shared patio area on the SW side (in the recessed corner) is not ideal - as it is a residential amenity issue, I will defer this to you.

15.10.2022

The panel's comments are fairly comprehensive, so except for agreeing with them I don't have much to add.

The height of the building is acceptable as the site is well screened/set down from Kings Way; also the nearby Keymer Tiles site and adjacent Persimmon site both feature 3 storey buildings. The well-articulated elevations also help to reduce the building's scale.

The large footprint is nevertheless a concern as the space around the boundary edges are constrained resulting in the trees being rather close to the building and there being limited outdoor space for the residents. Also some of the residents rooms in the ground floor in

particular have a poor/restricted outlook especially where the façade is recessed and there are a couple of rooms that share a patio, which is not desirable. Two of the ground floor rooms on the south east elevation do not have any defensible space which is a consequence of the proximity of the ancient woodland boundary (as well as the size of the building footprint).

Their renewable energy strategy needs to be pinned down. The roof plan needs to show the potential for solar panels / air source heat pumps / sedum/wildflower roof which featured in the DRP presentation.

The south east elevation features blind windows. Unless they incorporate a meaningful reveal, there is a risk that they may be a weak feature; so I would want to condition this accordingly which might be an issue in terms of their insulation requirements.

I intend to supply my formal obs once the applicant has provided further drawings / a response to the DRP's comments and the issues that I raise in this email.

11.04.2022

Detailing

I have gone through the drawings (which now provide the level of information that I requested) with Neil. While they generally seem to be acceptable in most respects, a 50mm diameter rainwater downpipe is unrealistic. For a large building such as this, we would expect the downpipe to need to be at least 100mm in diameter (as per their scheme for 2 The Broadway). They will therefore need to revise their drawings accordingly (which is likely to have knock on implications) unless they can prove otherwise through rainwater discharge modelling.

Sustainability

The solar PV's and air-source heat pumps need to be clearly annotated on the drawings and secured through condition.

Entrance/Car Park

I am not convinced that railings/additional barrier will not be needed to safeguard the bend. I would be grateful if a condition (if not, an informative) could be included that states it will require further consent if it is needed. I defer the other issues to Sarah.

Boundary Section Drawings

Defer to Sarah

Layout of the Patio Areas

Defer to you.

20.04.2022

I am not an expert on flow rates and would welcome Neil's thoughts. As previously suggested, I feel that a large building like this is likely to demand larger downpipes especially as heavy downpours are now more common (and their scheme at 2-6 The Broadway, which is a similar size building, has 100mm downpipes) .

Providing Neil thinks it is appropriate, I would like them to update their sections to show a 100mm rw downpipe; because of the DRP's comments and the problems I had with 2-6 The Broadway, I want to avoid leaving this to condition. They will also need to demonstrate that this does not undermine the insulation requirements.

As previously advised I am happy for the solar PV's and air-source heat pumps to be secured through condition providing they are clearly annotated on the drawings and for the design of a safety barrier (if it is needed) to also be subject to a condition.

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MID SUSSEX DISTRICT COUNCIL

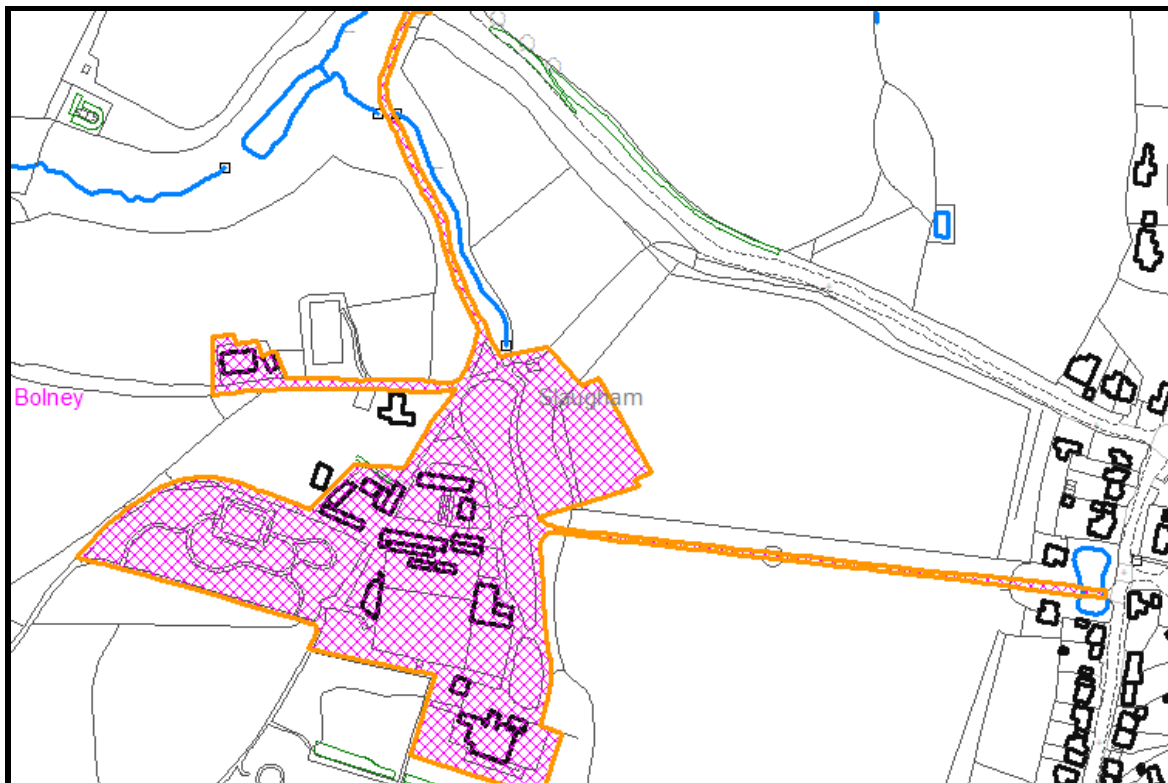
District Wide Committee

19 MAY 2022

RECOMMENDED FOR PERMISSION

Slaugham

DM/21/3959



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**LYDHURST ESTATE WARNINGLID LANE WARNINGLID HAYWARDS
HEATH WEST SUSSEX RH17 5TG
CHANGE OF USE AND CONVERSION OF ESTATE BUILDINGS FROM
RESIDENTIAL TO ASSEMBLY AND LEISURE AND RESTAURANTS AND
CAFES. THE NEW USES THAT ARE BEING PROPOSED ARE:
ENTRANCE, RECEPTION, RESTAURANT, CLUB ROOM, COOKERY
SCHOOL, WELLNESS CENTRE, TREATMENT ROOMS, YOGA STUDIO,
GYM, CRAFT CENTRE, OFFICES, STAFF FACILITIES, VISITOR HOLIDAY
LET ACCOMMODATION, MAINTENANCE YARD, EXTERNAL SWIMMING
POOLS, CHILDREN'S PLAY AREA AND KIDS CLUB. ADDITIONAL
INFORMATION RECEIVED 7TH MARCH 2022 CONCERNING AN
UPDATED TRANSPORT ASSESSMENT, ARBORICULTURAL IMPACT
ASSESSMENT, FURTHER DETAILS ON THE 'DUTCH BARN' HOLIDAY
LET ACCOMMODATION, SWIMMING POOLS AND INDICATIVE DETAILS
ON THE CHILDREN'S PLAY AREA.
ADRIAN AND AMBER BAILLIE**

POLICY: Areas of Outstanding Natural Beauty / Area of Special Control of
Adverts / Built Up Areas / Conservation Area / Countryside Area of
Dev. Restraint / Pre 1974 Conservation Area Boundary / Classified
Roads - 20m buffer / Public Right Of Way / Aerodrome Safeguarding
(CAA) / SWT Bat Survey/ Minerals Local Plan Safeguarding
(WSCC) / Minerals Local Plan Safeguarding (WSCC) /

ODPM CODE: Largescale Major Other

13 WEEK DATE: 20th May 2022

WARD MEMBERS: Cllr Judy Llewellyn-Burke /

CASE OFFICER: Joanne Fisher

PURPOSE OF REPORT

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

EXECUTIVE SUMMARY

Planning permission is sought for the change of use and conversion of estate buildings from Residential to Class E (Commercial Business and Service) and Class F (Local Community and Learning). The new uses that are being proposed are: entrance, reception, restaurant, club room, cookery school, wellness centre, treatment rooms, yoga studio, gym, craft centre, offices, staff facilities, visitor holiday let accommodation, maintenance yard, external swimming pools, children's play area and kids club at Lydhurst Estate, Warninglid Lane, Warninglid.

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

National planning policy states that planning should be genuinely plan led. The Council has an up to date District Plan and is able to demonstrate that it has a five year housing land supply. Planning decisions should therefore be in accordance with the development plan unless material considerations indicate otherwise.

The application site is a former country estate set within large grounds comprising of a main house, a number of cottages and existing holiday-lets and an enclave of single storey buildings associated with the estate. The proposal would form a self-contained tourist destination / use on the site utilising a number of the existing buildings and replacing a number of other buildings. The proposal would result in the re-use of a brownfield site and support sustainable growth of the rural economy within the countryside. It is considered that the proposal is of a high-quality design sensitive to the country estate and would provide comprehensive landscaping to create an appropriate setting and landscaped context for the development and proposed use. The proposal is considered to maintain the quality of the rural and landscape character in this part of Mid Sussex.

It is acknowledged that the change of use and the tourism related activities on the site would result in an increase in vehicle movements to and from the site. However, it is considered that the proposal would not result in significant highway safety impacts through the anticipated increase in vehicle movements to the site.

Due to the position of the buildings set within the site along a long private road the proposal would not result in significant detriment to the surrounding residential amenities through noise and disturbance or a loss of privacy.

The redevelopment of the site for tourism uses would provide economic and social benefits through the provision of employment during both the construction period and the formation of employment following the construction of the new tourist uses. This

would assist in supporting economic growth and proactively supporting sustainable rural economic development within the District.

There will be a neutral impact in respect of drainage, ecology and trees. There will be no likely significant effect on the Ashdown Forest SPA and SAC.

The application is thereby considered to comply with policies DP12, DP16, DP19, DP21, DP38, DP39 and DP41 of the District Plan, policies 1, 2 and 12 of the Slaugham Neighbourhood Plan, and the relevant provisions of the NPPF.

Overall, the planning balance is considered to fall significantly in favour of approving the planning application.

RECOMMENDATION

It is recommended that planning permission be approved subject to the conditions set in Appendix A.

SUMMARY OF REPRESENTATIONS

5 letters of SUPPORT

- Local tourism and creation of holiday accommodation to support other businesses within the area,
- Will utilise existing, disused building back into use,
- Innovative proposals and welcome addition to the village.

50 letters of OBJECTION concerning the following points:

- Access via the street is normally single file will be a problem with increased traffic,
- Crossroads is not suitable for increased traffic flow,
- Access should be via B2115 where there is an existing entrance as would reduce impact to the village,
- Volume of traffic will change the peaceful and rural location,
- Limited street lighting and no footpath along 'The Street',
- Duty to uphold the Conservation Area - the village pond with bridge and leading to the drive of Lydhurst Estate creates a focal point,
- Application lies within a Conservation Area and the High Weald Area of Outstanding Natural Beauty,
- High volume of traffic already of Warninglid Lane and would result in an increase in vehicle movements,
- Not using a 2019 traffic count undertaken,
- If rear gate is used for utility, services and construction vehicles will render bridleway which crosses the rear entrance hazardous to users,
- Increase traffic flow,
- Provision of facilities not necessary as numerous similar facilities within easy travel distance of the Lydhurst site - existing businesses will lose custom,
- Will not enhance the village,

- Traffic safety,
- Detrimental to local residents,
- Over-development of the site,
- New build of 'The Dutch Barn' is not related to the existing barn and policies seek to deter new dwellings in the countryside,
- Speeds shown in traffic plan are unrealistic,
- Design of the dutch barn and restaurant extension are modern and would appear out of keeping and not appropriate to the AONB,
- Width of bridge at main entrance to the estate not wide enough for two cars to pass,
- Traffic congestion would ruin the character of the Conservation Area and no longer make Warninglid which is within the AONB attractive,
- Increase in vehicle movements would result in increased noise and air pollution,
- Lighting would cause light pollution,
- Development will result in more power and water cuts due to the area due to increased use,
- Alternative entrance is available on Warninglid Lane which would result in less impact to existing residents on The Street,
- Concerns on future and increasing scale of activities resulting in a further increase in vehicle movements,
- Increase in traffic and noise at night with café and restaurant being open

SUMMARY OF CONSULTATIONS

WSCC Highways Authority

No objection subject to conditions

WSCC Water and Access

Comments.

MSDC Urban Designer

No objection on design grounds subject to conditions.

MSDC Tree Officer

No objection on arboricultural grounds subject to conditions.

MSDC Drainage Engineer

No objection subject to conditions

MSDC Environmental Protection

Comments - suggested conditions.

MSDC Street Name and Numbering Officer

Informative.

Slaugham Parish Council

Summary of comments - Full details are set out in Appendix B:

Amended

It is with regret that Slaugham Parish Council do not feel that adequate amendments to the transport plan have been made to enable them to support this application in its current form and therefore object to the proposed development.

Original

It is with regret that Slaugham Parish Council do not feel that they can support this application in its current form and therefore object to the proposed development.

The increase in traffic movements within the conservation area that will be wholly harmful to the environment, the Street and quality of life for those living within the immediate area and the wider village conurbation to include the impacts on local infrastructure and the repercussions that this will have.

We would ask the LPA planning officers and delegated committee propose that further work is undertaken on the transport and traffic movements along with the increase demand on services to include a plan for improvement before recommendation to approval. As previously stated, we would like WSCC Highways representation response to include the provision for the main access/exit from the site onto the Warninglid Lane, not the Street. This Committee would be more than happy to attend site meetings to support this going forward.

We do hope this proposal is a success for the Lydhurst Estate and the owners whilst recognising that whilst progress can be a force for good, it must not be to the detriment of the village, its residents, and the surrounding area.

INTRODUCTION

This application seeks planning permission for the change of use and conversion of estate buildings from residential to Class E (Commercial Business and Service) and Class F (Local Community and Learning). The new uses that are being proposed are: entrance, reception, restaurant and club room, cookery school, wellness centre, treatment rooms, yoga studio, gym, graft centre, offices, staff facilities, visitor holiday let accommodation, maintenance yard, external swimming pools, children's play area and kids club at Lydhurst Estate, Warninglid Lane, Warninglid.

RELEVANT PLANNING HISTORY

SV/014/74 - Erection of 4no. 3 bedroom houses (0.94 acres). APPROVED.

SV/030/74 - Replacement of existing glazed conservatory and loggia with new family room and entrance lobby. APPROVED.

SV/017/86 - Construction of replacement portico. APPROVED.

SV/044/99 - Construction of staff cottage with new farm office. REFUSED.

AP/99/0028 - Construction of staff cottage with new farm office. DISMISSED.

SITE AND SURROUNDINGS

The Lydhurst Estate extends to some 90 hectares comprising 41 hectares of woodland (including areas of ancient woodland), 32 hectares of farmland and 10 hectares of gardens, grounds and parkland.

The estate includes a principal house, a series of cottages used as holiday lets, a range of estate buildings, a formal walled garden and related buildings, estate roads and related infrastructure.

The site is well enclosed with tree and vegetation screening within and on the boundaries of the estate.

The site is located within the countryside and the High Weald Area Outstanding Natural Beauty (HWAONB) as defined in the Mid Sussex District Plan and the Slaugham Neighbourhood Plan.

The site falls outside of the Warninglid Conservation Area which ends at the main entrance gates to the site to the east of the private estate road.

APPLICATION DETAILS

Planning permission is sought for the change of use and conversion of estate buildings from residential to assembly and leisure and restaurants and cafes as well as the formation of a holiday-let.

In detail the proposal is to comprise of the following elements:

- the change of use, conversion and extension of the stables building, together with improvements in the walled gardens, to create a cafe / restaurant, and kitchen garden,
- a change of use, conversion, extension and replacement of estate yard buildings to form a wellness centre including treatment and beauty rooms together with a series of multi-functional activity spaces (i.e. yoga studio, fitness studio, cookery school, arts and crafts classroom etc),
- the refurbishment and extension of the main house to provide for holiday let accommodation,

- a new build guest accommodation / holiday let dwelling(s) on the site of an existing farm building, known as the Dutch Barn,
- 2no. outdoor swimming pools,
- a children's play area, and
- the formation of an area of hardstanding to provide car parking for guests of the development.

The proposed change of use and conversion of estate buildings would result in the change of use from residential (Class C3) to Classes E (Commercial Business and Service) and F (Local Community and Learning) of the Town and Country Planning (Use Classes) Order. The new uses that are being proposed are: entrance, reception, restaurant and club room (Class Eb) cookery school, craft centre (Class F1(a)), wellness centre, treatment rooms (Class E(c)), yoga studio, gym, (Class E(d)), offices, staff facilities, (Class E(g)1)), visitor holiday let accommodation (C3), maintenance yard, external swimming pools, children's play area (Class F2(c)) and kids club (Class E(f)).

Main house

The main house of 'Lydhurst' is to be refurbished and used for guest accommodation comprising of 10 bedrooms. A single storey extension is proposed to the west of the building replacing an existing extension. This new extension would provide additional communal lounge space / an activities room alongside the existing ground floor kitchen, dining and lounge facilities. The extension is to be constructed in brick with a flat roof and 3no central roof lanterns. There would be timber framed windows on all elevations of the extension. The extension would measure some 12 metres in width, 15.3 metres in depth, with an overall height of some 4.3 metres.

Internal alterations would be undertaken to the existing house to change it into guest accommodation comprising of 10 bedrooms - 8 to be en-suite and 2 connected to provide a family suite with en-suite facilities.

In addition, there would be alterations to the external appearance of the building whilst respecting the Neo-Georgian design and proportions of the building. Externally the building would be insulated to improve its thermal efficiency and clad with handmade brick slips and a stone string course detailing. The casement windows would be replaced with timber sash windows. The existing northern portico would be removed, and additional windows inserted to improve the appearance and symmetry of the building.

The main house would retain its C3 use as set out in the Town and Country Planning (Use Classes) Order 1987 (as amended) but be used for holiday accommodation.

Reception, Restaurant and Club Room

The proposal would include the conversion of the existing two storey stable building into a restaurant with a club room above. Floor plans show that the restaurant would be at ground floor and have a layout for 80 covers. On the first floor would be a club room for guests staying on the site with additional private space for private dining, working, meetings, or relaxation. As part of the conversion and change of use some

alterations would be undertaken to the fenestration to enlarge the existing openings into the walled garden. An extension is proposed to the northern (side) end of the building to form a modern reception / entrance space and visitor arrival point. In addition an extension is proposed to the western (rear) elevation of the building within the footprint of an existing external canopy.

The reception / entrance extension to the northern (side) elevation of the former stable building would be single storey and fully glazed at ground floor with timber cross bracing. The extension would have a hipped roof clad in copper standing seam with a large north facing dormer to provide views from the club room. On the eastern and western sides of the roof would be circular rooflights.

To the main building the existing 2no. chimneys would be removed and replaced with 3no new 'windcatcher' chimneys to provide natural ventilation. Along the ridge line to the eastern and western elevations would be linear rooflights to provide natural daylighting to the first floor.

The existing open sided glazed canopy on the eastern elevation would be removed and replaced with a single storey double pitched extension on the same footprint constructed in brick with a timber shingle clad and copper standing seam roof. There would be two service doors on the eastern elevation for deliveries and waste collection with supply and extract ventilation louvres above these openings to serve the kitchens. This extension would provide the kitchen to serve the restaurant and club room, a pot wash area, a dry and cold store and a plant room.

On the southern elevation of the existing building would be a new arched opening at first floor level with a metal framed balcony.

This building and its proposed uses would fall within Class E (b) of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Cookery School

The existing lean-to single storey glasshouses set within the north-east corner of the walled garden and the brick built felt roofed buildings which they adjoin serving garaging and store rooms would be demolished and replaced with a new single storey building to form a cookery school. This would form 7no cooking stations, an eating area, store areas and a toilet.

The replacement building would be on the same footprint as the existing and form a new single storey building. The building would be constructed in brick and timber shingle with a copper standing seam roof and glazed northern light to the northern elevation, with full glazing to the southern elevation facing into the walled garden.

This building and proposed use would fall within Class E (c) of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Wellness Centre

The existing single storey brick buildings which form part of the estate yard would be converted to a 'Wellness Centre' which would offer a range of therapies, classes and activities. The existing traditional buildings will be largely retained with alterations limited to the upgrading of the building fabric.

The wellness centre would form a beauty room, 5no treatment rooms, a solarium, reception area with a retail area for products, and a toilet and shower.

The building would retain its external appearance of brick elevations to the north and side elevations with a clay tiled roof and timber windows and the existing glasshouse retained to the southern elevation facing into the walled garden area.

This building and proposed use would fall within Class E (c) of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Yoga studio and Gym

The yoga studio, gym and new changing facilities will be accessed from the estate yard and set to the west of the proposed wellness centre.

The yoga studio will occupy the refurbished existing garages. A new single storey link building is proposed to the west of the studio. This space will provide a circulation route between the yoga studio and gym leading through to new unisex and accessible changing facilities in an extension to the north. A gym is proposed as a new building to replace the existing open sided timber frame structure to the west of the link building.

The buildings would be single storey in height with pitched and mono pitched roofs as well as a flat roof link element. The building would comprise of a variety of materials consisting of brick, timber shingles, glazing, concrete plinth, patinated copper standing seam with clay tiles and copper standing seam to the roofs.

This building and proposed use would fall within Class E (c) of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Dutch barn - new holiday let accommodation

An existing open framed dutch barn to the north-west of the site adjacent to existing tennis courts would be removed and replaced with a new holiday let property which could be split into two units (as a 4-bed and a 2-bed cottage) or utilised as one whole property. This would be a contemporary designed building built into the sloping nature of the site. The building would be highly sustainable.

Materials for the new building are to comprise of a stone retaining wall, standing seam metal cladding, coursed rubble stone walling, standing seam metal roofing and glazing. The building would have 3no dormers and a chimney.

Due to the sloping nature of the site the building would be set over three levels - lower ground floor to the north, ground floor and first floor. The building would measure a maximum of some 28 metres in length, a maximum of some 17.5 metres in depth. On the southern elevation adjacent to the internal access road the building would have a maximum height of some 6.5 metres. To the northern elevation of the building facing into a field, the building would have an overall height of some 10.4 metres.

To the south of the building adjacent to the access road would be off road parking for 6no vehicles.

The existing single storey brick and clay tiled roof building would be retained and used as a plant room.

This building and use would fall within Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended) and provide holiday let accommodation.

The Garden Cottages

To the western edge of the walled garden the two former gardener cottages would be re-furbished and extended to provide staff accommodation, a kids club and an office. In addition there would be a single storey external storage building to provide for additional storage for the maintenance of the estate.

The staff accommodation would be to the northern cottage forming an open plan living and dining room area at ground floor with 2no bedrooms and a bathroom at first floor.

The southern cottage would be converted to form an open plan area on the ground floor for kids club activities and two toilets with a small lobby area. At first floor would be an open plan office area with a small meeting room, kitchen and toilet facilities of staff. On the eastern elevation a new canopy porch is proposed to the southern end of the building to provide an entrance to the kids club.

Attached to the north of the cottages would be a single storey garden store built onto the walled garden to form additional storage for the maintenance of the estate. This store building would measure some 13.2 metres in width, 4.3 metres in depth, with an eaves height of some 2.8 metres and an overall ridge height of some 4 metres. The garden store would be constructed in vertical timber cladding, with painted timber windows, timber doors and a corrugated fibre cement roof. This would be linked to the existing brick store with brick and clay tiles. On the eastern (rear) elevation, the new store would build up the existing wall in brick and have a clay tiled roof.

The proposed uses for this building would fall within Class E (g) (i), E (f) and C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Staff accommodation

The existing single storey brick built staff building would be refurbished. As part of this the existing brickwork would be overclad with a decorative timber rain-screen

cladding with the existing clay tiled roof retained. The over-cladding would help to improve the buildings thermal performance.

The staff accommodation would comprise of a staff canteen, seating, dining and kitchen space as well as toilets and a shower facility.

Other works

In addition to the above, there would be two open pools proposed as part of the development. One pool would be to the east of the main 'Lydhurst' dwelling, and the other to the east of the site within the wider garden area. There would also be an outdoor children's play area with various external play equipment within the wider grounds of the site.

A pool is proposed to the eastern side elevation of the main dwelling 'Lydhurst'. The pool would measure some 11 metres in length, 4 metres in width with a depth of some 1.5 metres. Surrounding the pool would be an area of hardstanding measuring some 14 metres in length and 7 metres in width. There would be a single storey timber plant enclosure building to be constructed next to the pool. This building would measure some 3.4 metres in length, 1.3 metres in depth and some 2 metres in height. The exact position of this building is to be confirmed.

The pool set within the western grounds of the site would measure some 15 metres in length and 8.5 metres in width. The pool would be dug into the ground and be some 1.5 metres in depth. Surrounding the pool would be an area of hardstanding measuring some 18 metres in length and 11.5 metres in width. There would be a single storey pool building to be constructed next to the pool to form two changing rooms, an accessible toilet and plant room. This building would measure some 11.4 metres in length, 2.6 metres in depth and some 2.6 metres in height. The building would be timber clad. The exact position of this building is to be confirmed.

There would be alterations to the existing internal road layout to provide an access to a car park to serve the development. The car park would be set to the north-east of the site on an existing area of unused parkland. This would comprise of 48 parking spaces and 4 disabled parking bays. There would be a pedestrian footway constructed from this car park leading to the reception building.

The application form submits that the proposal would result in the formation of 55 full-time jobs.

The application has been accompanied by a number of supporting statements for consideration consisting of:

- a Design and Access Statement,
- a Planning Statement,
- a Sustainability and Energy Statement,
- a Transport Statement,
- a Flood Risk Assessment,
- an Ecological Impact Assessment,
- an Arboricultural Impact Assessment and Method Statement,

- a Tree Retention and Protection Plan,
- a Mechanical and Electrical Services Feasibility Report, and
- a Landscape and Visual Appraisal.

A phasing plan has been submitted as part of the application detailing the development strategy of the site and the phasing of the scheme. It is submitted that the works would be carried out in the following phases:

- Phase 1 - main house and garden cottages,
- Phase 2 - dutch barn - new holiday let, restaurant works, cookery school and glass house renovation,
- Phase 3 - wellness centre and associated elements
- Phasing to be confirmed - pools and playground

LEGAL FRAMEWORK AND LIST OF POLICIES

Planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Specifically Section 70 (2) of the Town and Country Planning Act 1990 states:

'In dealing with such an application the authority shall have regard to:

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

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

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

The requirement to determine applications "in accordance with the plan" does not mean applications must comply with each and every policy, but is to be approached on the basis of the plan taken as a whole. This reflects the fact, acknowledged by the Courts, that development plans can have broad statements of policy, many of which may be mutually irreconcilable so that in a particular case one must give way to another.

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 for this part of Mid Sussex consists of the District Plan and the Slaugham Neighbourhood Plan.

National policy (which is contained in the National Planning Policy Framework and National Planning Policy Guidance) does not form part of the development plan, but is an important material consideration.

Mid Sussex District Plan

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

Relevant policies include:

DP12: Protection and Enhancement of Countryside
DP16: High Weald Area of Outstanding Natural Beauty
DP19: Sustainable Tourism
DP21: Transport
DP26: Character and Design
DP37: Trees, Woodland and Hedgerows
DP38: Biodiversity
DP39: Sustainable Design and Construction
DP41: Flood Risk and Drainage

Slaugham Neighbourhood Plan

The Neighbourhood Plan was made in September 2019. It forms part of the Development Plan for the District and can be given full weight.

The following policies are considered to be relevant:

Policy 1: Protecting the Area of Outstanding Natural Beauty
Policy 2: Sustainable Development Measures
Policy 12: Economic Development

Mid Sussex Design Guide Supplementary Planning Document (SPD)

The Council has adopted a 'Mid Sussex Design Guide' SPD that aims to help deliver high quality development across the district that responds appropriately to its context and is inclusive and sustainable. The Design Guide was adopted by Council on 4th November 2020 as an SPD for use in the consideration and determination of planning applications. The SPD is a material consideration in the determination of planning applications.

The High Weald Area of Outstanding Natural Beauty Management Plan 2019-2024

The legal framework for AONBs in England and Wales is provided by the Countryside and Rights of Way Act (CRoW) 2000 which at Section 82 reaffirms the primary purpose of AONBs: to conserve and enhance natural beauty. Section 84 of the CRoW requires Local Planning Authorities to 'take all such action as appears to them expedient for accomplishment of the purpose of conserving and enhancing the natural beauty of the AONB'.

West Sussex County Council Guidance on Parking at New Development, September 2020

National Planning Policy Framework (NPPF)

The NPPF 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 objectives to sustainable development, such that the planning system needs to perform an economic objective, a social objective and an environmental objective. This means ensuring sufficient land of the right type to support growth, providing a supply of housing and creating a high quality environment with accessible local services, and using natural resources prudently. An overall aim of national policy is *'significantly boosting the supply of homes.'*

Paragraph 12 of the NPPF 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.'*

Paragraph 38 of the NPPF states *'Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.'*

With specific reference to decision-taking paragraph 47 states that planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise.

National Planning Policy Guidance

National Design Guide

Ministerial Statement and Design Guide

On 1 October 2019 the Secretary of State for the Ministry of Housing, Communities and Local Government made a statement relating to design. The thrust of the statement was that the Government was seeking to improve the quality of design and drive up the quality of new homes. The Government also published a National Design Guide, which is a material planning consideration.

The National Design Guide provides guidance on what the Government considers to be good design and provides examples of good practice. It notes that social,

economic and environmental change will influence the planning, design and construction of new homes and places.

Assessment

The main issues for consideration are:

- Principle of development,
- Impact on the character of the area and design,
- Impact on the High Weald Area of Outstanding Natural Beauty
- Access, parking and highway safety,
- Residential Amenity,
- Sustainability,
- Drainage
- Ecology
- Trees,
- Ashdown Forest, and
- Planning Balance and Conclusion.

Principle of development

Policy DP12 of the District Plan relates to the protection and enhancement of the countryside. It states:

'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.'

Policy 12 of the Neighbourhood Plan relates to economic development. It states:

'Proposals which enable the development of business uses within the Parish will be supported where proposals are:

- 1. Located in a sustainable location,*
- 2. In keeping with the character of the area,*
- 3. Respect residential amenity, and*
- 4. Would not have an unacceptable impact on the local road network.'*

Policy DP19 of the District Plan relates to Sustainable Tourism and states in part:

'Tourism related development in the countryside (defined as the area outside of the built-up area boundaries on the Policies Map), including extensions to existing facilities, visitor accommodation and the re-use of rural buildings will be permitted provided:

- it supports the sustainable growth of the rural economy, and*
- maintains or where possible enhances the quality of the rural and landscape character of the District, in accordance with Policy DP12: Protection and Enhancement of the Countryside.'*

Para 84 of the NPPF relates to supporting a prosperous rural economy and states in part that planning policies and decisions should enable

'b) the development and diversification of agricultural and other land-based rural businesses,' and
'c) sustainable rural tourism and leisure developments which respect the character of the countryside'.

Para 85 of the NPPF acknowledges that

'Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.'

It is acknowledged that Warninglid due to its rural location cannot be considered sustainable. However, the proposal is to re-use a former country estate and would result in the re-use of existing buildings within the site for tourism uses which would provide jobs and boost the rural economy. As such it is considered that the proposal complies broadly with the requirements of Policy 12 of the Neighbourhood Plan and Policy DP19 of the District Plan.

Whilst such a scale of the development would normally conflict with the Policy DP12, regard is made to the sites context which is a large country estate with various outbuildings set away from the village core of Warninglid. The site is well enclosed by tree and vegetation screening and the proposal in part would result in the re-use of a number of buildings within the site. As such the proposal would maintain the quality of the rural and landscape character in this part of Mid Sussex. This is discussed further below.

In respect of the formation of a new build holiday let accommodation, this is to replace an existing open dutch barn and large area of hardstanding. The new holiday let accommodation is to be set within the sloping levels of the land and due to the design would result in a visual improvement to this part of the site through the removal of the barn. Whilst it is acknowledged that the building would be for holiday let accommodation and not a private dwelling which can be controlled through a restrictive condition on its use, Policy DP15 of the District Plan relates to new homes in the countryside and allows new homes where special justification exists. One of the justifications is that '*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,*' It is considered that the proposed design is of an exceptional quality which is supported by the Urban Designer as set out further below and would enhance the character of the area.

It is therefore felt that due to the unique circumstances that pertain to this site that an objection to the principle of the application should not be raised in this case.

Impact on the character of the area and design

The site falls within the countryside. It is therefore necessary to consider the impact of the proposal in the local landscape in terms of the visual impact on the area.

There is an overriding need to ensure that the intrinsic character and beauty of the countryside is recognised, and that development should contribute to protecting and enhancing the natural, built and historic environment. This is reflected in DP12 of the District Plan. The aim of protecting the character of an area is also found in the NPPF at para 174 which requires the protection and enhancement of valued landscapes as well as the recognition of the intrinsic character and beauty of the countryside.

Policy DP12 of the District Plan relates to the protection and enhancement of the countryside. In part it states:

'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.'*

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

'All development and surrounding spaces, including alterations and extension to existing buildings and replacement dwellings, will be well designed and reflect and distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development:

- is of high quality design and layout and includes appropriate landscaping and greenspace,*
- contributes positively to, and clearly defines, public and private realms and should normally be designed with active building frontages facing streets and public open spaces to animate and provide natural surveillance,*
- creates a sense of place while addressing the character and scale of the surrounding buildings and landscape,*
- protects open spaces, trees and gardens that contribute to the character of the area,*
- protects valued townscapes and the separate identity and character of towns and villages,*
- does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution.*
- creates a pedestrian friendly layout that is safe, well connected, legible and accessible,*
- incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed,*
- positively addresses sustainability considerations in the layout and the building design,*
- take the opportunity to encourage community interaction by creating layouts with a strong neighbourhood focus/centre, larger (300 plus unit) scheme will also normally be expected to incorporate a mixed use element,*
- optimises the potential of the site to accommodate development.'*

Para 130 of the NPPF relates to design and states:

'Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development,*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping,*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities),*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit,*

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks, and
f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁶, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'

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

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

The Council's adopted Design Guide is a material consideration in the determination of the application. This document seeks to inform and guide the quality of design for all development across Mid Sussex District. It sets out a number of design principles to deliver high quality, new development that responds appropriately to its context and is inclusive and sustainable. Within the Design Guide there is support for innovative and inventive designs that responds to the sustainability agenda within DG37. There is support for architectural integrity and a sense of place within DG38 where the facade and elevational treatment, roofscape fenestration and materials used in existing buildings within the locality should be a starting point for the consideration of architectural design of new buildings. Design principle DG39 requires the scale of new buildings to relate to their context. Sloping sites are considered under design principle DG41 where it states *'new buildings on cross slopes that run from the front to the back of building plots, also need to be carefully designed. They should deliver level access to the building from the rear garden as well as from the street.'*

Due to the level of works proposed, consideration is required to be undertaken in respect of each element sought as part of the scheme. This is set out in turn below.

Main house

The single storey side extension to the main house is considered to be of a sensitive design and scale subordinate to the dwelling. The extension would incorporate design features from the main house to relate sympathetically to the character of the dwelling.

Due to its position set within the site, it is considered that the extension would not cause detriment to the character of the area.

Reception, Restaurant and Club Room

The single storey extension to the eastern elevation of the building would replace an existing large canopy. The proposed scale of this extension would form a subordinate and form a subservient feature to the main building. The proposed design and materials are considered to be sensitive to the existing character and form of the building.

The proposed northern extension whilst of a contemporary design with a large dormer is considered to be of an appropriate scale and subordinate feature to the existing building. The extension would provide a modern entrance / reception area for the site.

Due to the scale, design and position of the extensions, these are considered not to detract from the character or design of the existing building. In addition these elements would maintain the character of the countryside and not cause detriment to the character of the area.

Cookery School

The cookery school proposes to re-build on the site of the existing glass houses and garaging and form a new single storey building of a similar design of glazing on the southern elevation facing into the walled garden and brick and timber on the northern elevation.

The proposal seeks to have a contemporary design drawing from the existing glass houses. The re-build would be on a similar footprint of the existing buildings which it is to replace and is sited within an enclave of single storey buildings within the former estate yard area.

Due to the design, scale and position within the existing yard area, it is considered that the proposal is of a sensitive character and form which would not detract from the visual qualities of the area.

Wellness Centre

The proposal seeks to refurbish existing single storey brick and glazed buildings within the existing yard and walled garden area. Due to the position of the building within an enclave of development and the works proposed, it is considered that the proposal is of a sensitive design and use which would not cause detriment to the character of the area.

Yoga studio and Gym

This element of the proposal seeks to refurbish and extend an existing garage building as well as form a new single storey link, and a new building to replace an existing open sided timber framed structure.

The proposal would retain the single storey nature of the buildings and have a contemporary design utilising a range of materials many sensitive to the area. The design and form of the buildings are considered to be in keeping with the character of other buildings within the estate which are to be part of the proposal. Due to the position of the buildings within an enclave of development within the yard area, it is considered that the proposal would maintain the character of the area and the countryside.

Staff accommodation

The proposal would re-use an existing brick building and clad in timber to improve the buildings thermal performance. The proposed change in the materials to the elevations of the building are considered to be sensitive and would not detract from the character of the area or the countryside.

Gardeners Cottages

This element of the proposal seeks to amend the internal layout, undertake changes to fenestration and form a traditional open canopy small porch to the existing cottages. These works are considered to be sensitive to and not detract from the character and form of the building. In addition, it is proposed to form a single storey garden store to the northern side of the cottages. The extension would form a subordinate element to the buildings and would use traditional materials of brick, tiling and timber.

This element of the proposal is considered to address the character and scale of the surrounding buildings and would maintain the character of the area.

Dutch barn - new holiday let accommodation

The Council's Urban Designer has considered this element of the proposal due to the contemporary design of the new building. The Urban Designer considers that *'this is an interesting and imaginative design that has been carefully considered both in terms of its function and the response to its immediate context. The split-level arrangement allows it to respond to the slope, and the sub-division of the building into a series of individually designed parts successfully breaks up its scale. Traditional forms have also been cleverly referenced in a contemporary idiom that avoids pastiche.'*

Your Officers agree with the above comments from the Council's Urban Designer and consider that the proposed new holiday let due to its contemporary design and split-level arrangement would allow the building to respond to the sloping nature of the site and reduce its prominence through breaking up its scale and mass.

It is acknowledged that the building is a stand-alone element set away from existing buildings. However, due to the enclosed nature of the estate and tree and vegetation screening on the boundaries of the wider site, the proposal is considered to form a sensitive feature and not detract from the character of the countryside of the wider landscape.

Other works

It is acknowledged that the car park would have some impact to the parkland setting through the formation of a large area of hardstanding of the existing grass and an access track through a belt of trees. However, the plans show that the car parking area would be well landscaped to soften its appearance so that it does not detract from the visual qualities of the wider estate.

The proposed pool to the east of the main house is contained to the side of the dwelling and in part would utilise an existing area of hard surfacing. The pool and the plant room is considered to be of a modest scale and would be seen in context with the existing dwelling and patio. Due to the pool being sunken into the ground the visual impact of the pool would be minimised.

The additional pool and children's playground to the east of the site would re-purpose a present rectangular area of lawn enclosed within formal, clipped hedgerows and shrubbery. The provision of a swimming pool and children's playground within the wider garden area of the estate is not considered to detract from the character of the area. These areas would be well contained within the site with landscaping surrounding to minimise the impact of these elements.

Overall it is considered that the proposal provides a high quality design and layout within the site which seeks to re-use where appropriate existing buildings and extend or re-build in an appropriate design and form. In addition the works proposed seeks to positively address sustainability considerations in works where buildings are to be retained and re-used as well as the design of replacement buildings on the site.

The majority of the works are to sit within an enclave of existing buildings which are well contained within the site. As such it is considered that whilst within the countryside that the proposal would maintain the rural and landscape character in the locality.

In light of the above, the proposal is considered to comply with policies DP12, DP19 and DP26 of the District Plan, the design principles of the Mid Sussex Design Guide, and para's 8, 84, 130 and 174 of the NPPF.

Impact to the High Weald Area of Outstanding Natural Beauty (HWAONB)

The site lies within the High Weald Area of Outstanding Natural Beauty (HWAONB). The legal framework for AONBs in England and Wales is provided by the Countryside and Rights of Way Act (CRoW) 2000 which at Section 82 reaffirms the primary purpose of AONBs: to conserve and enhance natural beauty. Section 84 of the CRoW requires Local Planning Authorities to *'take all such action as appears to them expedient for accomplishment of the purpose of conserving and enhancing the natural beauty of the AONB'*.

Policy 1 of the Neighbourhood Plan relates to the HWAONB and states in part that

'Development proposals within the High Weald AONB will only be supported where they conserve or enhance natural beauty and have regard to the High Weald AONB Management Plan'.

Policy DP16 of the District Plan has a similar ethos.

Paragraph 176 of the NPPF is also relevant. This states:

'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.'

It is considered that the proposal would conserve the character of the HWAONB as the proposal is set within an existing enclave of development which seeks to re-use a number of existing buildings and form sensitive extensions or re-builds to a number of other buildings. In addition, within the estate are a number of holiday let cottages and the additional holiday let proposed due to its sensitive design and its position is considered to conserve the character of the area.

Due to the site's enclosed nature and tree screening, the development would be seen in context with the existing buildings within the estate and would not be detrimental to wider views of the AONB.

The proposal is thereby considered to comply with Policy 1 of the Neighbourhood Plan, Policy DP16 of the District Plan, para 176 of the NPPF and the provisions of the High Weald AONB Management Plan.

Access, parking and highway safety

Policy DP21 of the District Plan relates to transport and requires proposals to be sustainably located and provide adequate parking. It states:

'Development will be required to support the objectives of the West Sussex Transport Plan 2011-2026, which are:

- *A high quality transport network that promotes a competitive and prosperous economy,*
- *A resilient transport network that complements the built and natural environment whilst reducing carbon emissions over time,*
- *Access to services, employment and housing, and*
- *A transport network that feels, and is, safer and healthier to use.*

To meet these objectives, decisions on development proposals will take account of whether:

- *The scheme is sustainably located to minimise the need for travel noting there might be circumstances where development needs to be located in the*

countryside, such as rural economic uses (see policy DP14: Sustainable Rural Development and the Rural Economy),

- Appropriate opportunities to facilitate and promote the increased use of alternative means of transport to the private car, such as the provision of, and access to, safe and convenient routes for walking, cycling and public transport, including suitable facilities for secure and safe cycle parking, have been fully explored and taken up,*
- The scheme is designed to adoptable standards, or other standards as agreed by the Local Planning Authority, including road widths and size of garages,*
- The scheme provides adequate car parking for the proposed development taking into account the accessibility of the development, the type, mix and use of the development and the availability and opportunities for public transport, and with the relevant Neighbourhood Plan where applicable,*
- Development which generates significant amounts of movement is supported by a Transport Assessment/ Statement and a Travel Plan that is effective and demonstrably deliverable including setting out how schemes will be funded,*
- The scheme provides appropriate mitigation to support new development on the local and strategic road network, including the transport network outside of the district, secured where necessary through appropriate legal agreements,*
- The scheme avoids severe additional traffic congestion, individually or cumulatively, taking account of any proposed mitigation,*
- The scheme protects the safety of road users and pedestrians, and*
- The scheme does not harm the special qualities of the South Downs National Park or the High Weald Area of Outstanding Natural Beauty through its transport impacts.*

Where practical and viable, developments should be located and designed to incorporate facilities for charging plug-in and other ultra-low emission vehicles.

Neighbourhood Plans can set local standards for car parking provision provided that it is based upon evidence that provides clear and compelling justification for doing so.'

Paragraph 110 of the NPPF is relevant in respect of transport matters and states that:

'In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be - or have been - taken up, given the type of development and its location,*
- b) safe and suitable access to the site can be achieved for all users, and*
- c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.'*

In addition, para 111 states:

'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

The proposal would utilise the existing main access from The Street for guests, staff and delivery vehicles. The existing rear access from Warninglid Lane will continue to provide for the existing estate and service uses as well as for construction traffic during the development.

Within the site is to be an external visitor parking area providing 48 parking spaces and 4 disabled parking bays. There would be external lighting around the car park. The new holiday let building would also provide 6no parking spaces to the front of the building adjacent to an internal access road.

The proposal meets the parking standards as set out in the West Sussex County Council Guidance on Parking at New Developments (September 2020). It is to provide a suitable level of parking within the site as well as provide alternative options for travel.

A Transport Statement has been submitted as part of the application. This uses traffic flow and speed data collected in September and October 2017 for Warninglid Lane and Slaugham Lane. Vehicle speed data was collected for The Street in January 2021. It is submitted that the data from the 2017 surveys were used as this was pre-pandemic - the surveys from 2021 were specifically requested by WSCC to establish traffic speeds rather than traffic volumes. Within the revised transport statement, it is submitted that *'Trip generation data has been calculated which results in a maximum of 29 two-way peak hour trips on weekend days, which can be easily accommodated on the local highway network. This represents a highly robust and unlikely scenario as the restaurant and leisure facilities are intended for onsite guests only for use during their stay - this is a reasonable onsite facility for holiday accommodation. Therefore, the additional trips are most likely to be associated with only the additional accommodation of two dwellings, which is of negligible consequence - one or two daily trips.'*

The Highways Authority has considered the proposal and raise no objection subject to conditions. In respect of trips from the proposal they consider that:

'whilst the main use will be by guests staying at the site, there may be some external use. As it cannot be exactly quantified 50% has been used as a robust assessment of the potential increase in external trips this may bring.'

'Trips have been provided and show that in the weekday peak hours the external trips associated with the proposed uses would be 15 trips, and on the weekend, this would increase to 20 trips, which is not considered to create any significant impact on the highway network.'

The Highways Authority concludes that they *'do not consider the proposal to generate a significant number of trips in the peak hours which would be detrimental to the operation of the highway network or cause any highway safety issues.'*

Both the Parish Council and third party objections have been raised in respect of the traffic impact the uses would bring to Warninglid and congestion. In addition queries have been made over the transport data provided. Whilst these concerns are noted, the Highways Authority has considered the details submitted as well as the addendum to the Transport Statement following the request for further information and considers that the proposal would be acceptable in highway safety terms.

It has been suggested by third parties that a previous access on Warninglid Lane should be reinstated and used for the proposal. However, the Council can only consider what has been submitted which is to utilise the existing main entrance from The Street. As set out above, the Highways Authority consider that the use of the access from The Street for the proposed uses and resultant vehicle movements would be acceptable.

In light of the above it is considered that from a highway safety perspective the application complies with Policy DP21 of the District Plan and para 110 of the NPPF.

Residential Amenity

Policy DP26 of the District Plan requires developments to demonstrate that it does not cause significant harm to amenities of existing nearby residents (or future occupiers), taking into account matters such as impact on light, privacy and outlook.

Policy DP29 of the District Plan relates to noise, air and light pollution which is considered pertinent. In part this states:

'The environment, including nationally designated environmental sites, nationally protected landscapes, areas of nature conservation or geological interest, wildlife habitats, and the quality of people's life will be protected from unacceptable levels of noise, light and air pollution by only permitting development where:

- *Noise pollution:
It is designed, located and controlled to minimise the impact of noise on health and quality of life, neighbouring properties and the surrounding area,*
- *If it is likely to generate significant levels of noise it incorporates appropriate noise attenuation measures,*

Noise sensitive development, such as residential, will not be permitted in close proximity to existing or proposed development generating high levels of noise unless adequate sound insulation measures, as supported by a noise assessment are incorporated within the development.

In appropriate circumstances, the applicant will be required to provide:

- *an assessment of the impact of noise generated by a proposed development,
or*

- *an assessment of the effect of noise by an existing noise source upon a proposed development,*

Light pollution:

- *The impact on local amenity, intrinsically dark landscapes and nature conservation areas of artificial lighting proposals (including floodlighting) is minimised, in terms of intensity and number of fittings,*
- *The applicant can demonstrate good design including fittings to restrict emissions from proposed lighting schemes,'.*

The main site is set some distance away from residential properties. Whilst the site entrance is accessed off 'The Street' where there are residential properties adjacent to the access gates to the Lyndhurst Estate, the proposed development is set within the site, along a private access drive and not set near residential properties.

The Councils Environmental Protection Officer has considered the proposal and raises no objection subject to conditions. He considers that the *'development will include aspects that could affect residential amenity (noise, odour) e.g. cookery school, dance classes, children's play area. However, the nearest residential premises are a reasonable distance away (approx. 300m) so it is unlikely, in my view, that residential amenity will in fact be affected.'*

In light of the distance of the residential properties, it is considered that the proposed development would not result in significant detriment to the amenities of nearby residential properties.

Concerns have been raised over vehicle movements at night from the proposed restaurant and the impact to residential properties adjacent to the entrance gate. Whilst this is noted, it is proposed that the restaurant would mainly be used in association with the holiday accommodation on the site. Although there would be some uses from external visitors, vehicle movements would be at a low speed. In addition, a condition could be placed on a permission controlling the hours on the restaurant.

In respect of lighting, a lighting plan has been provided showing that the proposed car park would have 22no. drive over ground recessed lights and 11 no. bollard path lights no details. In addition within the site would be a number of external lights including ground recessed LED up-lights, spike mounted LED tree up-lights, bollard path lights, external wall downlights, underwater lights (for the external pools) and festoon lighting serving the restaurant area. No details have been provided in respect of the specifics of the lighting and this can be controlled by a condition requiring such details. However, due to the context of the site it is considered that there would not be significant detriment to the amenities of surrounding residential properties nor to the character of the countryside.

The proposal is thereby considered to comply with Policies DP26 and DP29 of the District Plan.

Sustainability

Policy 2 of the Neighbourhood Plan relates to sustainable development measures and states:

'Development proposals which incorporate efficient and sustainable energy sources (including, but not limited to, photovoltaic panels, solar thermal insulation, biomass and heat pumps, and domestic water harvesting/ recycling systems) will be supported.'

Policy DP21 of the District Plan relates to transport. The full policy is set out above. In part it requires schemes to be *'sustainably located to minimise the need for travel'* and take *'opportunities to facilitate and promote the increased use of alternative means of transport to the private car, such as the provision of, and access to, safe and convenient routes for walking, cycling and public transport, including suitable facilities for secure and safe cycle parking'*. In addition, it requires where *'practical and viable, developments should be located and designed to incorporate facilities for charging plug-in and other ultra-low emission vehicles.'*

Policy DP39 of the District Plan relates to Sustainable Design and Construction and requires development proposals to improve the sustainability of development. It states:

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

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

Paragraph 152 of the NPPF states:

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

Paragraph 157 states:

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

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

The application has been accompanied with a Building Services, Sustainability and Energy Statement. This sets out that where feasible, the fabric of the existing buildings will be improved with regards to thermal insulation and airtightness while maintaining the character of the buildings. The new buildings will be built to exceed the standards for thermal insulation laid out in Part L2A of the Building Regulations. It states that the new 'Dutch Barn' guest accommodation building will strive further to be of highly insulated construction. The Dutch Barn will use a ground source heat pump system to generate space heating domestic hot water. The ground array will be installed in the field to the west of the Dutch Barn. The cookery school, gym, yoga studio and staff accommodation will be heated using air source heat pumps located locally to each building. These will feed underfloor heating systems or split air systems.

In addition, the accessibility of the site, or the sustainable location of it, is a key consideration.

By nature of the location of the site within the countryside, it is acknowledged that the site is not within a sustainable location well served by public transport. However, the site would make use of a former country estate and would provide tourism related development within the countryside which is supported under Policy DP19 of the District Plan.

Therefore, it is considered that the proposal complies with the relevant criteria Policy DP39 of the District Plan and Policy 2 of the Neighbourhood Plan. The proposal is considered to be acceptable in sustainability terms.

Drainage

Policy DP41 relates to flood risk and drainage and requires development to demonstrate it is safe across its lifetime and not increase the risk of flooding elsewhere.

The proposed development is within flood zone 1 and is deemed to be at low fluvial flood risk. The proposed development is not within an area identified as having possible surface water (pluvial) flood risk.

A Flood Risk Assessment (FRA) has been submitted with the application which concludes that the site is shown on the Environment Agency maps to be in Flood

Zone 1 and that the maps indicate a low flood risk. The submitted FRA recommends that no objection is made to the proposal on flood risk grounds.

It is proposed that the development will manage surface water from new impermeable areas via infiltration beneath permeable paving. It is also proposed to reroute surface water drainage which currently discharges into the foul system into the new impermeable areas. The site utilises a package treatment plant to manage existing foul water drainage. It is proposed that any surface water discharge to this system is re-routed and the capacity checked. Should the existing system not have capacity for the proposed development's foul flows then it's proposed this shall be upgraded or a second system added.

The Council's Drainage Engineer has been consulted on the scheme and has raised no objection subject to a condition concerning details of the proposed foul and surface water drainage and means of disposal.

The proposal is thereby considered to comply with policy DP41 of the District Plan.

Ecology

Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) lists species of animal (other than birds) which are provided special protection under the Act. Under Section 13 of the Wildlife and Countryside Act 1981 (as amended), all wild plants are protected from being uprooted without the consent of the landowner. In addition to the protection afforded by the Wildlife and Countryside Act 1981 (as amended), certain species are also covered by European legislation. These species are listed in Schedule 2 of the Conservation (Natural Habitats, 7c.) Regulations 1994 (as amended).

Policy DP38 of the District Plan relates to Biodiversity and seeks proposals to protect and enhance biodiversity.

Para's 179 - 182 of the NPPF relate to habitats and biodiversity. Para 180 states *'development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists'*. In addition it considers that *'development whose primary objective is to conserve or enhance biodiversity should be supported'*.

An Ecological Impact Assessment has been submitted with the application. This concludes that the *'wider estate contains a wealth of ecologically valuable habitats, however, the development proposals have been designed to incorporate areas of very low ecological value such as hard standing and well-maintained amenity grassland. These common, widespread habitats are of very low ecological value.'* In addition it considers that a *'number of bat roosts are present on site, with small areas of suitable habitat for reptiles, GCN, dormice and breeding birds also present. A series of avoidance, mitigation and compensation measures as detailed above shall be employed to ensure that the development is not detrimental to local biodiversity.'* Finally, it states that the *'impacts of the planned development upon biodiversity will be negligible, with proposed ecological enhancements creating more varied,*

ecologically diverse habitats resulting in a small net gain and a long-term positive increase in biodiversity in line with local and national planning policy guidance.'

Overall it is considered that the scheme would not adversely affect any protected species and that conditions could be used to ensure wildlife mitigation and enhancements are undertaken as set out in the submitted Ecological Impact Assessment. The proposal is thereby considered to comply with Policy DP38 of the District Plan and para 180 of the NPPF.

Trees

Policy DP37 of the Mid Sussex District Plan states that the *'District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected.'*

An Existing Tree Schedule, Arboricultural Impact Assessment and Method Statement, and Tree Retention and Protection Plan have been submitted as part of the application.

The submitted Arboricultural Impact Assessment and Method Statement indicates that the new holiday-let accommodation known as 'the Dutch Barn' would require the removal of a small number of low value, self-seeded trees in fairly poor condition. The building proposals do not encroach into any other RPAs, although to allow access for construction a small area of a high-value oak is required. There are a number of mature Oak trees which overhang this site. It is proposed to lift the crown by 2metres to avoid damage during the removal of the barn.

Within the site is an existing road island which has a number of trees and vegetation on it. A new internal road is proposed crossing over the existing oblong road island. The Arboricultural Impact Assessment and Method Statement states that the *'road has been designed to avoid impacts upon the higher value and larger trees and their RPAs. Two low-value trees, and six moderate-value trees would require removal to accommodate this. The trees offer no significant value in of themselves, with the moderate-value trees consisting of dense spruces whose only value is as minor screening. Their removal could easily be compensated elsewhere on-site.'*

In addition a new car park is proposed to the north-east of the site. The Arboricultural Impact Assessment and Method Statement identifies that a 'U' grade and a number of 'C' grade trees as well as the edge of an 'A' grade area of woodland and one grade 'B' Oak tree would be removed to accommodate the access road. However, the Arboricultural Impact Assessment and Method Statement indicates that the removal of trees would be compensated through planting of replacement trees elsewhere within the estate.

In respect of new surfacing and means of access within the Root Protection Areas (RPAs) the statements sets out that *'the construction method should be implemented to avoid intrusion into or change of existing ground levels within the tree Root Protection Areas of existing trees'*, and that a *'No Dig' Construction should allow for*

the paving of specified areas within or adjacent to tree Root Protection Areas to be constructed without disturbance to root systems'.

Following a number of queries from the Councils Tree Officer, an addendum to the Arboricultural Impact Assessment has been provided as well as a revised Tree Retention and Protection Plan. These reflect amendments to the car park layout to better address tree root protection areas. In addition the addendum to the Arboricultural Impact Assessment states that there *'is ample opportunity within the immediate vicinity and the wider estate for mitigation planting. Currently tree planting is proposed and shown within the carpark, where there is capacity to replace the trees lost on at least a 1:1 ratio. The trees being lost are either low value trees with limited longevity, or relatively insignificant spruce trees.'*

It is noted that the proposal would impact on a number of trees which are set within the site. However, these are not protected by Tree Preservation Orders and do not form public amenity value. The proposal would provide mitigation planting elsewhere within the site in accordance with Policy DP37 of the District Plan.

The Councils Tree Officer has considered the submitted details and the addendum and raises no objection to the proposal on arboricultural grounds but suggests a condition requiring a detailed landscape package that should include both the hard surfacing that is to be used within the RPAs of any of the trees on site and the replacement planting of trees to conform with Section 6 (details of mitigation planting) of the Addendum to Arboricultural Impact Assessment and Method Statement report (March 2022).

In light of the above, it is considered that the proposal would thereby comply with Policy DP37 of the District Plan.

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 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.

This planning application does not result in a net increase in dwellings within the 7km zone of influence and so **mitigation is not required**.

Atmospheric pollution

Increased traffic emissions as a consequence of new development may result in additional 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 potential effects of the proposed development are incorporated into the overall results of the transport model prepared for the Site Allocations DPD, which indicates there would not be an overall impact on Ashdown Forest. 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.

Other matters

Concerns have been raised in respect on the impact on the Conservation Area due to the increase in traffic and the use of the main entrance which is adjacent to the Conservation Area. Whilst this is noted, as set out above, the proposal is considered to be acceptable in highway terms and vehicle movements. Whilst it is acknowledged that there would be an increase in vehicle movements compared to

existing, it is would be difficult to justify that the increase in vehicle movements would result in harm to the visual amenity to the village.

Although the access to the site from 'The Street' goes through the Conservation Area, the estate, buildings and wider site does not form part of it. Whilst additional vehicle movements would be through the Conservation Area, it is not considered that this alone would cause detriment to the character of the Conservation Area.

Concerns have been raised in respect of the impact on water and power supplies. This is not a planning consideration. However, the Agent has acknowledged that the scheme would require the upgrading of some transmission equipment in the area, and they consider that it is more likely to result in a net improvement in network resilience than capacity issues.

Planning Balance and Conclusion

Planning permission is sought for the change of use and conversion of estate buildings from Residential to Class E (Commercial Business and Service) and Class F (Local Community and Learning). The new uses that are being proposed are: entrance, reception, restaurant, club room, cookery school, wellness centre, treatment rooms, yoga studio, gym, craft centre, offices, staff facilities, visitor holiday let accommodation, maintenance yard, external swimming pools, children's play area and kids club at Lydhurst Estate, Warninglid Lane, Warninglid.

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

National planning policy states that planning should be genuinely plan led. The Council has an up to date District Plan and is able to demonstrate that it has a five year housing land supply. Planning decisions should therefore be in accordance with the development plan unless material considerations indicate otherwise.

The application site is a former country estate set within large grounds comprising of a main house, a number of cottages and existing holiday-lets and an enclave of single storey buildings associated with the estate. The proposal would form a self-contained tourist destination / use on the site utilising a number of the existing buildings and replacing a number of other buildings. The proposal would result in the re-use of a brownfield site and support sustainable growth of the rural economy within the countryside. It is considered that the proposal is of a high-quality design sensitive to the country estate and would provide comprehensive landscaping to create an appropriate setting and landscaped context for the development and proposed use. The proposal is considered to maintain the quality of the rural and landscape character in this part of Mid Sussex.

It is acknowledged that the change of use and the tourism related activities on the site would result in an increase in vehicle movements to and from the site. However,

it is considered that the proposal would not result in significant highway safety impacts through the anticipated increase in vehicle movements to the site.

Due to the position of the buildings set within the site along a long private road the proposal would not result in significant detriment to the surrounding residential amenities through noise and disturbance or a loss of privacy.

The redevelopment of the site for tourism uses would provide economic and social benefits through the provision of employment during both the construction period and the formation of employment following the construction of the new tourist uses. This would assist in supporting economic growth and proactively supporting sustainable rural economic development within the District.

There will be a neutral impact in respect of drainage, ecology and trees. There will be no likely significant effect on the Ashdown Forest SPA and SAC.

The application is thereby considered to comply with policies DP12, DP16, DP19, DP21, DP38, DP39 and DP41 of the District Plan, policies 1, 2 and 12 of the Slaugham Neighbourhood Plan, and the relevant provisions of the NPPF.

Officers consider that in the context of the adopted District Plan and Neighbourhood Plan, the proposed re-development of the site complies with the development plan and there are no material planning considerations indicating a decision should be made otherwise than in accordance with it. Accordingly the application is recommended for approval.

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.

Pre-Commencement conditions

3. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials, and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area and to accord with Policy DP21 of the Mid Sussex District Plan 2014 - 2031.

4. 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 / brought into use 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 Mid Sussex District Plan 2014 - 2031.

5. Prior to the commencement of any residential part of the development hereby permitted, the details of a scheme of mitigation measures to improve air quality relating to the development shall be submitted and approved in writing by the Local Planning Authority. The scheme be in accordance with, and to a value derived in accordance with, the Air quality and emissions mitigation guidance for Sussex which is current at the time of the reserved matters application. All works which form part of the approved scheme shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

Reason: To preserve the amenity of local residents regarding air quality and emissions and to accord with Policy DP29 of the Mid Sussex District Plan 2014 - 2031.

6. Prior to the construction of the pools, the exact location of the pool building / plant room are to be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and of the environment of the development and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

7. Prior to the construction of the children's play area, details of the location, layout and play equipment to be installed as well as details on existing and proposed site levels of the play area shall be submitted to and approved in writing by the Local

Planning Authority. The play area shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and of the environment of the development and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

8. Prior to the commencement of works to any of the buildings, details of facing materials and external surface materials for the walls, roofs, windows and doors of that that part of the development shall be submitted and approved in writing 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

9. Prior to the construction of 'The Dutch Barn' detailed 1:20 scale sections and elevations of key features shown in context including:
- The west elevation (demonstrating the contrast between the stone and metal clad facades including the different fenestration and roof forms and also featuring gutters and downpipes)
 - The circular and semi-circular windows on the north elevation,
 - The juxtaposition of the entrance door, gutter, eaves, skylight window and rainwater downpipes on the south elevation;

shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and of the environment of the development and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

10. Prior to the construction of 'The Dutch Barn' details shall be submitted to and approved in writing by the Local Planning Authority confirming the sustainable credentials which are to be undertaken in this building. Works shall be carried out in accordance with the approved details.

Reason: To ensure that measures to make the development sustainable and efficient in the use of energy, water and materials are included in the development, in accordance with the NPPF requirements, Policies DP26 and DP39 of the Mid Sussex District Plan 2014 - 2031.

11. Prior to the commencement of the works to the meeting rooms and craft building, full plans and elevations shall be submitted to and approved in writing detailing the works to be carried out to the buildings. The works shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and of the environment of the development and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

Construction Phase

12. Works of construction or demolition, including the use of plant and machinery, as well as any delivery or collection of plant, equipment or materials for use during the demolition/construction phase necessary for implementation of this consent shall be limited to the following times:

- Monday - Friday 08:00 - 18:00 Hours Saturday 09:00 - 13:00 Hours
- Sundays and Bank/Public Holidays no work permitted

Reason: To protect the amenity of local residents and to accord with Policy DP29 of the Mid Sussex District Plan 2014 - 2031.

13. Throughout the course of any phase of the development hereby approved, all construction traffic shall utilise the vehicular access on Warninglid Lane only unless otherwise agreed in writing with the Local Planning Authority.

Reason: To avoid disruption to the amenities of residential properties on 'The Street' and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

14. The works shall be carried out in accordance with the Arboricultural Impact Assessment and Method Statement (Rev. 01, November 2021), the Addendum to the Arboricultural Impact Assessment and Method Statement (Rev.01, March 2021) and the Tree Retention and Protection Olan (drwg's LLD2457-ARB-DWG-006 rev 02, LLD2457-ARB-DWG-007 Rev 02, LLD2457-ARB-DWG-008 Rev 02, LLD2457-ARB-DWG-009, Rev 02 and LLD2457-ARB-DWG-010, Rev 02).

Reason: To ensure the retention and maintenance of trees and vegetation which is an important feature of the area and to accord with Policy DP37 of the Mid Sussex District Plan.

15. The recommendations for mitigation and enhancement set out in the Ecological Impact Assessment Report by Lizard Landscapes, dated November 2021 (Ref LLD2450 Rev 02) shall be implemented in full unless otherwise agreed in writing by the local planning authority and a statement of compliance signed by the appointed ecologist / wildlife consultant shall be submitted to, and approved by, the local planning authority prior to use of the completed development.

Reason: To protect the ecological value of the site and to accord with policy DP38 of the Mid Sussex District Plan and policy 180 of the NPPF.

Pre-occupation conditions

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

Reason: To provide car-parking space for the use and to accord with Policy DP21 of the Mid Sussex District Plan 2014 - 2031.

17. No part of the development shall be first occupied until visibility splays of 2.4 metres by 83 metres have been provided at the proposed site vehicular access onto Warninglid Lane in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions

over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety and to accord with Policy DP21 of the Mid Sussex District Plan 2014 - 2031.

18. No part of the development shall be first occupied until Electric Vehicle Charging spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

Reason: To provide EVC charging points to support the use of electric vehicles in accordance with national sustainable transport policies and 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 Mid Sussex District Plan 2014 - 2031.

19. Prior to the occupation of each part of the development, hard and soft landscaping shall be submitted to and approved by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land, and details of those to be retained, together with measures for their protection in the course of development. These works shall be carried out as approved. The works shall be carried out prior to the occupation of each part of the development or in accordance with the programme agreed by the Local Planning Authority. Any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity and of the environment of the development and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

Post construction / Management

20. No external lighting or floodlighting shall be installed without the prior written approval of the Local Planning Authority. Details of lux levels and times of use together with a report to demonstrate its effect on nearby residential properties shall be supplied. It is recommended that the information be provided in a format that demonstrates compliance on the ILP Guidance Notes for the Reduction of Obtrusive Light. The information shall be submitted to and approved in writing by the Local Planning Authority. All lighting shall be carried out in accordance with the approved details.

Reason: To protect the character of the area and amenity of local residents and to accord with Policy DP29 of the Mid Sussex District Plan 2014 - 2031.

21. The occupation of the buildings of the main house 'Lydhurst' and the building known as 'The Dutch Barn' shall at all times comply with the following:
- a) The accommodation within the building shall be occupied for holiday purposes only.
 - b) The building shall not be occupied as a person's sole or main place of residence.
 - c) An up to date register shall be maintained of the names of all guests using the holiday let, including names, homes addresses, dates and durations of each stay

and the register shall be made available at all reasonable times to the Local Planning Authority.

Reason: To ensure the approved holiday accommodation is not used as a permanent residential unit and to comply with Policy DP19 of the Mid Sussex District Plan 2014 - 2031.

22. The restaurant and club room shall be used for such purposes and for no other purpose (including any other purpose in Class E (b) of the Schedule to the Town and Country Planning (Use Classes) Order, 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To enable the control of development for sustainable tourism and to protect the amenities of nearby residents to accord with Policies DP19 and DP26 of the Mid Sussex District Plan 2014-2031.

23. The cookery school shall be used for such purposes and for no other purpose (including any other purpose in Class F1(a) of the Schedule to the Town and Country Planning (Use Classes) Order, 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To enable the control of development for sustainable tourism and to protect the amenities of nearby residents to accord with Policies DP19 and DP26 of the Mid Sussex District Plan 2014-2031.

24. The wellness centre shall be used for such purposes and for no other purpose (including any other purpose in Class E (e) of the Schedule to the Town and Country Planning (Use Classes) Order, 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To enable the control of development for sustainable tourism and to protect the amenities of nearby residents to accord with Policies DP19 and DP26 of the Mid Sussex District Plan 2014-2031.

25. The gym / yoga studio shall be used for such purposes and for no other purpose (including any other purpose in Class E (d) of the Schedule to the Town and Country Planning (Use Classes) Order, 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To enable the control of development for sustainable tourism and to protect the amenities of nearby residents to accord with Policies DP19 and DP26 of the Mid Sussex District Plan 2014-2031.

26. The kids club and offices within the Gardeners Cottages shall be used for such purposes and for no other purpose (including any other purpose in Class E (f) and E (g)(i) of the Schedule to the Town and Country Planning (Use Classes) Order, 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To enable the control of development for sustainable tourism and to protect the amenities of nearby residents to accord with Policies DP19 and DP26 of the Mid Sussex District Plan 2014-2031.

27. The meeting room building shall be used for such purposes and for no other purpose (including any other purpose in Class F1 (a) of the Schedule to the Town and Country Planning (Use Classes) Order, 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To enable the control of development for sustainable tourism and to protect the amenities of nearby residents to accord with Policies DP19 and DP26 of the Mid Sussex District Plan 2014-2031.

28. The Arts and Craft building shall be used for such purposes and for no other purpose (including any other purpose in Class F1(a) of the Schedule to the Town and Country Planning (Use Classes) Order, 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To enable the control of development for sustainable tourism and to protect the amenities of nearby residents to accord with Policies DP19 and DP26 of the Mid Sussex District Plan 2014-2031.

29. The restaurant shall not be open for trade or business except between the hours of 08:00 to 23:00 hours Mondays to Sundays.

Reason: To safeguard the amenities of nearby residents and to accord with Policies DP26 and DP29 of the Mid Sussex District Plan 2014 - 2031.

30. The wellness centre shall not be open for trade or business except between the hours of 09:00 to 18:00 hours Mondays to Sundays.

Reason: To safeguard the amenities of nearby residents and to accord with Policies DP26 and DP29 of the Mid Sussex District Plan 2014 - 2031.

31. The kids club shall only be for occupants of the site and not for non-residents of the Lydhurst estate. The kids club shall not be open for trade or business except between the hours of 09:00 to 18:00 hours Mondays to Sundays.

Reason: To safeguard the amenities of nearby residents and to accord with Policies DP26 and DP29 of the Mid Sussex District Plan 2014 - 2031.

INFORMATIVES

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

Accordingly, you are requested that:

- Measures shall be implemented to prevent dust generated on site from crossing the site boundary during the demolition/construction phase of the development.
- No burning of materials shall take place on site at any time.

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

2. In respect of condition 5, in order to ensure approval, we strongly recommend that the above scheme is agreed in advance with the Council's Air Quality Officer.
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.
4. 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 assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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
Existing Elevations	18-02-J-200	P1	15.11.2021
Proposed Elevations	18-02-J-201	P1	15.11.2021
Proposed Elevations	18-02-J-202	P1	15.11.2022
Location Plan	18-02-x-01	P1	15.11.2021
Location Plan	18-02-x-02	P1	15.11.2021
Site Plan	518521-1000		15.11.2021
Other	518521/1001		15.11.2021
Existing Floor Plans	2020LY_100_r.0	R.0	15.11.2021
Existing Elevations	2020LY_101_r.0	R.0	15.11.2021
Existing Elevations	2020LY_101_r.0	R.0	15.11.2021
Proposed Floor Plans	2020LY_200_r.	R.0	15.11.2021
Proposed Elevations	2020LY_201_r.0	R.0	15.11.2021
Proposed Elevations	2020LY_202_r.0	R.0	15.11.2021
Tree Survey	LLD2457-ARB-DWG-001	02	15.11.2021
Tree Survey	LLD2457-ARB-DWG-002	02	15.11.2021
Tree Survey	LLD2457-ARB-DWG-003	02	15.11.2021

Tree Survey	LLD2457-ARB-DWG-004	02	15.11.2021
Tree Survey	LLD2457-ARB-DWG-005	02	15.11.2021
Tree Survey	LLD2457-ARB-DWG-001	00	15.11.2021
Tree Survey	LLD2457-ARB-DWG-002	00	15.11.2021
Tree Survey	LLD2457-ARB-DWG-003	00	15.11.2021
Tree Survey	LLD2457-ARB-DWG-004	00	15.11.2021
Tree Survey	LLD2457-ARB-DWG-006	02	07.03.2022
Tree Survey	LLD2457-ARB-DWG-007	02	07.03.2022
Tree Survey	LLD2457-ARB-DWG-008	02	07.03.2022
Tree Survey	LLD2457-ARB-DWG-009	02	07.03.2022
Tree Survey	LLD2457-ARB-DWG-010	02	07.03.2022
Location Plan	2105_R.0_000	R.0	15.11.2021
Block Plan	2105LY_R.0_001	R.0	15.11.2021
Existing Floor Plans	2105LY_R.0_100	R.0	15.11.2021
Existing Floor and Elevations Plan	2105LY_R.0_101	R.0	15.11.2021
Existing Floor Plans	2105LY_R.0_102	R.0	15.11.2021
Existing Elevations	2105LY_R.0_103	R.0	15.11.2021
Existing Elevations	2105LY_R.0_104	R.0	15.11.2021
Proposed Floor Plans	2025LY_R.0_200	R.0	15.11.2021
Proposed Floor Plans	2105LY_R.0_201	R.0	15.11.2021
Proposed Floor Plans	2105LY_R.0_202	R.0	15.11.2021
Proposed Elevations	2105LY_R.0_203	R.0	15.11.2021
Proposed Elevations	2105LY_R.0_204	R.0	15.11.2021
Proposed Elevations	2105LY_R.0_205	R.0	15.11.2021
Other	2105LY_R.0_300	R.0	15.11.2021
Other	18-02-x-06	P1	29.04.2022
Proposed Roof Plan	18-02-J-110	P1	07.03.2022
Other	18-02-K-100		07.03.2022
Other	18-02-K-101		07.03.2022
Lighting Layout/Light Pollution	18-02-x-07	P1	30.11.2021
Other	2164-000-002		15.11.2021
Existing Floor Plans	18-02-A-100	P1	15.11.2021
Proposed Floor Plans	18-02-A-101	P1	15.11.2021
Existing Elevations	18-02-A-200	P1	15.11.2021
Proposed Elevations	18-02-A-201	P1	15.11.2021
Existing Floor Plans	18-02-B-100	P1	15.11.2021
Existing Roof Plan	18-02-B-101	P1	15.11.2021
Existing Floor Plans	18-02-B-102	P1	15.11.2021
Proposed Floor Plans	18-02-B-103	P1	15.11.2021
Proposed Roof Plan	18-02-B-104	P1	15.11.2021
Existing Elevations	18-02-B-200	P1	15.11.2021
Existing Elevations	18-02-B-201	P1	15.11.2021
Proposed Elevations	18-02-B-202	P1	15.11.2021
Proposed Elevations	18-02-B-203	P1	15.11.2021
Existing Floor Plans	18-02-EF-100	P1	15.11.2021
Existing Roof Plan	18-02-EF-101	P1	15.11.2021
Proposed Floor Plans	18-02-EF-102	P1	15.11.2021
Proposed Roof Plan	18-02-EF-103	P1	15.11.2021
Existing Elevations	18-02-EF-200	P1	15.11.2021
Proposed Elevations	18-02-EF-201	P1	15.11.2021
Proposed Elevations	18-02-EF-202	P1	15.11.2021
Existing Floor Plans	18-02-H-100	P1	15.11.2021
Proposed Elevations	18-02-H-201	P1	15.11.2021
Proposed Floor Plans	18-02-H-101	P1	15.11.2021

Existing Elevations	18-02-H-200	P1	15.11.2021
Existing Floor Plans	18-02-I-100	P1	15.11.2021
Existing Floor Plans	18-02-I-101	P1	15.11.2021
Existing Floor Plans	18-02-I-102	P1	15.11.2021
Proposed Floor Plans	18-02-I-103	P1	15.11.2021
Proposed Floor Plans	18-02-I-104	P1	15.11.2021
Proposed Roof Plan	18-02-I-105	P1	15.11.2021
Existing Elevations	18-02-I-200	P1	15.11.2021
Existing Elevations	18-02-I-201	P1	15.11.2021
Proposed Elevations	18-02-I-202	P1	15.11.2021
Proposed Elevations	18-02-I-203	P1	15.11.2021
Existing Site Plan	18-02-J-000	P1	15.11.2021
Proposed Site Plan	18-02-J-100	P1	15.11.2021
Proposed Floor Plans	18-02-J-101	P1	15.11.2021
Proposed Floor Plans	18-02-J-102	P1	15.11.2021
Proposed Roof Plan	18-02-J-103	P1	15.11.2021
Proposed Floor Plans	18-02-J-104	P1	15.11.2021
Other	18-02-x-06	P1	29.04.2022
Drainage Details	18-02-J-110	P1	07.03.2022
Proposed Floor and Elevations Plan	18-02-K-100		07.03.2022
Proposed Floor and Elevations Plan	18-02-K-101		07.03.2022
Existing Block Plan	18-02-x-03	P1	30.11.2021
Proposed Block Plan	18-02-x-04	P1	30.11.2021
Block Plan	18-02-x-05	P1	30.11.2021
Lighting Layout/Light Pollution	18-02-x-06	P1	30.11.2021
Proposed Floor and Elevations Plan	99804 SK 01	P2	30.11.2021
Proposed Floor and Elevations Plan	99804 SK 02	P2	30.11.2021
Proposed Floor and Elevations Plan	99804 SK 03	P1	30.11.2021
Proposed Elevations	18-02-B-202	X	30.11.2021
Proposed Elevations	18-02-B-203	X	30.11.2021
Proposed Floor and Elevations Plan	99804 SK 04	P2	30.11.2021
Proposed Floor and Elevations Plan	99804 SK 05	P2	30.11.2021
Proposed Elevations	99804 SK 06	P2	30.11.2021
Proposed Floor and Elevations Plan	99804 SK 07	P1	30.11.2021
Proposed Floor Plans	99804 SK 08A	P3	30.11.2021
Proposed Floor Plans	99804 SK 08B	P3	30.11.2021
Proposed Floor Plans	99804 SK 08C	P3	30.11.2021
Sections	99804 SK 09	P3	30.11.2021
Proposed Elevations	99804 SK 10	P3	30.11.2021
Proposed Floor Plans	99804 SK 11	P1	30.11.2021
Proposed Floor Plans	99804 SK 12	P1	30.11.2021
Proposed Floor Plans	99804 SK13	P1	30.11.2021
Site Plan	99804 SK E 100	P2	30.11.2021

APPENDIX B – CONSULTATIONS

Architect / Urban Designer - Will Dorman

Environmental Protection

This development will include aspects that could affect residential amenity (noise, odour) eg cookery school, dance classes, children's play area. However, the nearest residential premises are a reasonable distance away (approx. 300m) so it is unlikely, in my view, that residential amenity will in fact be affected. Conditions to control construction noise and to ensure air quality emissions mitigation, are recommended:

' Construction hours: Works of construction or demolition, including the use of plant and machinery, as well as any delivery or collection of plant, equipment or materials for use during the demolition/construction phase necessary for implementation of this consent shall be limited to the following times:

Monday ' Friday 08:00 - 18:00 Hours

Saturday 09:00 - 13:00 Hours

Sundays and Bank/Public Holidays no work permitted

Reason ' To accord with MSDC Policy DP29: Noise, Air and Light Pollution

' Air Quality: Prior to the commencement of any residential part of the development hereby permitted, the details of a scheme of mitigation measures to improve air quality relating to the development shall be submitted and approved in writing by the Local Planning Authority. The scheme be in accordance with, and to a value derived in accordance with, the Air quality and emissions mitigation guidance for Sussex which is current at the time of the reserved matters application. All works which form part of the approved scheme shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

Informative ' In order to ensure approval, we strongly recommend that the above scheme is agreed in advance with the Council's Air Quality Officer.

Reason ' To accord with MSDC Policy DP29: Noise, Air and Light Pollution

If you would like to discuss this further, please contact me directly.

20/12/21

Nick Bennett

Environmental Health Officer

WSCC Highways Authority

Amended

More information has been submitted to WSCC regarding the overall increase in trips from the proposal including the wellness centre, details regarding the main access drive, and construction access.

GTA Civils have provided the additional requested information and WSCC make the following comments.

Access

The site access has also been assessed and this provides good visibility in line with speeds captured in a recent speed survey. These show an 85%ile speed of 20mph. In accordance with manual for streets guidance, a visibility splay of 2.4m x 26m to the south and 2.4m x 43m to the north, accords with the recommended speed stopping site distance and falls within the applicant's boundary or the public highway.

WSCC are satisfied that whilst there are limited passing places within the main access drive, there is space to overrun. As this does not form part of the public WSCC raise no issues with this.

Trips

Clarification was sought over the use of the wellness centre and whilst the main use will be by guests staying at the site, there may be some external use. As it cannot be exactly quantified 50% has been used as a robust assessment of the potential increase in external trips this may bring.

Trips have been provided and show that in the weekday peak hours the external trips associated with the proposed uses would be 15 trips, and on the weekend, this would increase to 20 trips, which is not considered to create any significant impact on the highway network.

Car Parking

The site has a 52-space car park and the car parking accumulation table submitted by the applicant shows there is plenty of capacity for all uses, and this still only equates to a demand for 23 spaces. The site also has plenty of space to accommodate parking and turning. EVC charging would be required and based on existing guidance we would expect to see provision within the accommodation areas of the site.

Construction access

This access will be used by existing private and agricultural uses, but it will also be used for construction traffic. The width of the access has been measured at 3.3m in width, and swept path diagram on existing access plan 10687/101 Rev P6, show a concrete mixer entering the site. WSCC are satisfied this access can accommodate a larger vehicle and as there is plenty of circulation space to be able to enter turn and exit in forward gear.

As highlighted in the Stage 1 RSA, vegetation will be cut back to enhance the existing visibility splay of 2.4m x 60m to 83m.

Stage 1 Road Safety Audit Decision Log with OOR and Agreed Actions.

RSA problem	RSA recommendation	Design organisation response	Overseeing Organisation response	Agreed RSA action
3.1.1 Existing rear access.	Restricted visibility and sightlines could result in failure to give way type collisions Manual for Streets (MfS) recommends approximately 80 metres of clear visibility, which may well be achievable with some removal of the vegetation within the sightlines to the boundary of the site. From a road safety audit point of view, such sightlines would be acceptable from this existing access onto the highway. However, the existing trees and foliage in any agreed area should be cleared and regularly maintained to ensure that adequate visibility and sightlines eastwards when exiting the rear site access are maintained.	Agreed – the vegetation will be removed to achieve 83metres of visibility to the southeast.	Agreed – vegetation will be removed by the applicant and kept free from obstruction over 0.6m to maintain a clear visibility splay of 2.4m x 83m to the southeast of the rear access. This will be completed prior to occupation and included in the Lyndhurst Estates grounds maintenance program in perpetuity	Owner/applicant to undertake the necessary vegetation cut back works to maintain a visibility splay of 2.4m x 83m to the southeast of the rear access. This will be completed prior to occupation and included in the Lyndhurst Estates grounds maintenance program in perpetuity.

In summary WSCC do not consider the proposal to generate a significant number of trips in the peak hours which would be detrimental to the operation of the highway network or cause any highway safety issues.

No objection subject to conditions.

Visibility

No part of the development shall be first occupied until visibility splays of 2.4 metres by 83 metres have been provided at the proposed site vehicular access onto Warninglid Lane in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety.

EVC Parking Spaces

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

Reason: To provide EVC charging points to support the use of electric vehicles in accordance with national sustainable transport policies

Construction Management Plan

No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials, and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area.

Original

More information is required as follows: -

The submitted TA does not provide a full picture of the proposed changes as follows: -

1. Please provide a trip rates for the existing use. It is said that no rates are possible because of covid? What was it being used as before covid? Use this as the baseline i.e., if it was being used as a residential dwelling and guest cottages what was the trip rate? If it was vacant what was it used as before this time?
2. Can the main access drive accommodate two cars passing each other? IF not can passing places be provided? How long is the access drive? If passing places are required can these show forward visibility to the next.

3. What will the rear access be used for? If construction traffic to convert the barns and other building works will they use this access? Can a builders vehicle access this, and exit in forward gear? A construction management plan will be a condition advised to the LPA.
4. What will the trip rates for the other uses on site be? The Wellness centre has not been considered. These should be provided and added to the accommodation and restaurant figures.

WSSC Water and Access

Having viewed the plans and information for the change of use and conversion of estate buildings from Residential to commercial use premises, evidence is required that all properties are within 90 metres of a fire hydrant, any not within this distance will require an additional hydrant provided to ensure there is sufficient water available for firefighting.

MSDC Urban Designer

As requested, my comments are limited to the proposed holiday let building on the site currently occupied by a Dutch Barn.

These observations will focus on the quality of the building design and how it sits within its immediate context. As this is a sensitive site that sits within the High Weald Area of Natural Beauty (AONB) it will need to be separately assessed in terms of its impact upon the wider landscape.

The building has been deliberately designed to have the appearance of a building that has evolved and been reassembled/repurposed. This is helped by the contrast between the stone clad façades of the northern half of the building and the overtly contemporary aesthetic of the metal clad finish of the southern half, while the plate glass windows that feature throughout help to cohere both parts of the building together and the views through them should beautifully frame the surrounding landscape. The employment of a mechanical ventilation and heat recovery system will be key to achieving this aesthetic (the Mechanical and Electrical Feasibility report states that it could be naturally ventilated, however I have concerns that this may impact upon the window design) and I am glad to see this will be part of a package of sustainability measures including a ground source heat pump which will sensibly utilise the retained store building.

Overall, I will defer to Sarah Nelson's advice in respect of the impact of the building upon the surrounding trees. However, in relation to the pre-application proposal, the building envelope size and footprint have been reduced and slightly reorientated to allow it to sit more comfortably with the adjacent oak trees which have an important role in softening the development and preserving the rural character of the site. The windows have generally been positioned (principally looking east and west) so the outlook/daylight will not be significantly impeded by the trees.

The oversized chimney tower and mono-pitch roof (that is angled in the opposite direction to the slope of the ground) over the sitting room have been deliberately configured to have a dramatic cliff-edge relationship with the field. While this provides the building with an iconic feature, it increases its prominence especially from the adjacent lane and there is no proposal to plant new trees on the north west side to replace the ones that will be lost to facilitate the development. So, unlike the Dutch Barn, it will not be screened by trees on this side and will be easily visible from this vantage.

On the southern side, the front threshold of the building will also be a parking area for six cars. It is proposed to soften this area by incorporating new trees and shrubs and employing natural materials for the hard surfacing. As well as helping to anchor the development, the

retention of the existing store house contributes to defining/ enclosing/screening this area and provides an attractive threshold despite the cars.

However, neither the landscaping nor the building design provides enough detail to demonstrate their quality, this therefore will need to be secured through condition. While a roof plan has now been received that shows the rainwater discharge from the roof, the detailed elevations and sections will need to demonstrate that the gutters and downpipes will be discreetly integrated as shown on the precedent photographs of the architect's completed buildings.

In conclusion, this is an interesting and imaginative design that has been carefully considered both in terms of its function and the response to its immediate context. The split-level arrangement allows it to respond to the slope, and the sub-division of the building into a series of individually designed parts successfully breaks up its scale. Traditional forms have also been cleverly referenced in a contemporary idiom that avoids pastiche.

I therefore raise no objection on design grounds, but to secure the quality of the design I would recommend conditions requiring the submission / approval of the following drawings:

Details of the soft and hard landscaping

- Details of facing materials and external surface materials
- Detailed 1:20 scale sections and elevations of key features shown in context including:
 - The west elevation (demonstrating the contrast between the stone and metal clad facades including the different fenestration and roof forms and also featuring gutters and downpipes)
 - The circular and semi-circular windows on the north elevation,
 - The juxtaposition of the entrance door, gutter, eaves, skylight window and rainwater downpipes on the south elevation.

I would also recommend a condition to be agreed with the applicant to secure the sustainability credentials of the scheme. Because the ventilation strategy will impact upon the design of the windows this condition is likely to need to be considered alongside the condition covering the facade details.

MSDC Tree Officer

I have reviewed Addendum to Arboricultural Impact Assessment and Method Statement report (March 22) and the amended Tree Retention and Protection Plan which satisfactorily addresses my previous concerns as follows:

1. Construction of a new carpark with access drive and footpath - It is noted the access road cannot be relocated further north due to the category A woodland area, which as the amended report points out was not immediately obvious on the original report. The access has however been relocated and the retention of T41 is welcomed.
2. Replacement of an existing timber framed external store - The loss of the category U willow has been noted, along with the note on mitigation planting.
3. New road over an existing road island - Providing the mitigation planting is acceptable and agreed under a condition there is no further objection to this part.
4. New accommodation building on the location of an existing Dutch barn - Details of the proposed surfacing for the area of parking are to be provided as part of the detailed landscape package (see comments below) and should be agreed prior to commencement.

The explanations provided regarding the future pressure on T46/ T49/ T50 as a result of guest parking is noted and accepted.

I would not object to the project on arboricultural grounds, however, would request the conditioning of a detailed landscape package that should include both the hard surfacing that is to be used within the RPAs of any of the trees on site and the replacement planting of trees to conform with Section 6 (details of mitigation planting) of The Addendum to Arboricultural Impact Assessment and Method Statement report (March 22).

Furthermore I would request strict adherence to the Method Statement and Protection Plans.

Original

The areas of impact upon trees are as follows:

1. Construction of a new carpark with access drive and footpath
 - One category U and a small number category C trees are to be removed which is acceptable.
 - Category B oak is to be removed which seems unnecessary when it appears the access could be located slighter to the north to avoid this.
 - There is some encroachment into small areas of the RPAs of some trees therefore it is key the method statement is strictly adhered to.
2. Replacement of an existing timber framed external store
 - One category U willow tree and cherry laurel shrubs are to be removed which is acceptable. Mitigation planting of holly has been suggested and should be included in the detailed landscaping plans see mitigation planting (below).
3. New road over an existing road island
 - Six category B and two category C trees are being removed which this seems excessive, so it would be helpful to understand why this is road is being constructed?
 - There is also minimal incursion into the RPA of the Scots pine which will be addressed within the AMS and should be adhered to.
4. New accommodation building on the location of an existing Dutch barn
 - Removal of a small number of low category trees is acceptable.
 - There is an operation zone designated during construction to minimise the impact on the RPA of T44 (category A oak) which should be strictly adhered to.
 - Impact on T46/ T49/ T50. These are three category A oak trees with RPAs and canopies overhanging the designated parking area. Although currently the area is hard standing, this is to be removed and replaced. The details of this hard surfacing should be submitted and agreed ensuring a permeable solution is used.
 - Future impact on T46/ T49/ T50. Three category A oak trees with RPAs and canopies overhanging the parking area. The use of this space for parking will increase the target area compared to present. Temporary residents may be concerned over parking their vehicles under these trees taking into account safety and the seasonal nuisances caused by this, however this may not be as much of a concern that a permanent resident may have over these issues. However there is concern that the responsibility placed on the owner of the property to ensure the safety of temporary residents and their property, which would inevitably lead to unreasonable pressure to dramatically cut back the canopies of these high value trees. I would therefore request alternative parking spaces are explored.

Mitigation planting

There are recommendations for tree planting across the estate to compensate for the loss of trees and therefore these details would be requested.

MSDC Drainage Engineer

No objection subject to condition.

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. A lack of historic records of flooding does not mean that flooding has never occurred, instead, that flooding has just never been reported.

SEWERS ON SITE

The Southern Water public sewer map does not show any public sewers located within the redline boundary of the site.

There may be sewers located on the site not shown on the plan which are now considered public sewers. Any drain which serves more than one property, or crosses into the site from a separate site is likely to now be considered a public sewer. Advice in relation to this situation can be found on the relevant water authority's website.

SURFACE WATER DRAINAGE

The BGS infiltration potential map shows the site to be in an area with moderate to low infiltration potential. Therefore, the use of infiltration drainage such as permeable paving or soakaways is unlikely to be possible on site. This will need to be confirmed through infiltration testing on site as part of detailed drainage design.

It is proposed that the development will manage surface water from new impermeable areas via infiltration beneath permeable paving. It is also proposed to reroute surface water drainage which currently discharges into the foul system into the new impermeable areas.

The proposed surface water drainage strategy is considered acceptable in principle. We would advise the applicant that surface water drainage should be designed to cater for the 1 in 100-year storm event, plus an allowance for climate change.

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

FOUL WATER DRAINAGE

The site utilises a package treatment plant to manage existing foul water drainage. It is proposed that any surface water discharge to this system is rerouted and the capacity checked. Should the existing system not have capacity for the proposed development's foul flows then it's proposed this shall be upgraded or a second system added.

The use of an existing system with possible upgrades is considered acceptable in principle.

We advise the applicant that as part of the detailed drainage design capacity calculations will need to be provided which show the system can cope with the predicted foul flows. If the existing system is to be utilised in any way the applicant should also provide evidence that the system is functioning as designed with no surface water discharging to it.

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

CONDITION RECOMMENDATION

C18F - MULTIPLE BUILDINGS

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 / brought into use 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.

General drainage requirement guidance

SURFACE WATER DRAINAGE

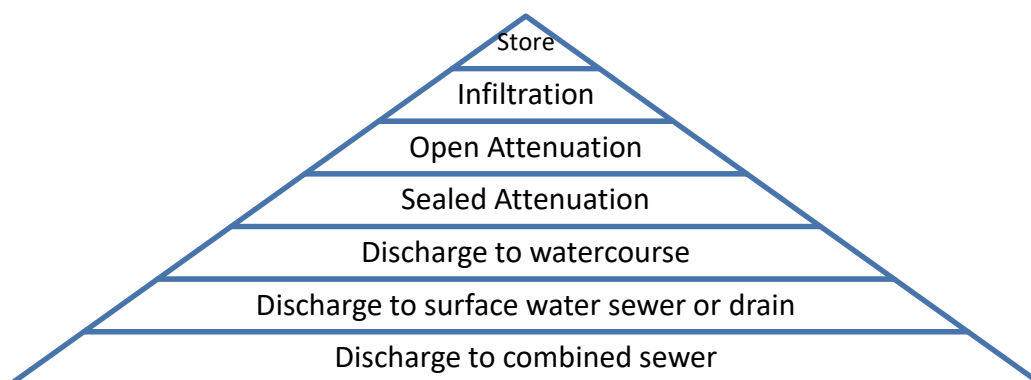
Proposed development will need to fully consider how it will manage surface water run-off. The hierarchy of surface water disposal will need to be followed and full consideration will need to be made towards the development catering for the 1 in 100-year storm event plus extra capacity for climate change. 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 FEH 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
		✓	✓		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](#)

[West Sussex Lead Local Flood Authority Policy for the Management of Surface Water](#)

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. Located in Flood Zone 1 and greater than 1 hectare in area. 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.
<p>Multiple plot development</p>	<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.
<p>Public sewer under or adjacent to site</p>	<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. 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. 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. 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 my run through or adjacent to the development site.</p>

MSDC Environmental Protection

This development will include aspects that could affect residential amenity (noise, odour) e.g. cookery school, dance classes, children's play area. However, the nearest residential premises are a reasonable distance away (approx. 300m) so it is unlikely, in my view, that residential amenity will in fact be affected. Conditions to control construction noise and to ensure air quality emissions mitigation, are recommended:

'Construction hours: Works of construction or demolition, including the use of plant and machinery, as well as any delivery or collection of plant, equipment or materials for use during the demolition/construction phase necessary for implementation of this consent shall be limited to the following times:

Monday ' Friday 08:00 - 18:00 Hours Saturday 09:00 - 13:00 Hours

Sundays and Bank/Public Holidays no work permitted

Reason ' To accord with MSDC Policy DP29: Noise, Air and Light Pollution

' Air Quality: Prior to the commencement of any residential part of the development hereby permitted, the details of a scheme of mitigation measures to improve air quality relating to the development shall be submitted and approved in writing by the Local Planning Authority. The scheme be in accordance with, and to a value derived in accordance with, the Air quality and emissions mitigation guidance for Sussex which is current at the time of the reserved matters application. All works which form part of the approved scheme shall be completed

before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

Informative ' In order to ensure approval, we strongly recommend that the above scheme is agreed in advance with the Council's Air Quality Officer.

Reason ' To accord with MSDC Policy DP29: Noise, Air and Light Pollution

MSDC Street Name and Numbering Officer

Informative (Info29)

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

Slaugham Parish Council

Amended

With reference to the Rural Solutions "additional information" paper dated 07/03/22.

Page 2. Last para

SPC do not agree that the lack of comments in objection naturally translates in to unqualified support and a recognition that the proposal will somehow benefit the village.

This proposal will only benefit the applicant. The investment in the estate is a noble undertaking but absolutely fails to address the detrimental effect any increase in traffic will have in an already congested village within a conservation area.

This conservation area was one of, if not the first in Mid-Sussex and given that it was considered special and valuable then, it is absolutely recognised both locally and in the broader community for the value it brings today.

The suggestion that it is worth deteriorating this for the benefit of the applicant or broader "wine tourism" is a gross underestimate of its local amenity value.

This Council were concise in their previous response in that the owners of the Estate should recognise that whilst progress can be a force for good, it must not be to the detriment of the village, its residents, and the surrounding area.

Page 3. Traffic.

The comments and consultation referred to under this section do not address the fundamental objection made by this Council and the village residents.

That is the desire by the applicant to direct traffic into the estate by accessing the "front gate" centred in the middle of the conservation area.

The applicant now accepts that construction traffic, agricultural traffic and service vehicles can easily be accommodated by using the entrance on Warninglid Lane. The suggestion that a former estate entrance on Warninglid lane could be constructed and in doing so would be detrimental to the amenity land within the estate is valid, particularly as the comment quite rightly identifies the sensitivity of the estates place within the AONB.

This comment fails to place any regard on the value of the conservation area within the village and the AONB and this fundamental objection is not addressed within either the original proposal or the note of additional information.

The lack of objection from West Sussex Highways Authority to the proposal fails to note that the conservation area does not fall within their remit, nor does any consideration for the additional detrimental carbon emissions, and loss of village amenity.

Page 4.

The reference in the first paragraph relating to the existing access from The Street having completely unrestricted use is valid in the context of its use for a private residence, which was absolutely its original intent. It is not viable to expect the same unrestricted access for the commercial enterprise proposed under this application.

- The second paragraph on page 4 references the wellness centre being primarily used by the guests of the estate, but we note, not exclusively. This is referenced as supporting vehicle movements within those considered in the TRICS data whereas a better interpretation would be a validation of the data as a minimum.
- The third paragraph again refers to the primary objective of the on-site restaurant is to serve the estates guests and local people, local people of course will be driving to the facility and again validates the potential increase proposed within the TRICS data.
- The fourth paragraph makes the point that a second restaurant within Warninglid is not unprecedented. This is not supported by the facts. There was a restaurant at the Rifleman Inn in until the mid-1990'S over 25 years ago when vehicle movements were considerably less and the local roads were not full of delivery vans and the extra cars occasioned by the overall growth of the national economy and the increase in rural living. This was not a second restaurant as the public house at the time was just that a Pub who at the most sold bar snacks and drinks. It was not the restaurant it has become today.
- The fifth paragraph references the potential for noise from the increase traffic and counters that the noise will be reduced because traffic will be at slow speeds. It again fails to acknowledge that any increase in traffic will be detrimental to the conservation area and the only reason existing traffic is slow is because the area is already congested with residents cars.

We note the additional comments in relation to the utilities and the intentions to improve and manage those moving forward.

SPC still contend that the ambient nature of the conservation area will be irreparably damaged by the projected increase in traffic. The quiet enjoyment the village residents expect and one of the reasons the conservation area was put in place is being threatened for the commercial gain of one enterprise when there is a perfectly adequate entrance off Warninglid Lane that will allow the enterprise to function at no detriment to the conservation area.

Council would like to ask the LPA whether Historic England should have been invited to comment on the proposed application. Could they also guide Council to their published plan for the preservation and enhancement of designated conservation areas as part of their

duties under the 1990 Planning Act: DP35 Conservation within the District Plan makes reference to appraisals and management plans.

Should the application be considered for approval we would ask that the LPA make it a condition that Estate implement a traffic plan that asks their patrons/staff etc leaving the site do so via Warninglid Lane. This a similar arrangement that is in place at the South Lodge and Cisswood Hotel's. This would help minimise traffic movements on the Street, particularly at night when this can be disruptive for those that live on the Street, noise and light pollution.

Slaugham Parish Council Planning Response - Summary

It is with regret that Slaugham Parish Council do not feel that adequate amendments to the transport plan have been made to enable them to support this application in its current form and therefore object to the proposed development.

Original

The "change of use" from residential to assembly and leisure to include a restaurant with 80 covers alongside a cookery school, wellness centre and treatment area, yoga studio gym, craft centre, children's area, offices, staff facilities and additional guest accommodation is a significant leap from the current use which will have detrimental transport impact on the village of Warninglid, which is a designated Conservation Area. The current and what appears to be the continual access to the Estate will be via The Street which is entrenched with 16th century buildings that have significant architectural and historic interest.

Please note the following policies set out in the Mid Sussex District Plan DP35 Conservation Areas <https://www.midsussex.gov.uk/media/3406/mid-sussex-district-plan.pdf>

Strategic Objectives: 2) To promote well located and designed development that reflects the District's distinctive towns and villages, retains their separate identity and character and prevents coalescence, 4) To protect valued characteristics of the built environment for their historical and visual qualities, and 11) To support and enhance the attractiveness of Mid Sussex as a visitor destination.

Evidence Base: Mid Sussex Conservation Area Appraisals, Sussex Extensive Urban Surveys, West Sussex Historic Environment Record.

Development in a conservation area will be required to conserve or enhance its special character, appearance and the range of activities which contribute to it. This will be achieved by ensuring that:

- New buildings and extensions are sensitively designed to reflect the special characteristics of the area in terms of their scale, density, design and through the use of complementary materials,
- Open spaces, gardens, landscaping and boundary features that contribute to the special character of the area are protected. Any new landscaping or boundary features are designed to reflect that character,
- Traditional shop fronts that are a key feature of the conservation area are protected. Any alterations to shopfronts in a conservation area will only be permitted where they do not result in the loss of a traditional shopfront and the new design is sympathetic to the character of the existing building and street scene in which it is located,
- Existing buildings that contribute to the character of the conservation area are protected. Where demolition is permitted, the replacement buildings are of a design that reflects the special characteristics of the area,

- Activities such as markets, crafts or other activities which contribute to the special character and appearance of the conservation area are supported,
- New pavements, roads and other surfaces reflect the materials and scale of the existing streets and surfaces in the conservation area.

Mid Sussex District Council has designated 36 Conservation Areas so far. They were designated between 1969 and 2003, and a few Conservation Areas have had their boundaries amended since the original designation. This document provides a description and boundary map for each Conservation Area.

<https://www.midsussex.gov.uk/media/3710/conservation-areas-in-mid-sussex.pdf>

The Street, which forms the focus of the Conservation Area designated in 1969, contains a number of buildings dating back to the 16th century. Some of these are Listed as being of special architectural or historic interest.

The following features, in particular, contribute to the character of the Conservation Area:

- the attractiveness of The Street due to the variety in the ages and styles of building;
- the predominant use of traditional and natural building materials e.g. sandstone, brick, timber and clay roof tiles;
- the traditional style street lamps and road sign directing traffic to adjacent villages/towns;
- the sense of enclosure created by the buildings and the bank, hedges and trees adjacent to The Street; and
- the village pond with an arching sandstone bridge leading to the drive of Lyndhurst Estate, creating a focal point within The Street.



The Council welcome the development of local business that support the economic growth of the Parish, nevertheless these must be sensitive to the local area specifically where there is an increase in traffic movements and demand on local infrastructure that will be needed to support it. These were some of the areas that the Council were mindful of when producing their local plan and policies.

National Planning Policy Framework 16 Conserving and enhancing the historic environment - Paragraphs 189-208 <https://www.gov.uk/guidance/national-planning-policy-framework/16-conserving-and-enhancing-the-historic-environment>

In determining applications, the Local Planning Authority has the responsibility to preserve and enhance the character and appearance of the designated Conservation Area and any new development must make a positive contribution to the character of the area.

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. This is irrespective

of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

We believe that the increase in volume of traffic would neither enhance the area or make a positive contribution to it. It could be said that this proposal will cause "significant harm" to the setting of the Conservation Area in its current form.

Slaugham Parish Neighbourhood Plan

Policy 12: Economic Development

7.7. The local economy is predominantly rural, and in part dependent upon small scale businesses which are scattered throughout the Parish.

7.8. SPC wish to support economic growth in the Parish in order to create jobs and a strong rural economy. SPC therefore wish to support the sustainable start-up of new businesses in the Parish.

7.9. Policy 12 provides a supporting context within which such proposals would be considered in the development management process. Plainly, the definition of a sustainable location will be a matter of local judgement. However, SPC considers that a sustainable location would be either one within Handcross or Pease Pottage or within 800 metres of the settlement boundaries of those settlements, and/or readily accessible to non-car forms of transport.

Policy 12: Economic Development Proposals which enable the development of business uses within the Parish will be supported where proposals are:

1. Located in a sustainable location,
2. In keeping with the character of the area,
3. Respect residential amenity, and
4. Would not have an unacceptable impact on the local road network.

Policy 4 Conservation Areas

Development proposals within Handcross, Slaugham or Warninglid Conservation Areas will be supported where they conserve or enhance the character or appearance of the Conservation Area concerned, and comply with the requirements in Policy DP35 (Conservation Areas) of the MSDP.

Development proposals which respect the following features:

1. St. Mary's Church, Slaugham,
2. The Street (Park Road), Slaugham
3. Slaugham Place,
4. The Street, Warninglid, and
5. High Street, Handcross.

will be supported where such proposals would conserve or enhance the specific part of the Conservation Area and its immediate setting.

We believe that some of the statements made by the Estate and their professional consultants are inadequate. The Transport Statement does not provide an adequate assessment of the impact of the proposed expansion.

The survey and the statistics collated were completed during the COVID19 pandemic which is not a true reflection on the traffic movements and so the projected movements once the development is complete.

The document alludes to be written in accordance with the Horsham District Local Plan when it should be in accordance with the Mid Sussex District Plan as the LPA for Warninglid, not Horsham.

Local Response - The Committee consulted with the local residents who have three key areas of concern:

Traffic Impacts

This is as already stated a serious concern and its impact on the village particularly the residents of "The Street".

Utility Infrastructure

The impact on the water and electricity supplies given that we are all aware of the fragility of both these services, having had no water for long periods in the last few years.

Future Growth

Lydhurst Estate may decide to increase services beyond this proposal so strategic plans should be shared so adequate infrastructure measures to support those if resolved upon can be invested in now

or:

What corrective measures can be put in place should the activity levels significantly exceed those proposed within the submitted plans.

1. Traffic

The Council, along with many of the residents of the village, and in particular those that live on The Street within the Conservation Area are concerned with the increase in vehicular movements linked to this proposal that will be generated during the construction period and in line with the ongoing operational activity proposed.

The access from the village crossroads is already effectively single file due to width of the road, resident and visitor parking alongside the Public House, The Half Moon to Listers. All of which is adjacent to the Lydhurst Estate entrance.

The access to the village from the A272/Spronkets Lane is similarly congested along the length of The Street for much of the day and already a hazard to agricultural traffic and other legitimate users, which include, cyclists, horse riders and pedestrians.

The projected traffic flows are inadequate for the facilities and services being constructed under this proposal, little regard has been given to staff and service vehicles, passing trade to the proposed café, visitors to the wellness studio, pool, treatment rooms and cookery school. This statement is supported in the WSCC consultation response where more accurate information is required and that this needs to be revisited.

https://padocs.midsussex.gov.uk/PublicAccess_Live/Document/ViewDocument?id=7F5E4EFE985B42AFBD54F48A22D02BAC

All of these facilities will need a constant flow of customers, staff, service vehicles and suppliers to ensure they remain in good order and viable.

We also note that the traffic modelling was completed in 2020/21 during the early pandemic period and is not reflective of normal village life and traffic movements. There are other noteworthy inaccuracies within the transport statement that do not provide a factual representation of the increase in traffic to the area which need to be revisited.

The proposed access is width restricted over the "pond bridge" with no provision for larger vehicles to safely access without blocking the Street. The bridge and ponds are an important

feature in the Warninglid Conservation Area close to which are a number of Listed Buildings in The Street, the importance of which should not be diminished as set out above. The Street, does not lend itself to accommodate large delivery vehicles, there is not enough room for two cars to pass let alone larger vehicles.

There are strong feelings locally that all access/egress should be from Warninglid Lane, rather than access from The Street and egress from Warninglid Lane. Given the traffic numbers we are anticipating, there would still be an unacceptable level of traffic movements in The Street.

With this in mind we fully support the WSCC Highways Officers request more information and that this proposal is reconsidered surrounding transport/access as a matter of local importance to the area and surrounding villages.

2. Utilities

Concerns regarding the increase demand on local utilities, particularly water and electricity. There appears to be no provision for significant brown water harvesting and the achievement of water neutrality.

We are concerned with the increase in demand on the electricity power supply which is currently inadequate for an expansion of this size. The network has known issues that have been raised with UKPN, which require network enhancements as the village experiences weekly outages. The village has over the years also experienced several water crisis most recently in for just over 3 days in the summer of last year and for some week in August 2020, this made the local and national news. We are of the opinion that the Estate draws from the same network for both electricity and water, this will be have severe impacts unless more work is proposed alleviate these.

The electrical services feasibility report acknowledges the strain on the network and the impacts of the and makes several recommendations to transfer load within the site itself along with an initial approach made to UKPN, via Crown Energy to establish the feasibility and likely costs for providing the required supplies. As we see it there are no actual plans for this to be extended improvements to outside the site or the impacts that this will have on local infrastructure. The current study also recommends the replacement of oil fired boilers due to the high carbon omissions and local planning policy to use renewables where feasible. This will increase demand in the future.

The risks surrounding loss of electricity due to the demands on site are documented. This includes the disruption to the mains water supply with the increase water consumption to service the various services swimming pool, leisure/gym guest accommodation and WCs etc. There are recommendations being made with no validity, further work is required to include UKPN and Southern Water agency approach to the increased demand planned as part of this proposal. We are note that the planning officers report acknowledges this also.

https://padocs.midsussex.gov.uk/PublicAccess_Live/Document/ViewDocument?id=066C61E77B4A42AE8C9267899E90918B

3. Future Growth

What is next? There is a concern that should the estate proposals be the success the owners hope for, what will follow and how and can this be planned for? There is, and understandably so, no provision for success beyond that anticipated. The challenge for the estate will be how to manage this. The reality is the impact on the village and the wider Parish and how the local residents will live with a deteriorating quality of life caused by

increased traffic to the area with no input on how this may be dealt with. This will leave those locally with the feeling of isolation and abandonment caused by the success of the venture with no further engagement or local consultation.

With this in mind the Council propose that restrictions/conditions are considered now to permitted development rights to ensure there is no development creep and the estate become a victim of its own success. We can see locally the impact on Handcross caused by Nymans Gardens and more recently the impact at Lower Beeding of the regenerated Leonardslee Gardens. The village would be unable to cope on a daily basis, and it would have detrimental effect on an area that is immeasurably valued and cherish, that has significant historical value.

We appreciate that the LPA will be undertaking an Environmental Impact Assessment in accordance with Regulation 7 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 as the site is also within the High Weald AONB, which is excellent news for a site of this size and potential.

However, it would appear that the only assessment that has currently been documented is the environmental protection of the site, which states that due to its proximity (approx. 300m) to the nearest property impacts are unlikely. We do not agree with this assessment. We believe that this proposal will affect the residential amenity of those neighbouring properties by additional noise, odour and light pollution not to mention the movement of those attending and leaving the site. We appreciate that further work is recommended here to ensure conformity with MSDC Policy DP29: Noise, Air and Light Pollution.

With regard to construction conditions and control, noise and air quality emissions should also be measured based on the current planned access to the site, which is unsuitable for construction traffic, limiting or restricting the movement and timings will not adequately alleviate this.

Slaugham Parish Council Planning Response - In Summary

It is with regret that Slaugham Parish Council do not feel that they can support this application in its current form and therefore object to the proposed development.

The increase in traffic movements within the conservation area that will be wholly harmful to the environment, the Street and quality of life for those living within the immediate area and the wider village conurbation to include the impacts on local infrastructure and the repercussions that this will have.

We would ask the LPA planning officers and delegated committee propose that further work is undertaken on the transport and traffic movements along with the increase demand on services to include a plan for improvement before recommendation to approval. As previously stated, we would like WSCC Highways representation response to include the provision for the main access/exit from the site onto the Warninglid Lane, not the Street. This Committee would be more than happy to attend site meetings to support this going forward.

We do hope this proposal is a success for the Lydhurst Estate and the owners whilst recognising that whilst progress can be a force for good, it must not be to the detriment of the village, its residents, and the surrounding area.

MID SUSSEX DISTRICT COUNCIL

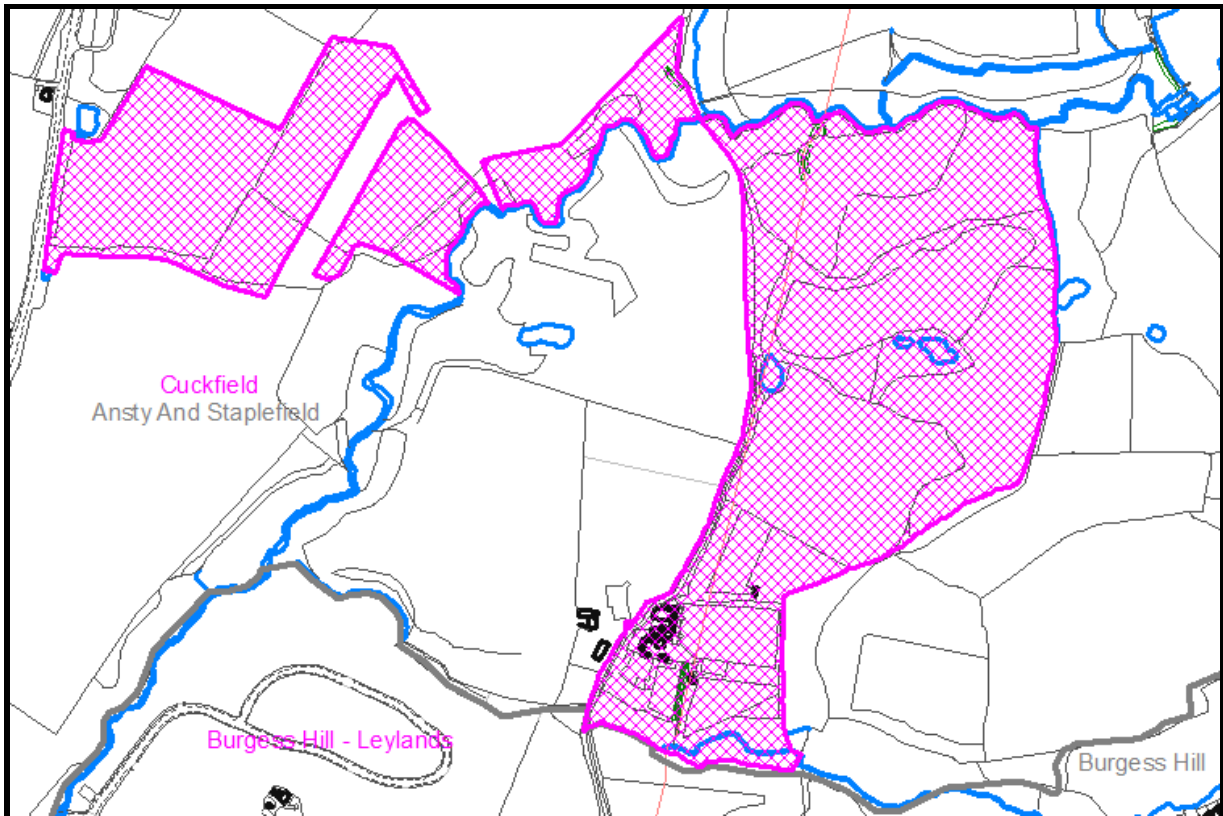
District Wide Committee

19 MAY 2022

RECOMMENDED FOR PERMISSION

Ansty And Staplefield

DM/21/3870



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BURGESS HILL NORTHERN ARC, LAND NORTH AND NORTH WEST OF BURGESS HILL, BETWEEN BEDELANDS NATURE RESERVE IN THE EAST AND, GODDARD'S GREEN WASTE WATER TREATMENT WORKS IN THE WEST

RESERVED MATTERS APPLICATION PURSUANT TO OUTLINE APPLICATION DM/18/5114, TO CONSIDER ACCESS, APPEARANCE, LANDSCAPING, LAYOUT AND SCALE FOR THE ERECTION OF 247 DWELLINGS, ALTERATIONS TO LOWLANDS FARM AND ITS CONVERSION TO FORM 2 DWELLINGS, ASSOCIATED CAR PARKING, OPEN SPACE AND INFRASTRUCTURE, INCLUDING AN EXTENSION TO BEDELANDS NATURE RESERVE AND PROVISION OF THE GREEN CIRCLE (PEDESTRIAN/CYCLE/EQUESTRIAN ROUTE) AND PEDESTRIAN/CYCLE ROUTE FOR SUB-PHASES P1.3, P1.5, P1.6, OS1.5, OS1.6 AND PART OF OS1.1A, OS1.1B AND OS1.2N TO THE EAST OF ISAACS LANE AND LOWLANDS FARM AT THE NORTHERN ARC DEVELOPMENT ON LAND NORTH AND NORTH-WEST OF BURGESS HILL (AMENDED DESCRIPTION FOLLOWING THE RECEIPT OF AMENDMENTS)

MR MICHAEL BIRCH

POLICY: Ancient Woodland / Area of Special Control of Adverts / Built Up Areas / Countryside Area of Dev. Restraint / Classified Roads - 20m buffer / Flood Map - Zones 2 and 3 / Informal Open Space / Local Nature Reserve / Local Wildlife Sites / Methane Gas Safeguarding / Planning Agreement / Planning Obligation / Public Right Of Way / Aerodrome Safeguarding (CAA) / Sewer Line (Southern Water) / Tree Preservation Order / Archaeological Notification Area (WSCC) / Minerals Local Plan Safeguarding (WSCC) / Waste Local Plan Site (WSCC) /

ODPM CODE: Largescale Major Dwellings

13 WEEK DATE: 4th February 2022

WARD MEMBERS: Cllr Robert Salisbury / Cllr Pete Bradbury /

CASE OFFICER: Louise Yandell

PURPOSE OF REPORT

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

EXECUTIVE SUMMARY

This application seeks Reserved Matters consent pursuant to outline application DM/18/5114 for access, appearance, landscaping, layout and scale for the erection of 247 dwellings, alterations to Lowlands Farm and its conversion to form 2 dwellings, associated car parking, open space and infrastructure, including an extension to Bedelands Nature Reserve and provision of part of the Green Circle (pedestrian/cycle/equestrian route) for Sub-Phases P1.3, P1.5, P1.6, OS1.5, OS1.6 and part of OS1.1a, OS1.1b and OS1.2N of the Northern Arc.

DM/18/5114 granted consent in October 2019 for the following development: Comprehensive, phased, mixed-use development comprising approximately 3,040 dwellings including 60 units of extra care accommodation (Use Class C3) and 13 permanent gypsy and traveller pitches, including a Centre for Community Sport with ancillary facilities (Use Class D2), three local centres (comprising Use Classes A1-A5 and B1, and stand-alone community facilities within Use Class D1), healthcare facilities (Use Class D1), and employment development comprising a 4 hectare dedicated business park (Use Classes B1 and B2), two primary school campuses and a secondary school campus (Use Class D1), public open space, recreation areas, play areas, associated infrastructure including pedestrian and cycle routes, means of access, roads, car parking, bridges, landscaping, surface water attenuation, recycling centre and waste collection infrastructure with associated demolition of existing buildings and structures, earthworks, temporary and permanent utility infrastructure and associated works.

The principle of the development has been established through the granting of the outline planning permission DM/18/5114. The site is also part of a strategic allocation in the District Plan and a Masterplan and Infrastructure Delivery Plan have been approved as material planning considerations for the site.

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

The details of the reserved matters of the layout, scale, appearance and landscaping of the site need to be assessed against the relevant policies in the development plan. In making an assessment as to whether the proposal complies with the development plan, the Courts have confirmed that the development plan must be considered as a whole, not simply in relation to any one individual policy. It is therefore not the case that a proposal must accord with each and every policy within the development plan.

The impact of the scheme on the surrounding landscape and the trees is considered acceptable.

The proposal is considered acceptable in respect of the visual impact with the design being supported by the Council's Urban Designer, the Design Review Panel and the Council's Tree Officer.

The proposal preserves the significance of Lowlands Farm (a non-designated heritage asset) and has no unacceptable impact on any other heritage assets. The proposal is supported by the Council's Heritage Officer.

The proposal also provides a good level of play space and open space in accordance with District Plan policy.

No objections are raised to the proposal by the local highway authority and in the absence of any technical objections there are not deemed to be any reasonable grounds to refuse the application on highways related matters. Adequate levels of car and cycle parking are provided.

The affordable housing provision of 75 units is policy compliant (30%) and the mix of units and their location also accords with the Council's requirements.

The proposal will not result in demonstrable significant harm to neighbouring residential amenity and the scheme will provide a good standard of accommodation for future occupiers.

There are no technical reasons to object to the scheme in respect of water resources, flood risk and drainage.

The proposal accords with the Council's sustainability policy requirements.

With regards to ecological and biodiversity, the proposal would deliver in excess of the 10% Biodiversity Net Gain requirement of the outline planning permission. The proposal would have an acceptable impact on protected species.

The application is deemed to comply with policies DP4, DP6, DP7, DP9, DP20, DP21, DP22, DP23, DP26, DP28, DP29, DP30, DP31, DP34, DP37, DP38, DP39, DP41 and DP42 of the Mid Sussex District Plan, the Northern Arc Masterplan (2018), the Northern Arc Infrastructure Delivery Plan and Phasing Strategy (2018) and the NPPF.

The application is therefore recommended for approval, subject to the conditions listed in Appendix A.

RECOMMENDATION

It is recommended that planning permission be granted subject to the conditions set out in Appendix A.

SUMMARY OF REPRESENTATIONS

Three representations have been received commenting as follows:

- Destruction to the countryside
- Loss of trees and natural habitat
- Increased noise
- Increased traffic
- Focus should be on developing Burgess Hill Town Centre and providing meaningful facilities
- Lacks ambition required to tackle climate emergency
- Committing Burgess Hill to allow an additional 262 Kg of CO2 despite passive houses being built elsewhere
- Energy and Sustainability statement makes no assessment of the CO2 impact of the construction process and no ambitious proposals to tackle waste. The IPCC are very clear that all new buildings must be zero carbon and zero energy now if we are to meet our 1.5°C commitments.
- Loss of Burgess Hill Golf Centre (Officer note: this application does not include Burgess Hill Golf Centre and this is therefore not relevant to this reserved matters application. It should be noted that the golf centre is proposed to be lost as part of other areas of Northern Arc development, the principle of which was accepted when the main outline application (DM/19/5114) was approved).

These issues are dealt with in the various sections below.

SUMMARY OF CONSULTEES

MSDC Urban Designer	No objections subject to conditions
MSDC Design Review Panel	<p>Design Review Panel 24/03/22:</p> <p>Commended design progress but considered that further consideration should be given to:</p> <ul style="list-style-type: none"> • Landscaping/hard surfacing including: <ul style="list-style-type: none"> • Turning areas • Parking • Pedestrian routes • Materials • Management • Path widths • Planting • Pumping station/substation • Integration with eastern neighbourhood centre and school • Siting of PVs • Air ducts/vents for hot water pumps • Overheating

	<ul style="list-style-type: none"> • Roofs of garages on plots 243 & 244 • Flat layouts • Cycle parking <p>Panel supported the scheme subject to the above changes being made.</p> <p>Design Review Panel 13/01/22</p> <p>Further consideration should be given to:</p> <ul style="list-style-type: none"> • Sustainability • Design of flats • Rear elevations • Green route running north-south from neighbourhood centre to school • What is happening beyond the red line boundary • Car ports in preference to garages • Car parking around village green • Distances between coach houses and flats • Roman road being integrated into the scheme <p>Panel did not support the scheme.</p>
MSDC Drainage Engineer	<p>No objection. The drainage strategies submitted meet the requirements of the Drainage Masterplan and therefore do not object to the details being addressed as part of a future discharge of conditions application.</p>
MSDC Tree Officer	<p>Parcels P1.5, P1.6, OS1.5, OS1.6 & OS1.2N (south of the Eastern Bridge and Link Road):</p> <ul style="list-style-type: none"> • All the relevant documents appear to have been submitted in sufficient detail to constitute a reserved matter, including technical details of planting pits. • A reasonable and appropriate selection of trees has been made, however, a number of unsuitable trees have been included, which should be replaced with British natives <p>Green Circle within OS1.2 (north of the Eastern Bridge and Link Road):</p> <ul style="list-style-type: none"> • Lack of detail, to be conditioned • Concern with regard to the use of limestone within RPAs , with the potential to leach into rooting areas of adjacent trees. • Note the intention to divert the path around valuable trees where possible and narrow the path where this is not possible. This is welcome. • Tree survey, an AIA and method statement required. <p>Bedelands Nature Reserve Extension - OS1.1a and OS1.1b</p> <ul style="list-style-type: none"> • Noted that all trees will be retained. • An AIA, tree survey and method statement will be required. A topography schedule detailing treatments

	<p>of trees and paths where there are slopes, should also be supplied.</p> <ul style="list-style-type: none"> • I have concerns about muddy 'mown paths'. The ground here is susceptible to flooding. • I am also concerned about the use of limestone and potential leaching through to tree roots. • Although some detail is shown in relation to planting pits, fence design should include details of post holes being lined to prevent leaching of concrete etc, therefore, further details required. <p>Parcel P1.3</p> <ul style="list-style-type: none"> • Some species of concern, these trees should be replaced with natives such as oak, where larger species required and potentially with field maple where smaller specimens are required.
MSDC Heritage Officer	<p>Additional comments dated 03/05/22:</p> <ul style="list-style-type: none"> • Amendments address the concerns previously raised and in terms of the reopening of the barn doors will reintroduce some the character that the building has lost due to previous harmful alterations. • Proposal now considered to preserve the character of the NDHA, subject to detail which can be controlled by condition. <p>Original Comments dated 19/04/22:</p> <p>Further detail required with regards to:</p> <ul style="list-style-type: none"> • Demolition and roof plans • Position, size and form of some of the proposed new openings • Retention of the surviving original cross frames which are a feature of the surviving original roof structure • Creation of double height space (sections required)
MSDC Housing Needs Officer	No objection
MSDC Ecological Consultant	<ul style="list-style-type: none"> • Significant impacts on protected / notable species can be avoided, adequately mitigated or, as a last resort, compensated for in accordance with the requirements of DP38 and Policy 180 of the NPPF. • Where a European protected species licence is required, it will be feasible to demonstrate to Natural England that the derogation tests can be met, including maintaining favourable conservation status of the species concerned. • Further information required with regards to hedgerow status. • Further information required with regards to Biodiversity Net Gain calculations and where here is a

	shortfall, offsetting options within the wider Northern Arc should be agreed.
WSCC Highways	<p>Additional comments dated 3/5/22:</p> <p>No objection subject to conditions</p> <p>Original comments dated 2/12/2021:</p> <p>Additional information requested:</p> <ul style="list-style-type: none"> • Separation of refuse and fire tender tracking • Vehicle tracking for P1.3 and P.16 • Clarification on refuse strategy for P1.5 • Details of the interaction between the carriageway in front of plots 206/7 and the shared • use facility • Further details on the provision of the greenlink in the South East corner of P1.5
WSCC Rights of Way	General comments on the proposed upgrade of existing footpath to Bridleway (Officer comment: the red line was amended during the course of this application with the expectation that a separate application dealing with the proposed Improvements will be considered later in the programme).
Environment Agency	No objection subject to a condition requiring the delivery of a maintenance access to the river.

ANSTY AND STAPLEFIELD PARISH COUNCIL COMMENTS

The Parish Council noted that Highways have requested more information before they can comment further (Officer note: WSCC Highways initially requested further details, these have now been provided and WSCC Highways support the scheme).

INTRODUCTION

This application seeks Reserved Matters for the approval of the appearance, landscaping, layout and scale of:

- the erection of 247 dwellings,
- alterations to Lowlands Farm and its conversion to form 2 dwellings,
- associated car parking, open space and infrastructure, including an extension to Bedelands Nature Reserve and provision of part of the Green Circle (pedestrian/cycle/equestrian route)
- for Northern Arc Sub-Phases P1.3, P1.5, P1.6, OS1.5, OS1.6 and part of OS1.1a, OS1.1b and OS1.2N following outline planning approval under DM/18/5114.

RELEVANT PLANNING HISTORY

Relevant history on the application site

DM/18/5114 (Northern Arc)	Comprehensive, phased, mixed-use development comprising approximately 3,040 dwellings including 60 units of extra care accommodation (Use Class C3) and 13 permanent gypsy and traveller pitches, including a Centre for Community Sport with ancillary facilities (Use Class D2), three local centres (comprising Use Classes A1-A5 and B1, and stand-alone community facilities within Use Class D1), healthcare facilities (Use Class D1), and employment development comprising a 4 hectare dedicated business park (Use Classes B1 and B2), two primary school campuses and a secondary school campus (Use Class D1), public open space, recreation areas, play areas, associated infrastructure including pedestrian and cycle routes, means of access, roads, car parking, bridges, landscaping, surface water attenuation, recycling centre and waste collection infrastructure with associated demolition of existing buildings and structures, earthworks, temporary and permanent utility infrastructure and associated works.	Approved 04/10/19
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DM/21/3279	Application under Section 73 of the Town and Country Planning Act 1990 (as amended) seeking alterations to conditions 5 (approved parameter plans), 6 (accordance with Design Guide) , 7 (requirement for a Design Principles Statement), 11 (archaeological investigation), 22 (sustainable drainage) and 35 (restriction of development within 15m of ancient woodland) on planning permission DM/18/5114 to allow amendments to parameters of road layout, proposed land uses, right of way improvements & drainage outfalls, require general accordance with the Street Design and Adoption Manual and allow phased submission details for archaeology and drainage details.	Currently under consideration.
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Relevant history surrounding the site

DM/18/3309 (Northern Arc)	Display of 1 non illuminated advertisement panel on 76 mm posts for new strategic mixed use development	Approved 11/10/18
DM/18/3311 (Northern Arc)	Display of 1 non illuminated advertisement panel on 76 mm posts for new strategic mixed use development	Approved 16/10/18
Freeks Farm: DM/18/0509	Residential development comprising up to 460 dwellings, public open space, recreation areas, play areas, associated infrastructure including roads, surface water attenuation and associated demolition (outline application with all matters reserved except for principal means of access from Maple Drive) at Land to the west of Freeks Lane.	Approved 24/07/2019
DM/19/3845	Approval of reserved Matters pursuant to Condition 1 of DM/18/0509 for the erection of 460 dwellings, including public open space, play areas, associated infrastructure including	Approved 19/12/2019

	roads, surface water attenuation and associated demolition.	
DM/21/3801	Proposed signage.	Currently under consideration
Eastern Bridge and Link Road: DM/19/3313 (Northern Arc – east of Isaacs Lane and west of Freeks Farm)	Construction of a single carriageway link road from Isaacs Lane to Freeks Farm comprising a new all-movements junction on A273 Isaac's Lane, highway comprising 6.1 - 6.5m carriageway with separate 4.5m 'Green Superhighway' and 3m cycle/footway provision on the north side and 2m footway on the south side segregated from the carriageway by landscaped verges, including all-modes bridge across the River Adur, constructed to an adoptable standard, together with, earthworks, surface water and foul drainage infrastructure, utilities corridors, street lighting, landscaping and temporary fencing.	Approved 04/10/2019
DM/21/4355	Application under Section 73 of the Town and Country Planning Act 1990 (as amended) seeking alterations to conditions 4 (compliance with Ecology State) and 15 (compliance with submitted plans) of planning permission DM/19/3313 to allow amendments to Ecology Strategy and amendments to the road layout and signage and the addition of a road crossing for equestrian users, cyclists and pedestrians.	Currently under consideration
Cycle Superhighway and Bridge between the Eastern Bridge and Link Road and Freeks Farm: DM/21/2166	Formation of a section of shared surface pedestrian and cycleway	Approved 07/04/2021

	forming part of the Burgess Hill Northern Arc Green Super Highway, including a bridge crossing over the River Adur.	
Western Link Road: DM/20/0254	Reserved Matters application for DM/18/5114 - the first phase of the Western Link Road, comprising the construction of a new all-movements roundabout on the A273 Jane Murray Way, a single-carriageway 7.3-metre wide highway link with two 3-metre shared footways/cycleways and two 2.75-metre verges, connecting to the A2300 via a new all-movements roundabout, junction to the UKPN electricity substation, junction to future employment uses, zones for two minor junctions, signalised crossing points, earthworks, surface water and foul drainage infrastructure, utilities corridors, lighting, and landscaping. Amended plans and updated supported documents received 17th March 2020 detailing amendments including the extension of the southern boundary of the site to accommodate increased drainage basins and inclusion of bridleway on north side of A2300. (Transport note received 30th April, Amended plans received 12th May showing minor increase in width of application site area either side of the proposed link road corridor and amended biodiversity report, planning statement and additional sections received 29th May).	Approved 10/07/2020
Oak Barn: DM/20/2671	Realignment of existing car park, provision of new access off B2036 Cuckfield Road, demolition of part of the existing driving range building at the Burgess Hill Golf Centre and associated hard and soft landscaping at the Oak Barn Restaurant.	Approved 21/07/2020

SITE AND SURROUNDINGS

The site forms part of the Northern Arc, within the north east section of the development. The site largely comprises agricultural land interspersed with hedgerows and scattered woodland. The site has two distinct areas to the west and east of the river Adur. Between the two parcels lies the river Adur and the Freeks Farm Development (DM/18/0509 & DM/19/3845) which is currently under construction.

The area to the west of the river Adur extends both sides of the Eastern Bridge and Link Road which will link Isaacs Lane with the Freeks Farm development (DM/19/3313) and will also serve some of the residential units proposed as part of this development. Isaac Lane bounds the site to the west. This part of the site is surrounded by open spaces, however the masterplan indicates that the secondary school will be located to the north, and housing, the Eastern Neighbourhood Centre and open spaces (the Eastern Neighbourhood Park and the river corridor) will be located to the south.

The area of the site to the east of the river Adur is bound by Freeks Lane, a Public Right of Way to the west and Bedelands Nature Reserve to the east.

APPLICATION DETAILS

This application seeks Reserved Matters for the approval of the appearance, landscaping, layout and scale of:

- the erection of 247 dwellings,
- alterations to Lowlands Farm and its conversion to form 2 dwellings,
- associated car parking, open space and infrastructure, including an extension to Bedelands Nature Reserve and provision of part of the Green Circle (pedestrian/cycle/equestrian route)

for Northern Arc Sub-Phases P1.3, P1.5, P1.6, OS1.5, OS1.6 and part of OS1.1a, OS1.1b and OS1.2N following outline planning approval under DM/18/5114

It should be noted that the parts of parcels OS1.1a, OS1.1b and OS1.2N that are not included in this application are anticipated to be included in a future reserved matters application later in the programme.

The application site consists of 3 areas:

- Between Isaacs Lane and the river Adur
- North of the Eastern Bridge and Link Road
- East of Freeks Lane

Between Isaacs Lane and the river Adur

This area would include Parcels P1.5, P1.6, OS1.5, OS1.6 and part of OS1.2N (the area of this parcel south of the Eastern Bridge and Link Road).

The development in this area would extend between the Eastern Bridge and Link Road in the east to Isaacs Lane in the west, and would be bounded by the secondary school in the north (subject to a future reserved matters application) and

the Eastern Neighbourhood Centre in the south (also subject to a future reserved matters application). To the south of these parcels, a road would extend between Isaacs Lane and the Eastern Bridge and Link Road. A mixture of 1, 2, 3 and 4 bedroom houses, arranged in perimeter blocks would be situated to the north of this road. The residential units would predominantly consist of two storey houses, with taller 3 storey apartment blocks being situated at key vista's and fronting the Eastern Bridge and Link Road. Flats above garages would be situated to the rear of the flats, fronting the mews style car parking/amenity areas associated with the flats.

A village green, with housing surrounding, is proposed to the north west of this area. An open space corridor, to include a pedestrian and cycle route would run north to south through the residential parcel, which is proposed to link the secondary school (to the north) with the Eastern Neighbourhood Centre (to the south). An area of open space would be provided to the south of the road between Isaacs Lane and the Eastern Bridge and Link Road, with off road pedestrian and cycle paths, this space will provide pedestrian and cycle links into the Eastern Neighbourhood Centre to the south. To the north, a "pocket-park" is proposed, this would form an area of open space that will extend between the residential dwellings and the secondary school.

More residential units would be situated to the east of the Eastern Bridge and Link Road. These would comprise three storey apartment blocks fronting the Eastern Bridge and Link Road, with two storey residential dwellings behind. This area would also include a large area of largely informal open space, extending down to the River Adur in the east. The more formal areas of this open space would be located adjacent to the built development to the west and would comprise a SuDS feature, with pedestrian and cycle routes around it and through the space. The Green Circle would extend through this area, providing a route for cyclists, pedestrians and equestrian users.

North of the Eastern Bridge and Link Road

This area would comprise part of parcel OS1.2N (area to the north of the Eastern Bridge and Link Road and south of the existing PROW)

In this area, largely informal open space is proposed, the Green Circle Route would extend north through this area, to join up with the existing PROW along Freeks Lane.

East of Freeks Lane

The northern part of this area would comprise an extension to Bedelands Nature Reserve. Intervention in this area would be minimal and would formalise some key existing routes.

The southern part of this area would comprise a mixture of 1, 2, 3 & 4 bedroom units.

Lowlands Barn would be altered to include the removal of several unsympathetic extensions. This would be converted to 2 residential dwellings. An area of open space would be provided to the south of this parcel, to include a SuDS pond.

DEVELOPMENT PLAN

Mid Sussex District Plan 2014-2031 (2018) (District Plan)

The District Plan was adopted on 28th March 2018. The relevant policies are considered to be consistent with the NPPF 2021 and should be afforded full weight. The relevant Policies include:

- DP4 Housing
- DP6 Settlement Hierarchy
- DP7 General Principles for Strategic Development at Burgess Hill
- DP9 Strategic allocation to the north and northwest of Burgess Hill
- DP20 Securing Infrastructure
- DP21 Transport
- DP22 Rights of Way and other Recreational Routes
- DP23 Communication Infrastructure
- DP24 Leisure and Cultural Facilities and Activities
- DP26 Character and Design
- DP27 Dwelling Space Standards
- DP28 Accessibility
- DP29 Noise, Air and Light Pollution
- DP30 Housing Mix
- DP31 Affordable Housing
- DP34 Listed Buildings and Other Heritage Assets
- DP35 Conservation Areas
- DP37 Trees, Woodland and Hedgerows
- DP38 Biodiversity
- DP39 Sustainable Design and Construction
- DP41 Flood Risk and Drainage
- DP42 Water Infrastructure & the Water Environment

West Sussex Joint Minerals Local Plan (2018)

The West Sussex Joint Minerals Local Plan was adopted in July 2018 and subsequently reviewed in 2021. The relevant policy is considered to be consistent with the NPPF and should be afforded full weight. The relevant Policy is:

- M9 Safeguarding Minerals

West Sussex Waste Local Plan (2014)

The West Sussex Joint Minerals Local Plan was adopted in April 2014. The relevant policies are considered to be consistent with the NPPF and should be afforded full weight. The relevant Policies are:

- W23 Waste Management within Development

OTHER MATERIAL CONSIDERATIONS AND RELEVANT LEGISLATION

National Planning Policy Framework (NPPF) (July 2021)

The NPPF 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 objectives to sustainable development, such that the planning system needs to perform an economic role, a social role and an environmental role. This means ensuring sufficient land of the right type to support growth; providing a supply of housing and creating a high quality environment with accessible local services; and using natural resources prudently. An overall aim of national policy is to 'boost significantly the supply of housing.'

Paragraph 12 of the NPPF states that the NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. It is highly desirable that local planning authorities should have an up-to-date plan in place.

Paragraph 38 of the NPPF states that Local Planning Authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

With specific reference to decision-taking paragraph 47 states that planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise.

National Planning Policy Guidance (NPPG)

Northern Arc Masterplan (2018)

The Northern Arc Masterplan (Masterplan) was approved at the Mid Sussex District Council Cabinet Meeting on 24th September 2018 as a material consideration for all forthcoming planning applications in relation to the Northern Arc. The Masterplan sets out a vision for the Northern Arc along with the following Strategic Development Principles that are relevant to this application:

- SDP1 Access and Strategic Movement
- SDP2 Northern Arc Avenue
- SDP3 Strategic Green Connections
- SDP4 Pedestrian and Cycle Links
- SDP5 Centres and Walkable Neighbourhoods
- SDP6 Housing Mix, Density and Capacity
- SDP7 Place-making objectives
- SDP8 Northern Arc Design Guide

- SDP9 Built for Life
- SDP10 Integration with Established Communities
- SDP11 Education
- SDP12 Mixed and Balanced Community
- SDP13 Integrating Employment Opportunities
- SDP14 Landscape and Green Infrastructure
- SDP15 A rich variety of open space
- SDP16 Ancient Woodland and Veteran Trees
- SDP17 Sports Facilities
- SDP18 Topography
- SDP19 Visibility
- SDP20 Existing Utility Infrastructure
- SDP21 Climate resilient development
- SDP22 Low carbon energy
- SDP23 Integrated Water Management
- SDP24 Construction and Material Use

Northern Arc Infrastructure Delivery Plan and Phasing Strategy (2018)

The Northern Arc Infrastructure Delivery Plan (IDP) was approved at the Mid Sussex District Council Cabinet Meeting on 24th September 2018 as a material consideration for all forthcoming planning applications in relation to the Northern Arc. The IDP identifies the infrastructure necessary to facilitate and support the development of Burgess Hill Northern Arc.

Northern Arc Design Guide (2019)

The Northern Arc Design Guide sets out the Design Principles to be applied across the Northern Arc. The document was approved as part of the Northern Arc Outline Planning Application. A condition was attached to the Outline Planning Application requiring compliance with this document in reserved matters applications.

Burgess Hill Town Wide Strategy (2011)

The Burgess Hill Town Wide Strategy comprises the Town Council's proposed strategy for Burgess Hill for a 20 year period. The Strategy states that the Town Council was keen to develop a new but realistic and deliverable strategy in order to prevent the town from standing still and potentially going into decline. The Strategy states that:

"A key part of the development of the strategy was to identify what local people wanted their town to be like. A number of consultation events, strategies and visions have been prepared over the last 6-7 years and each contained a common thread of Burgess Hill being:

- a fully sustainable 21st century town focussed around a high quality, vibrant and accessible town centre;
- a town that's existing and future population is supported by the necessary community facilities, employment opportunities and access to green open space; and

- a town that functions efficiently and is underpinned by a state of the art transport network and modern supporting infrastructure.

To achieve the above vision, it was considered that the town needs:

- a better town centre with a greater range of shops and a more attractive pedestrian environment;
- improved public transport, walking and cycling links as well as better roads;
- new and improved community and cultural facilities;
- additional high quality and suitably located business park development; and,
- new, improved and well-connected sports, recreation and open space in and around Burgess Hill."

To help meet this vision a number of projects are identified within the Strategy including:

"improvements to the town centre (to the main routes of Queen Elizabeth Avenue, Civic Way and Church Road/ Church Walk as well as improved buildings and a new public square);

- improvements to transport (including enhancements to the key transport interchanges, Green Circle Network and road links)
- new and improved community and green infrastructure (including a new Centre for Community Sport, management of Ditchling Common, new open space provision in the east of the town, a civic info centre and a new community/ arts centre); and,
- improved and new employment development."

The Strategy identifies that in order to deliver the desired projects, then additional housing developments would be required and subsequently identified the requirement of around 4000 homes, including 500 on land east of Kings Way and 3500 on land to the north and north west of the town.

Ansty, Staplefield & Brook Street Neighbourhood Plan 2015-2031 (2017)

Hurstpierpoint & Sayers Common Neighbourhood Plan 2014-2031 (2015)

Burgess Hill Neighbourhood Plan 2015-2031 (2016)

The development does not fall within any of the boundaries of any of the above Neighbourhood Plans, as such they are not considered to be part of the development plan. However, notwithstanding this, the wider Northern Arc Development either falls within the boundaries of these plans or is mentioned within the plans, as such, they are all considered to be material considerations for this application.

Burgess Hill Public Transport Strategy (2016)

Affordable Housing SPD (2018)

Development Viability SPD (2018)

West Sussex Transport Plan 2011-2026 (2011)

West Sussex Walking and Cycling Strategy 2016-2026 (2016)

**West Sussex County Council Guidance on Parking at Developments
(September 2020)**

**Ancient woodland, ancient trees and veteran trees: protecting them from
development (Natural England and Forestry Commission Standing Advice)
(2022)**

Technical Housing Standards (2015)

ASSESSMENT

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

- Principle of Development
- Landscape & Trees
- Design & Visual Impact
- Heritage
 - Listed Buildings
 - Conservation Areas
 - Archaeology
 - Other Built Non-Designated Heritage Assets
- Leisure and Recreation
- Housing
 - Housing Delivery
 - Housing Mix
- Affordable Housing
- Residential Amenity
 - Standard of Accommodation
 - Neighbour Amenity
- Accessibility
- Transport, Highways & Movement
- Ecology and Biodiversity
- Water Resources, Flood Risk & Drainage
 - Flood Risk
 - Sustainable Drainage
- Sustainability
- Other Issues
- EIA Regulations
- Planning Balance and Conclusion

Principle of Development

The principle of the development has been established by the granting of the outline planning application DM/18/5114 which granted planning permission for:

"Comprehensive, phased, mixed-use development comprising approximately 3,040 dwellings including 60 units of extra care accommodation (Use Class C3) and 13 permanent gypsy and traveller pitches, including a Centre for Community Sport with ancillary facilities (Use Class D2), three local centres (comprising Use Classes A1-A5 and B1, and stand-alone community facilities within Use Class D1), healthcare facilities (Use Class D1), and employment development comprising a 4 hectare dedicated business park (Use Classes B1 and B2), two primary school campuses and a secondary school campus (Use Class D1), public open space, recreation areas, play areas, associated infrastructure including pedestrian and cycle routes, means of access, roads, car parking, bridges, landscaping, surface water attenuation, recycling centre and waste collection infrastructure with associated demolition of existing buildings and structures, earthworks, temporary and permanent utility infrastructure and associated works."

Furthermore, it should be noted that the site is part of a strategic allocation in the District Plan to the north and north west of Burgess Hill. Policy DP9 is the relevant policy which allocates the strategic development of which this application site forms a part of. Policy DP9 states:

"Strategic mixed-use development (which will need to conform to the general principles in Policy DP7: General Principles for Strategic Development at Burgess Hill), as shown on the inset map, is allocated to the north and north-west of Burgess Hill for the phased development of:

- Approximately 3,500 additional homes and associated new neighbourhood centres, including retail, education, health, employment, leisure, recreation and community uses, sufficient to meet the day to day needs of the whole of the development and located as far as possible so at least one new neighbourhood centre is within 10 minutes' walk of most new homes;
- 25 hectares of land for use as a high quality business park south of the A2300 and served by public transport;
- Two new primary schools (including co-location of nursery provision and community use facilities as appropriate) and a new secondary school campus, in each case in locations well connected with residential development and neighbourhood centres;
- A Centre for Community Sport in the vicinity of the Triangle Leisure Centre and St Paul's Catholic College;
- Provision of permanent pitches for settled Gypsies and Travellers to contribute, towards the additional total identified need within the District commensurate with the overall scale of residential development proposed by the strategic development; or the provision of an equivalent financial contribution towards off-site provision of pitches towards the additional total identified need within the District (or part thereof if some on-site provision is made) commensurate with the overall scale of residential development proposed by the strategic development, if it can be demonstrated that a suitable, available and achievable site (or sites) can be provided and made operational within an appropriate timescale; unless alternative requirements are confirmed within any Traveller Sites Allocations Development Plan Document or such other evidence base as is available at the time the allocation-wide masterplan is approved (as appropriate); and

- A new Northern Link Road connecting through the Strategic Allocation Area from the A2300 to the A273 Isaacs Lane. New junctions will be provided on the A2300, B2036 Cuckfield Road and A273 Isaacs Lane. A road link across the river corridor will be required to facilitate a public transport route to Maple Drive."

Of particular relevance is the first bullet point, this reserved matters application proposes 249 dwellings in accordance with Policy DP7. It also includes open space that will form an extension to Bedelands Nature Reserve and areas of open space, along with part of the extension to the Burgess Hill Green Circle. These are key elements of the overall proposal to provide leisure and recreational uses. The cycle infrastructure proposed will provide connectivity for Northern Arc residents (both from this parcel and other parcels) with key facilities including the Northern Arc Secondary School to the north and the Eastern Neighbourhood Centre to the south. Once completed across the Northern Arc, the Green Circle will link into the existing Burgess Hill Green Circle, providing a leisure route for equestrian users, cyclists and pedestrians around Burgess Hill.

Policy DP9 further states:

"Strategic mixed-use development in this location will:

- Progress in accordance with an allocation-wide masterplan, Infrastructure Delivery Strategy, Phasing Strategy and Financial Appraisal which will have been submitted to and approved by the local planning authority. Each planning application to be determined should accord with such approved documents unless otherwise agreed by the local planning authority."

An allocation wide Masterplan and Infrastructure Delivery Plan and Phasing Strategy were approved on the 24th September 2018 by Cabinet. Accordance with these documents will be assessed in the various sections of the report below.

Policy DP7 of the District Plan sets out general principles for strategic development at Burgess Hill. The Policy states:

"Strategic development will:

- Be designed in a way that integrates it into the existing town providing connectivity with all relevant services and facilities;
- Provide additional, high quality employment opportunities including suitably located Business Park developments accessible by public transport;
- Improve public transport, walking and cycling infrastructure and access to Burgess Hill and Wivelsfield railway stations and Burgess Hill Town Centre, including the provision of, or contributions to enhancing transport interchanges;
- Provide necessary transport improvements that take account of the wider impact of the development on the surrounding area;
- Provide highway improvements in and around Burgess Hill including addressing the limitations of the A2300 link road and its junction with the A23 and east-west traffic movements across Burgess Hill and, where necessary, improvements across the highway authority boundary in East Sussex;

- Provide new and improved community, retail, cultural, educational, health, recreation, play and other facilities to create services and places that help to form strong local communities and encourage healthy lifestyles;
- Provide new and/or improved and well connected sports, recreation and open space in and around Burgess Hill, including the continuation of the existing 'Green Circle' of linked areas of informal open space around the town along with its associated network of multi-functional paths, the Green Circle network, and links into the town centre;
- Support the delivery of a multi-functional route between Burgess Hill and Haywards Heath;
- Provide a Centre for Community Sport in the vicinity of the Triangle Leisure Centre;
- Provide a range of housing including affordable housing, in accordance with policy DP31: Affordable Housing and housing for older people;
- Identify and respond to environmental, landscape and ecological constraints and deliver opportunities to enhance local biodiversity and contribute to the delivery of green infrastructure in and around the town in accordance with policies elsewhere in the Plan including DP38: Biodiversity; Provide an effective telecommunications infrastructure, including provision for broadband; and
- Wherever possible, incorporate on-site 'community energy systems', such as Combined Heat and Power or other appropriate low carbon technologies, to meet energy needs and create a sustainable development. The development shall also include appropriate carbon reduction, energy efficiency and water consumption reduction measures to demonstrate high levels of sustainability."

Compliance of the proposed development with these requirements is discussed in the relevant sections of the remainder of the report.

In addition to the granting of the outline permission and the allocation policies, the site is located within the built up area as defined by the Mid Sussex District Plan with the boundary being formally extended upon the adoption of the District Plan in March 2018. Policy DP6 of the Mid Sussex District Plan states in part that:

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

In light of the above points, it is evident that the principle of the proposal is clearly established.

Landscape & Trees

As previously referenced, DP7 of the District Plan requires strategic development at Burgess Hill to identify and respond to environmental, landscape and ecological constraints and deliver opportunities to enhance local biodiversity and contribute to the delivery of green infrastructure in and around the town in accordance with policies elsewhere in the Plan.

DP9 requires land uses and infrastructure delivery to identify and take account of environmental, landscape and ecological constraints appropriately responding to the landscape setting including retention of woodland, hedgerows and other important natural features wherever possible.

Policy DP26, referenced in more detail in the Design section of this report, states in part that development:

"creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;

- protects open spaces, trees and gardens that contribute to the character of the area."

Policy DP37 of the District Plan states:

"The District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected. Development that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or character of an area, and/ or that have landscape, historic or wildlife importance, will not normally be permitted.

Proposals for new trees, woodland and hedgerows should be of suitable species, usually native, and where required for visual, noise or light screening purposes, trees, woodland and hedgerows should be of a size and species that will achieve this purpose. Trees, woodland and hedgerows will be protected and enhanced by ensuring development:

- incorporates existing important trees, woodland and hedgerows into the design of new development and its landscape scheme; and prevents damage to root systems and takes account of expected future growth; and
 - where possible, incorporates retained trees, woodland and hedgerows within public open space rather than private space to safeguard their long-term management; and has appropriate protection measures throughout the development process; and
 - takes opportunities to plant new trees, woodland and hedgerows within the new development to enhance on-site green infrastructure and increase resilience to the effects of climate change; and
 - does not sever ecological corridors created by these assets.
-
- Proposals for works to trees will be considered taking into account:
 - the condition and health of the trees; and
 - the contribution of the trees to the character and visual amenity of the local area; and
 - the amenity and nature conservation value of the trees; and
 - the extent and impact of the works; and
 - any replanting proposals.

The felling of protected trees will only be permitted if there is no appropriate alternative. Where a protected tree or group of trees is felled, a replacement tree or group of trees, on a minimum of a 1:1 basis and of an appropriate size and type, will normally be required. The replanting should take place as close to the felled tree or trees as possible having regard to the proximity of adjacent properties.

Development should be positioned as far as possible from ancient woodland with a minimum buffer of 15 metres maintained between ancient woodland and the development boundary."

SDP14 in the Masterplan seeks to "preserve the established framework of woodland, trees and hedgerows as part of the commitment to create a high quality and distinctive place. Together with the meandering water courses these will define the character of the new community and frame its development."

SDP15 of the Masterplan sets out that "the Northern Arc will provide a rich variety of attractive open spaces. These will support wider biodiversity objectives and promote climate change, pest and disease resilience, as well as meeting community needs for recreation and supporting health and well-being."

SDP16 of the Masterplan states that "the multiple designated ancient woodlands within the Northern Arc, which are an irreplaceable habitat, will be retained and protected through a sensitive design approach. Ancient woodlands will be incorporated into the frameworks of green spaces and protected by a buffer zone."

SDP18 of the Masterplan sets out that "the development will work with the Northern Arc's undulating topography to respect and build on the existing sense of place, as well as reducing the amount of earthworks and levelling required."

SDP21 of the Masterplan sets out that green infrastructure will be designed with species that are tolerant to the prevailing climatic conditions.

The IDP identifies states that the network of woodland and natural open space throughout the site is intended to create strong green corridors.

Paragraph 174 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by, inter alia, "recognising the intrinsic character and beauty of the countryside."

It is clear that with any greenfield development there will be some change at the local level from that of an undeveloped landscape to an urban development. The principle of this change has already been established with the approval of the Masterplan and Outline Planning Application.

The site is visible from public vantage points along the public rights of way along Freeks Lane and Isaacs Lane and will become more visible once the reserved matters area and areas surrounding the site are developed in line with the masterplan.

Development within this reserved matter parcel has been designed around the retention of key landscape features that are proposed to be retained and enhanced. Open space areas in the west of the site, including the area of open space extending from the proposed school to the north and the Eastern Neighbourhood Centre to the south and the open space area to the south of the proposed road between Isaacs Lane and the Eastern Bridge and Link Road have been designed around the retention of important trees/hedgerow. To the east of the EBLR the route of the

Green Circle has been sited to ensure trees & hedgerow in this area can be retained. To the east of the site, areas of ancient woodland and grassland are incorporated into the open space area that will form the extension to Bedelands nature reserve. Development is considered to be adequately separated from these features to ensure their retention.

In the area between Isaacs Lane and the Eastern Bridge and Link Road, one category C tree is proposed to be removed, along with two category C hedgerows.

In parcel P1.3, to the east of Isaacs Lane, one category U tree and four category C trees are proposed to be removed.

Category C trees are smaller trees or ones considered to be of low quality. They may have a limited life expectancy or contribute very little to the amenity of the locality. Such trees should not be considered as a constraint against development and their removal will generally be acceptable. Category U trees recommended for removal due to their poor condition. As such no objection is raised to the loss of the indicated trees.

Tree protection detail for these areas has been submitted to ensure the remaining trees are protected during the works.

The plans submitted for the Green Circle route to the north of the EBLR are indicative and it is proposed to secure full details of the landscaping and hard-surfacing in this area by condition subject to a tree survey and impact statement. This will ensure that the route in this area is appropriately sited to avoid the loss of high quality trees and hedgerow.

Development with the area which will become the Bedelands Nature Reserve extension area would be minimal in order to ensure the retention of landscape features. Full details of the development in this area would be secured by condition along with a tree survey and impact statement.

MSDC's Tree Officer has assessed the proposal and has raised no objection, subject to conditions.

Full details of lighting have been secured by condition on the outline application to ensure that the lighting has an acceptable impact on the landscape character of the area.

On the basis of the above, the proposal is considered to have an acceptable impact on the surrounding landscape and trees. The application is accords with Policies DP7, DP9, DP26 and DP37 of the District Plan and the SDP14, SDP15, SDP16 and SDP18, SDP21 and principles contained within the Masterplan and the IDP.

Design and Visual Impact

Policy DP26 states that:

"All development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the

distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development: is of high quality design and layout and includes appropriate landscaping and greenspace;

- contributes positively to, and clearly defines, public and private realms and should normally be designed with active building frontages facing streets and public open spaces to animate and provide natural surveillance;
- creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;
- protects open spaces, trees and gardens that contribute to the character of the area;
- protects valued townscapes and the separate identity and character of towns and villages;
- does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP29);
- creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;
- incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;
- positively addresses sustainability considerations in the layout and the building design;
- take the opportunity to encourage community interaction by creating layouts with a strong neighbourhood focus/centre; larger (300+ unit) schemes will also normally be expected to incorporate a mixed use element;
- optimises the potential of the site to accommodate development."

The Masterplan sets out the following at SDP6:

- "Higher density areas will be focused around the three neighbourhood centres and along the western and central sections of Northern Arc Avenue at a density of around 50 dwellings per hectare (dph). Medium densities of around 45 dph will predominate across much of the rest of Northern Arc, with lower density areas of around 35 dph in more sensitive edge locations."

The Masterplan sets out the following place-making objectives at SDP7:

- "Creating walkable neighbourhoods with vibrant centres that are accessible to all;
- Co-locating schools, community centres and open spaces with the neighbourhood centres to support vitality and community identity;
- Designing streets as places that encourage social interaction as well as walking, cycling and public transport;
- Ensuring that streets, public realm and open spaces are well overlooked and designed to feel safe and secure;
- Creating a place that is easy to find your way around with a clear hierarchy of streets and spaces, landmark features and views;
- Setting development within an interconnected, easily accessible network of attractive streets, green infrastructure, green corridors and open spaces to act as wildlife corridors and sustainable transport links;

- Incorporating trees, gardens and green spaces throughout the development to provide shade and cooling during extreme heat events and to increase its ability to adapt to climate change;
- Supporting health and well-being through opportunities for active lifestyles and living in close contact with nature;
- Providing a variety of different character areas which reflect variations in landscape and topography, as well as the role and function of different parts of the community;
- Integrating business and employment uses to diversify day time activities;
- Accommodating car parking and servicing in ways that are convenient and safe but also unobtrusive."

The Masterplan sets out the following at SDP8:

"Design proposals for the Northern Arc will be assessed against the place-making objectives set out in Design Guide (SDP 8) and Building for Life 12

- Maximise integration with the existing communities of Burgess Hill and the established facilities and services of the town and the wider District."

SDP9 of the Masterplan states that design proposals will be assessed against the place-making objectives set out in the Design Guide (SDP8) and Building for Life 12.

SDP14 in the Masterplan seeks to "preserve the established framework of woodland, trees and hedgerows as part of the commitment to create a high quality and distinctive place. Together with the meandering water courses these will define the character of the new community and frame its development."

SDP15 of the Masterplan sets out that "the Northern Arc will provide a rich variety of attractive open spaces. These will support wider biodiversity objectives and promote climate change, pest and disease resilience, as well as meeting community needs for recreation and supporting health and well-being."

SDP16 of the Masterplan states that "the multiple designated ancient woodlands within the Northern Arc, which are an irreplaceable habitat, will be retained and protected through a sensitive design approach. Ancient woodlands will be incorporated into the frameworks of green spaces and protected by a buffer zone."

SDP18 of the Masterplan sets out that "the development will work with the Northern Arc's undulating topography to respect and build on the existing sense of place, as well as reducing the amount of earthworks and levelling required."

The IDP states that the network of woodland and natural open space throughout the site is intended to create strong green corridors.

Paragraph 130 of the NPPF states that "planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built

environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁹; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience."

The Northern Arc Design Guide approved under the DM/18/5114 outline application is also relevant. The Design Guide sets out "the key urban design, public realm and place-making principles that will be applied across the whole of the new community." It is therefore intended to be used as a guide for the forthcoming reserved matters to support the delivery of the overall vision.

Layout / Landscaping

The overall layout works well and appropriately accords with the guidelines in the Northern Arc Design Guide/masterplan. The development benefits from a variety of open spaces and retained hedgerow as well as a backdrop of mature trees principally on the south, east, and west boundaries; this not only helps through softening and screening, but it also helps invest the different parts of the scheme with their own character.

To the west of the site, between the River Adur and Isaacs Lane, the central focus of the scheme is the formal north south tree-lined axis of the Eastern Bridge and Link Road which bisects the development. This is appropriately defined by the higher density, 3 storey apartment blocks.

Running parallel with the Eastern Bridge and Link Road, to the west, is the retained hedgerow. Alongside this hedgerow, the opportunity has been taken to provide a cycle and pedestrian link that will eventually provide access between the secondary school to the north and the Eastern Neighbourhood Centre to the south. Housing would front onto this area, providing an active frontage to this route.

The large rear court parking area at the rear of apartment blocks 3 to 8 have been carefully designed and enclosed by coach house style flats over garages that contribute to the natural surveillance of the space and reduce the amount of visible parking. Trees and threshold gardens serving the apartment blocks also help to soften this area and create a Mews style street that contributes to giving variety to the development.

To the east of the site, between Freeks Lane and Bedelands Nature Reserve, the layout generally works well and it benefits from frontages that face the tree lined boundaries that provide an attractive backdrop to the public realm.

MSDC's Urban Design Officer has some concerns about the proximity of the block of flats to Freeks Lane as it does not allow much space to accommodate new trees and shrubs. Careful species selection will therefore be needed to ensure that it provides a soft edge to preserve the character of Freeks Lane without depriving residents of natural light. Full details of the landscaping in this area would be secured by condition to ensure this is achieved.

In response to the DRP's comments on plots 243 and 244, the garages have now been designed with barn hips on both sides that has improved their relationship with the adjacent houses. In addition, the design of the parking and T-junction adjacent to the converted barn to include more soft landscaping.

As set out above, the Northern Arc Design Review Panel raised concern with the layout and landscaping on the proposal. The application has been revised to respond to those concerns in the following ways:

- The northern boundary now integrates more successfully with the school and the Eastern Bridge Link Road (EBLR). Most notably the pocket park north of block 3 has been re-designed with an extended boundary (facilitated by a reduced secondary school threshold) that allows sufficient space for the pathway to negotiate the significant east west level difference. The extension has also enabled the school entrance plaza to be extended into the pocket park and provides for trees and shrubs on the northern boundary that will screen the weld mesh school security fence.
- The pathway along the green link has been widened and pulled marginally* away from the houses to both accommodate large numbers of school children and reduce their impact upon residents (*it was not possible to further increase the buffer because of the need to safeguard the ecology of the retained hedge).
- The path around the attenuation pond is now linked up on the east and west side and the seating has been set-back to avoid impeding upon the path.
- The axial link between block 6 and 7 that is terminated with block 1's eastern frontage has now been rationalised avoiding unnecessary turns in the path.
- As a safety measure a knee-high rail has been incorporated around the "village green".

The Council's Urban Design Officer has the following comments:

- More discussion is needed on the palette of surface materials and street furniture to ensure there is sufficient coordination to avoid a busy appearance.
- All shared surfaces should be finished in a material other than tarmac to visually indicate that pedestrians have equal right of use. This applies to the eastern area of parcel 1.5 and the street serving plots 53-55 and 83-86.
- Some of the trees such as in front of plot 1 and block 2 do not appear to have sufficient safeguarding space around them to protect them from vehicles. I also think all the street trees need to demonstrate they have sufficient soil volume to support them.
- While I note that the planting around the pumping station has been extended in response to the DRP's concerns, it would benefit from some trees as well as shrubs (ie. not just ornamental amenity planting). Trees on the south and west side of the attenuation basin will nevertheless need to be carefully

positioned so they allow some natural surveillance of the pathways from the adjacent blocks of flats.

- The tree selection and arrangement need reviewing as some potential large trees (Lime and Oak) in the Village Green look too closely spaced trees and I would also like to see more consistent application of tree types along the street.
- A detailed section of the SuDS (swales and attenuation pond) is needed to ensure they contribute positively to the appearance of the surrounds.
- The pocket park needs to be further reviewed to ensure that it addresses the DRP's concerns about its vulnerability to trampling adjacent to the paths.

The Council's Tree Officer considers that, in general, a reasonable and appropriate selection of trees has been made, however, a number of unsuitable trees have been included, which should be replaced with British natives.

Landscaping conditions have been recommended to secure full details of the planting and full details of the hard-surfacing materials for each parcel. This will ensure the above concerns are addressed.

Elevations

The apartment blocks provide an elegant and architecturally interesting façade which acceptably addresses the key street frontage of the Eastern Bridge and Link Road. The articulation includes consistently proportioned bays that generate a natural rhythm that is typical of a run of terraced houses which helps to break down the scale of these long frontages. The brick detailing has been employed to vertically group the upper floor windows which contributes to the vertical proportions of the facade. Recessed balconies with metal railings are consistently incorporated throughout the frontage that help give the elevations a sense of structural depth. The rear elevations provide a formal frontage facing the rear court parking/mews.

In response to the Northern Arc Design Review Panels comments, the two-bedroom flats have been redesigned where it was necessary to address the DRP's concerns by providing larger living rooms and allowing more fenestration to face the balcony.

Following the DRP's concerns, the drawings have been revised to show vents on the apartment buildings that are required to accommodate the proposed hot water pump system in the apartment blocks. MSDC's Urban Design Officer has raised concern that these could appear disruptive and a condition is therefore recommended to ensure this is sensitively accommodated.

Many of the other streets feature gabled fronted houses that help punctuate/address the street corners and vertically articulate and add interest to the wider street frontage.

The DRP were critical of the inconsistent application of secondary facing materials at front and back. The drawings now show the elevations that are clearly visible from the public realm benefiting from the application of cladding or tile hanging on the front, side, and rear elevations.

The facing materials have generally been used consistently within each street to help distinguish and give a different character to the various parts of the development.

PV panels have been designed to sit flush with the roof and are mostly discreetly positioned at the side or rear roof slope. The main exception to this is plots 1-20 facing the "Village Green". The Council's Urban Design Officer has raised concern that the PV's may look cluttered as there are so many of them and has suggested that consideration should be given to employing slate or grey tiling which would help lessen the contrast with the PV panels. Full details of the materials would be secured by condition to ensure that the material as used appear appropriate alongside the PV panels.

The houses on parcel 1.3, to the east of the site, have been designed in the same architectural style as the larger site. While this does little to distinguish it, this is a small site separated from parcel's 1.5/1.6 by 'Countryside's' Freeks Farm scheme that ensures there is sufficient diversity of character across this part of the Northern Arc. Also, both prominent buildings at the site entrance are quite individual. This includes the converted barn and the three-storey block of flats with its angled return configuration, dormer windows, black cladding and barn hip roof that helps generate a softer aesthetic than the blocks on the larger parcel that is commensurate with its more rural location.

The Council's Urban Design Officer has raised no objection to the design of the proposal and considers that the proposal accords with policy DP26 of the District Plan and the principles set out in the Council's Design Guide subject to conditions to secure:

- Hard and soft landscaping details including boundary treatments across the scheme and detailed section drawings of the attenuation ponds and swales.
- Details of the facing materials including a materials plan.
- 1: 5 scale front elevation and section drawings of the hot water pump system vents on the blocks of flats showing the relationship with surrounding windows and brick detailing.

The design of the scheme is considered to be acceptable. The application complies with Policies DP7, DP9 and DP26 of the District Plan, Principles SDP2, SDP6, SDP7, SDP8, SDP9, SDP14, SDP15, SDP16 and SDP18 of the Northern Arc Masterplan, the Northern Arc IDP, the NPPF, the Northern Arc Design Guide and the Council's Design Guide.

Heritage

The LPA is under a duty by virtue of s.66 of the Listed Building and Conservation Area (LBCA) Act 1990 (General duty as respects listed buildings in exercise of planning functions): "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".

The LPA is also under a duty by virtue of s.72 of the Listed Building and Conservation Area (LBCA) Act 1990 (General duty as respects conservation areas in exercise of planning functions): "In the exercise, with respect to any buildings or other land in a conservation area....special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area".

Policy DP34 of the District Plan states in relation to 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;
- Special regard is given to protecting the setting of a listed building;"

Policy DP34 of the District Plan states in relation to other heritage assets:
"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."

The supporting text to principle SDP14 (Landscape and Green Infrastructure) in the Masterplan states that the Masterplan will preserve landscape features and wherever possible respect the landscape setting of nearby listed buildings and non-designated heritage assets.

The supporting text to principle SDP14 (Landscape and Green Infrastructure) in the Masterplan states that the Masterplan will preserve landscape features and wherever possible respect the landscape setting of nearby listed buildings and non-designated heritage assets.

Paragraph 190 of the NPPF sets out that "in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness."

Paragraph 199 of the NPPF is also particularly relevant with this stating that "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."

Paragraph 203 of the NPPF is also relevant with this stating that "the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. 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."

Listed Buildings

No Listed Buildings are located within the site boundary. The nearest listed buildings are located in excess of 500m away from the site, the grade II Listed 1 And 2 Hookhouse Farm to the north west on Isaacs Lane and the grade II listed Firlands Court to the south west on Cuckfield Road. Given that these listed buildings are separated from the application site by such distances, coupled with intervening development in between, the proposal does not affect the setting of these listed buildings or any others in the vicinity.

Conservation Areas

There are no Conservation Areas within the site with the nearest part of the St John's Conservation Area being located to the south, over 1 km from the site. Given this distance and the intervening development within Burgess Hill in between, the proposed development will not affect this conservation area or its setting.

Archaeology

Archaeological matters have been addressed through the outline permission with a condition being used to secure a programme of archaeological work being carried out in accordance with details to be approved by the Local Planning Authority.

Other Built Non-Designated Heritage Assets

The 18th/19th century barn at Lowlands Farm is identified as a non-designated heritage asset.

Lowlands Farm Barn appears to date from around the mid 19th century and is part of Lowlands Farm (formerly Frick Farm, then Freeks Farm). Lowlands Farm is a small farmstead, now unoccupied, but the last use was as a kennels, and is listed in the West Sussex Historic Farmsteads and Landscape Character Assessment as a historic farmstead of the 19th century. The farm's surviving barn, together with a small outbuilding to the south east of this, appear to date from the mid 19th century or earlier and are the earliest surviving buildings on the site. There are a number of other buildings around the courtyard which are more recent, some of which have been damaged by a recent fire.

The original farmhouse appears from historic mapping to have been located to the south west of the farm courtyard but appears to have been demolished by the mid 20th century, having been possibly made redundant by a new dwelling constructed just to the south of the courtyard c.1900 (this house is still extant).

Although it has been altered, the barn possesses a moderate degree of potential historical evidential value. It also has historical illustrative value, again moderate, in the local context, in terms of illustrating the former agricultural economy of the area, prior to the spread of Burgess Hill during the 20th century. The building also has modest fortuitous aesthetic value, despite some unfortunate moderate alterations, which depends on its vernacular form and materials, seen within the existing rural setting. The building is therefore considered to be a Non Designated Heritage Asset of moderate significance within the local context.

The existing rural setting of the building contributes significantly, to both its historical illustrative and its aesthetic value. The site makes up a large part of this setting and makes a strong contribution to the appreciation of these aspects of the barn's significance. This includes not only views from the barn towards the site and vice versa, but also the approaches to the barn along the PROW running along Freeks Lane.

The principle of converting this building into residential was accepted as part of the outline planning application (DM/18/5114) subject to the agreement of the detail.

The Council's Heritage Officer has commented that the retention of the barn is welcome, and the principle of residential conversion is not considered contentious. The reopening of the barn doors will reintroduce some the character that the building has lost due to previous harmful alterations.

The Council's Heritage Officer has confirmed that the proposal is considered to preserve the character of the non-designated heritage asset, subject to detail which can be controlled by condition.

Conditions have been recommended to secure details of the following:

- Roofing and facing materials
- Detailed drawings of windows and external doors & eaves detail
- Hard and soft landscaping scheme for the area around the barn, including details of any new or altered boundary treatments, and of hard landscaping materials

Conditions have also been recommended to ensure the following:

- Rainwater goods of painted metal
- Rooflights to be flush fitting, metal framed conservation style rooflights
- Detailed hard and soft landscaping scheme for the area around the barn, including details of any new or altered boundary treatments, and of hard landscaping materials

In light of the above analysis on heritage assets, the development accords with Policies DP34 and DP35 of the District Plan, principle SDP14 of the Masterplan, the NPPF and the Listed Building and Conservation Area (LBCA) Act 1990.

Leisure and Recreation

Policy DP7 of the District Plan requires strategic development at Burgess Hill to provide new and/or improved and well-connected sports, recreation and open space in and around Burgess Hill.

Policy DP9 of the District plan states that the delivery of 3500 homes, across the strategic allocation, need to be supported by leisure and recreation uses sufficient to meet the day to day needs of the whole development.

Policy DP24 of the District Plan states:

"Development that provides new and/or enhanced leisure and cultural activities and facilities, including allotments, in accordance with the strategic aims of the Leisure and Cultural Strategy for Mid Sussex will be supported. The on-site provision of new leisure and cultural facilities, including the provision of play areas and equipment will be required for all new residential developments, where appropriate in scale and impact, including making land available for this purpose. Planning conditions and/or planning obligations will be used to secure such facilities. Details about the provision, including standards, of new leisure and cultural facilities will be set out in a Supplementary Planning Document."

SDP7 sets out the place-making objectives within the Masterplan and this refers to supporting health and well-being through opportunities for active lifestyles and living in close contact with nature. This principle also states that the place-making objectives will include setting development within an interconnected, easily accessible network of attractive streets, green infrastructure, green corridors and open spaces to act as wildlife corridors and sustainable transport links.

SDP14 states that the development of the Northern Arc will preserve and enhance the established framework of woodlands, trees and hedgerows as part of the commitment to creating a high quality and distinctive place. It also states that as well as creating character within the new community, the existing green infrastructure will help to integrate the development into the wider landscape and maintain important habitats.

SDP15 states that the Northern Arc will provide a rich variety of attractive open spaces. These will support wider biodiversity objectives and promote change, pest and disease resilience, as well as meeting community needs for recreation and supporting health and wellbeing.

The IDP sets out that woodlands and natural open space should be provided in the form of ancient woodland, buffer areas, streams and natural open spaces to provide green corridors.

This application includes a large amount of open space, in accordance with the masterplan and parameter plans approved as part of the outline planning application. The S106 secures the transfer of these open spaces to MSDC for the long term management for the community.

This application includes an extension to Bedelands Nature Reserve. This space will provide a valuable leisure and recreation space asset for the community. The provision of this space is a benefit that weighs in favour of the proposal.

Development in this area would be minimal, and would include

- Footpath surfacing improvements to established routes
- Footpath maintenance to existing routes
- Removal of existing boundary treatments and hard surfacing
- Installation of post and rail fencing
- Installation of timber benches

The information submitted with the application is indicative and as such full details of the development in this space will be secured by condition.

A large area of open space is also proposed to the west of the river Adur. This space would be largely informal but the Green Circle would run through this space. The Green Circle proposed as part of the Northern Arc will eventually join up with the existing Green Circle to the west of the site that currently extend around Burgess Hill, providing a recreation route for pedestrians, cyclists and equestrian users. This particular section of the Green Circle will join up with the existing PROW on Freeks Lane to the north and new Green Circle to the south. Reserved matters applications for both of these parcels are anticipated to be submitted later this year and will continue this route. When completed, the Green Circle on the Northern Arc will provide a valuable leisure route for the community. In the interim period the area will provide a recreation area and will provide off-road connections between areas on the Northern Arc.

A corridor of open space is proposed through the development parcel, that will eventually link the proposed secondary school in the north with the eastern neighbourhood centre in the centre. This open space follows the line of an existing hedgerow and will provide a valuable green link for cyclists and pedestrians away from the road network.

In addition there is an area of open space to the south of the road that runs between Isaacs Lane and the Eastern Bridge and Link Road. This area provides key links through from the residential dwellings subject to this reserved matters application to the eastern neighbourhood centre. The layout of the eastern neighbourhood centre is not yet known (the reserved matters application for the eastern neighbourhood centre is anticipated to be submitted later this year. In order to ensure that the cycle and pedestrian routes in this area integrate with the forthcoming development, a condition is recommended to secure full details of the landscaping and hardsurfacing in this area, notwithstanding the details submitted with the application.

In addition to the open spaces described above, that will be transferred to MSDC, there are also additional areas of open space integrated within the development parcel:

- "Village Green" in the north west of the parcel. This will contain open space as well as informal childrens play equipment
- "Pocket park" to the north of the parcel adjacent top the secondary school, this will integrate with the entrance to the secondary school to provide a plaza area and open space with areas of hard surfacing and planting.

- Area between the Eastern Bridge and Link Road and the river corridor open space - includes a SuDS pond and pathways seating surrounding it.
- Area to the south of Parcel P1.3 in the east - includes a SuDS pond and pathways/seating around it.

All of these areas would contribute to the leisure and recreation facilities within the development for the community.

It should also be noted that the masterplan sets out that the eastern neighbourhood park would be located adjacent to this reserved matters parcel. This will provide a more formal area of open space including formal play equipment and a MUGA for the future residents of this reserved matters application.

Appropriate space for leisure and recreation has been provided and the application therefore accords with Policies DP7, DP9 and DP24 of the District Plan, principles SDP7, SDP14 and SDP15 of the Masterplan and the IDP.

Housing

Policy DP4 of the District Plan sets out that:

'There is a minimum District housing requirement of 16,390 dwellings between 2014-2031.'

Policy DP9 states that the Northern Arc site is allocated for a phased development to include, inter alia, 3500 additional homes.

Policy DP30 of the District Plan states inter alia:

'To support sustainable communities, housing development will:

- provide a mix of dwelling types and sizes from new development (including affordable housing) that reflects current and future local housing needs
- The Masterplan sets out the following at SDP6:
- 'The Northern Arc will provide a full range of housing opportunities, with different densities and typologies across the new community.
- The mix of housing types and density will support the timely delivery and phasing of approximately 3,500 homes within the Northern Arc.'

SDP12 of the Masterplan sets out that 'the Northern Arc will provide a range of housing types to meet current and anticipated future local housing need, including extra care and elderly persons' housing.'

The IDP states that Homes England is committed to the delivery of affordable homes alongside market homes so, during the whole development period at least 30 per cent of the total site-wide number of homes consented through reserved matters applications will be affordable homes.

Housing Delivery

The proposal would deliver 248 additional homes of the 3,040 approved as part of the outline planning application.

914 Northern Arc Homes have been included in the Council's 5 Year Housing Land Supply Figures. This scheme is a significant proportion of those homes. The delivery of these homes is important to ensure that 5 year housing land supply is maintained and that housing is delivered in accordance with the rates set out in the 5 year housing land supply trajectory. This is a significant benefit that weighs in favour of the proposal.

Housing Mix

The housing mix is presented in the table below:

Dwelling Type	Private	Affordable (Intermediate)	Affordable (Rent)
1 bed	29	2	19
2 bed	76	10	33
3 bed	54	5	5
4 bed	15	1	
Total	174	18	47
		249	

The outline planning application set out that housing would be provided in line with an appropriate mix, in line with the housing need set out in the Strategic Housing Market Assessment (2012) and the Affordable Housing Needs Model Update (2014) and the IDP. The following tables compare the current proposal against that proposed at outline stage.

Market housing:

	Outline Specification	Proposal
1 bed	11%	17% (29 units)
2 bed	32%	43% (74 units)
3 bed	36%	31% (54 units)
4 bed	21%	9% (15 units)

Affordable Housing - Social/Affordable rent:

	Outline Specification	Proposal
1 bed	33%	33% (19 units)
2 bed	51.5%	58% (33 units)
3 bed	14.5%	9% (5 units)

Affordable Housing - Intermediate

	Outline Specification	Proposal
1 bed	0%	11% (2 units)
2 bed	65%	55.5% (10 units)
3 bed	30%	28% (5 units)
4 bed	5%	5.5% (1 unit)

This mix of housing is in general accordance with that set out at outline stage. Furthermore, the Council's Housing Needs team have confirmed that the affordable mix is acceptable and meets current needs. In any event, it is anticipated that there will be different areas of the Northern Arc suitable for different mixes of housing, such as the lower density areas on the peripheries of the development and the higher density areas located on the Northern Arc Avenue.

The proposal is therefore considered to be in accordance with policy DP30 of the District Plan in this regard and would comply with SDP12 of the Masterplan as well as the IDP.

This mix of housing delivery is considered acceptable and would contribute to meeting the housing mix that is needed.

Affordable Housing

Policy DP31 of the District Plan states:

"The Council will seek:

1. the provision of a minimum of 30 per cent on-site affordable housing for all residential developments providing 11 dwellings or more, or a maximum combined gross floorspace of more than 1,000m²;
2. for residential developments in the High Weald Area of Outstanding Natural Beauty providing 6 - 10 dwellings, a commuted payment towards off-site provision, equivalent to providing 30 per cent on-site affordable housing;
3. on sites where the most recent use has been affordable housing, as a minimum, the same number of affordable homes should be re-provided, in accordance with current mix and tenure requirements;
4. a mix of tenure of affordable housing, normally approximately 75 per cent social or affordable rented homes, with the remaining 25 per cent for intermediate homes, unless the best available evidence supports a different mix; and
5. free serviced land for the affordable housing.

All affordable housing should be integrated with market housing and meet national technical standards for housing including "optional requirements" set out in this District Plan (Policies DP27: Dwelling Space Standards; DP28: Accessibility and DP42: Water Infrastructure and the Water Environment); or any other such standard which supersedes these.

Proposals that do not meet these requirements will be refused unless significant clear evidence demonstrates to the Council's satisfaction that the site cannot support the required affordable housing from a viability and deliverability perspective. Viability should be set out in an independent viability assessment on terms agreed

by the relevant parties, including the Council, and funded by the developer. This will involve an open book approach. The Council's approach to financial viability, alongside details on tenure mix."

SDP12 of the Masterplan and the IDP sets out that the development will provide 30 per cent affordable housing of which 75 per cent will be social or affordable rented and 25 per cent will be intermediate.

This development is for 249 units, which generates an Affordable Housing requirement of 75 units.

75 affordable housing units have been provided, 76 per cent would be affordable rent and 24 per cent would be intermediate. This is an appropriate provision and an appropriate tenure split.

The affordable housing is spread across the site and is integrated effectively amongst the market housing.

The mix of the affordable housing is addressed in the housing section above and the size of the units are addressed in the standard of accommodation section below.

The Council's Housing Needs team has confirmed that this mix is acceptable to the Council.

It is evident the application complies with Policies DP28 and DP31 of the Mid Sussex District Plan and SDP12 of the Northern Arc Masterplan.

Accessibility

Policy DP28 of the District Plan states:

"All development will be required to meet and maintain high standards of accessibility so that all users can use them safely and easily."

In relation to accessible and adaptable dwellings, the Policy goes on to state:

"Developments of 5 or more dwellings will be expected to make provision for 20 per cent of dwellings to meet Category 2 - accessible and adaptable dwellings under Building Regulations - Approved Document M Requirement M4(2), with the following exceptions:

- 1) Where new dwellings are created by a change of use;
- 2) Where the scheme is for flatted residential buildings of fewer than 10 dwellings;
- 3) Where specific factors such as site topography make such standards unachievable by practicable and/ or viable means;
- 4) Where a scheme is being proposed which is specifically intended for the needs of particular"

With regard to wheelchair use dwellings the Policy states:

"Wheelchair-user dwellings under Building Regulations - Approved Document M Requirement M4(3) will be required for a reasonable proportion of affordable homes, generally 4 per cent, dependent on the suitability of the site and the need at the time. The Requirement will also apply to private extra care, assisted living or other such

schemes designed for frailer older people or others with disabilities and those in need of care or support services."

The S106 Agreement of the outline permission secures 37 wheelchair accessible units across the entire scheme.

2 wheelchair units have been provided, this is an acceptable provision.

It is considered that the acceptability of accessibility and the aims of Policy DP28 of the District Plan

Residential Amenity

Paragraph 130 of the NPPF requires development to, inter alia, *"create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users."*

Standard of Accommodation for Future Occupiers

Policy DP27 of the District Plan states:

"Minimum nationally described space standards for internal floor space and storage space will be applied to all new residential development. These standards are applicable to:

- Open market dwellings and affordable housing;
- The full range of dwelling types; and
- Dwellings created through subdivision or conversion.

All dwellings will be required to meet these standards, other than in exceptional circumstances, where clear evidence will need to be provided to show that the internal form or special features prevent some of the requirements being met."

SDP24 of the Masterplan states that buildings will be designed for adaptability with a simple floor plate, good daylighting, generous floor to ceiling heights and adequate space for servicing.

With the exception of the two dwellings converted from Lowlands Barn, all of the proposed dwellings have access to private amenity space, either through private gardens or private balconies. Whilst the lack of amenity space to Lowlands Barn is not ideal, in this instance, given the heritage benefit of preserving the open character around Lowlands Barn, it is on balance acceptable. It is also acknowledged that there are significant levels of amenity space within this development (and surrounding the site). As such, these two units will have access to these public open spaces. In this instance and taking into consideration the individual circumstances of these units, this is considered to be acceptable.

All the dwellings meet or exceed the National Floor Space Standards.

All dwellings would be served with adequate light and would have good levels of privacy and outlook.

The proposal would provide an acceptable standard of accommodation for future residents. The application is therefore considered to be in accordance with Policies DP26 and DP27 of the District Plan, Principle SDP24 of the Masterplan and Paragraph 127 of the NPPF.

Neighbour Amenity

Policy DP26 of the District Plan states, "All development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development...does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution."

The closest residential properties to the west of the application site are those at Woodfield House and Paddock Cottage on Isaacs Lane. The proposed dwellings would be located approximately 65m from Paddock Cottage and 80m from Woodfield House. This is sufficient separation to prevent a loss of outlook, loss of light or loss of privacy or overbearing impact to these properties. At its closest point the proposed dwellings would be separated from the curtilage of Woodfield House by approximately 5.5m and windows are proposed directly overlooking this space. There would be some loss of privacy to the amenity space here, however this is the far end of an 140m garden and as such the proposed dwellings would not overlook the more private areas closest to the dwelling. As such, this arrangement is acceptable.

Outline planning permission (with all matters reserved) has been granted for 30 dwellings at Woodfield House (DM/19/3769). Impact on the dwellings associated with that application will be assessed when the reserved matters are submitted. However, it is considered that an appropriate layout and design could be achieved on that site that could be compatible with the proposal.

The proposed dwellings in parcel P1.3, to the east of the site, would be located adjacent to the dwellings under construction at Freeks Lane. The proposed dwellings would be a minimum of 18m from those at Freeks Farm, would be situated at an angle to those proposed at Freeks Farm and would be separated by Freeks Lane. As such, there would be no unacceptable impact to these properties by reason of loss of outlook, visual intrusion, loss of privacy or loss of light.

Impact on other proposed dwellings associated with the Northern Arc would be assessed as part of future reserved matters applications, however due to the position of open spaces included in this application, there are unlikely to be any residential dwellings within close proximity to these proposed dwellings.

It is acknowledged that there will be some degree of disruption during construction work but these would be temporary in nature and are necessary to facilitate the development. The building works will in any event be mitigated as much as possible through working hours restrictions and the Construction Environmental Management

Plan that will control various matters such as construction traffic routes, site set up, contractor parking and other mitigation measures. These mitigation issues have already been secured through the conditions attached to the outline planning consent.

The proposal will not cause significant harm to neighbouring residential amenity. The application is therefore considered to be in accordance with Policies DP26 and DP27 of the District Plan and Paragraph 130 of the NPPF.

Transport, Highways and Movement

Policy DP21 of the District Plan states:

"Development will be required to support the objectives of the West Sussex Transport Plan 2011-2026, which are:

- A high quality transport network that promotes a competitive and prosperous economy;
- A resilient transport network that complements the built and natural environment whilst reducing carbon emissions over time;
- Access to services, employment and housing; and
- A transport network that feels, and is, safer and healthier to use.

To meet these objectives, decisions on development proposals will take account of whether:

- The scheme is sustainably located to minimise the need for travel noting there might be circumstances where development needs to be located in the countryside, such as rural economic uses (see policy DP14: Sustainable Rural Development and the Rural Economy);
- Appropriate opportunities to facilitate and promote the increased use of alternative means of transport to the private car, such as the provision of, and access to, safe and convenient routes for walking, cycling and public transport, including suitable facilities for secure and safe cycle parking, have been fully explored and taken up;
- The scheme is designed to adoptable standards, or other standards as agreed by the Local Planning Authority, including road widths and size of garages;
- The scheme provides adequate car parking for the proposed development taking into account the accessibility of the development, the type, mix and use of the development and the availability and opportunities for public transport; and with the relevant Neighbourhood Plan where applicable;
- Development which generates significant amounts of movement is supported by a Transport Assessment/ Statement and a Travel Plan that is effective and demonstrably deliverable including setting out how schemes will be funded;
- The scheme provides appropriate mitigation to support new development on the local and strategic road network, including the transport network outside of the district, secured where necessary through appropriate legal agreements;
- The scheme avoids severe additional traffic congestion, individually or cumulatively, taking account of any proposed mitigation;
- The scheme protects the safety of road users and pedestrians; and

- The scheme does not harm the special qualities of the South Downs National Park or the High Weald Area of Outstanding Natural Beauty through its transport impacts.
- Where practical and viable, developments should be located and designed to incorporate facilities for charging plug-in and other ultra-low emission vehicles."

Policy DP22 of the District Plan states:

"Rights of way, Sustrans national cycle routes and recreational routes will be protected by ensuring development does not result in the loss of or does not adversely affect a right of way or other recreational routes unless a new route is provided which is of at least an equivalent value and which does not sever important routes.

Access to the countryside will be encouraged by:

- Ensuring that (where appropriate) development provides safe and convenient links to rights of way and other recreational routes;
- Supporting the provision of additional routes within and between settlements that contribute to providing a joined up network of routes where possible;
- Where appropriate, encouraging making new or existing rights of way multi-functional to allow for benefits for a range of users. (Note: 'multi-functional' will generally mean able to be used by walkers, cyclists and horse-riders).

Policy DP7 states that strategic development will, inter alia

- "Improve public transport, walking and cycling infrastructure and access to Burgess Hill and Wivelsfield railway stations and Burgess Hill Town Centre, including the provision of, or contributions to enhancing transport interchanges;
- Provide necessary transport improvements that take account of the wider impact of the development on the surrounding area;
- Provide highway improvements in and around Burgess Hill including addressing the limitations of the A2300 link road and its junction with the A23 and east-west traffic movements across Burgess Hill and, where necessary, improvements across the highway authority boundary in East Sussex;.

Provide new and/or improved and well connected sports, recreation and open space in and around Burgess Hill, including the continuation of the existing 'Green Circle' of linked areas of informal open space around the town along with its associated network of multi-functional paths, the Green Circle network, and links into the town centre;

- Support the delivery of a multi-functional route between Burgess Hill and Haywards Heath;..."

Policy DP9 requires A new Northern Link Road connecting through the Strategic Allocation Area from the A2300 to the A273 Isaacs Lane. New junctions will be provided on the A2300, B2036 Cuckfield Road and A273 Isaacs Lane. A road link across the river corridor will be required to facilitate a public transport route to Maple Drive."

The Masterplan sets out the following at SDP1-:

- "Permeable layout that integrates with the surrounding highway network
- Maximise sustainable patterns of movement
- Highway design will direct traffic to the A2300 via the A273 and the Northern Arc avenue and minimise movement through the villages to the north of the site Northern Arc avenue to provide a new through connection between A273 Jane Murray Way and A2300 in the west and A273 and Maple Drive in the east Priority junctions and traffic signals favoured over roundabouts to support permeability for pedestrians and cyclists
- Two strategic pedestrian and cycle links: enhancing the existing Green Circle; and a new Green Super Highway
- Network of secondary pedestrian and cycle links will be provided throughout the Northern Arc linking the area to the wider town to provide attractive, convenient and safe routes to facilitate sustainable movement
- Three neighbourhood centres, connected to each other by the Northern Arc avenue, located so people can walk to local facilities and services within 5 to 10 minutes of their home, as well as being accessible by cycle, public transport and car."

SDP3 of the Masterplan states that the Northern Arc will provide two strategic pedestrian and cycle links - an enhancement of the Green Circle and a Green Super Highway.

SDP4 of the Masterplan requires that, alongside the strategic links of SDP3, a network of pedestrian and cycle links will be provided throughout the Northern Arc linking into the existing town.

The approved IDP also sets out the intent of the applicant to deliver appropriate road and sustainable travel infrastructure.

The NPPF states that:

"110. In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be - or have been - taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users; and
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

111. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

West Sussex County Council (WSSCC) in their capacity as the local highways authority (LHA) has provided detailed comments on the merits of the application.

Access

Parcel 1.3 is to be accessed from the Freek's Farm development, which is currently under construction via a simple priority junction including 6m kerb radi, 5.5m wide carriageway and 2m wide footway.

Parcel 1.5 is served via the Eastern Bridge Link Road with both parcels being served by simple priority junctions which were approved as part of the Eastern Bridge Link Road application. These junctions include 6m kerb radi, 5.5m wide carriageway and 2m wide footway.

Parcel 1.6 is to be accessed from the south via the construction of a secondary street between Isaac's Lane and the Eastern Bridge and Link Road.

Appropriate and safe access to all dwellings has been provided.

Car Parking

The following car parking spaces have been provided:

Parcel P1.3:

Parking Type	Spaces
Allocated	32
Unallocated	10
Visitor	5
Total	47

Parcel P1.5:

Parking Type	Spaces
Allocated	63
Unallocated	105
Garages (Count as 0.5 spaces)	0.5
Total	168.5

Parcel P1.6:

Parking Type	Spaces
Allocated	108
Unallocated	42
Garages (Count as 0.5 spaces)	4
Visitor	18
Total	172

WSCC have commented that with regards to Parcel P1.6 that the level of unallocated/visitor parking spaces along the southern road would create an unbalanced provision but would not result in a reason for refusal.

The level of parking on each phase exceeds the WSCC guidance and as such no concerns are raised by WSCC in this regard.

Electric Vehicle Charging Points

Details of Electric Vehicle charging points levels are secured via condition of the outline application. This application indicates an intention to provide Electric Vehicle Charging points in line with WSCC guidance. The uplift in EVCP provision is supported.

Cycle Parking

A total of 275 cycle parking spaces would be provided, these would be in the form of storage within garages, secure spaces within the rear garden or secure spaces within the apartment blocks.

In the absence of any technical objections from WSCC, and subject to the imposition of the conditions requested by the highways authority, there are no sustainable reasons to object to the proposal on such grounds.

It is evident from the above assessment that the application therefore complies with Policies DP7, DP9, DP21 and DP22 of the District Plan, Principles SDP1, SDP2, SDP3, SDP4 and SDP10 of the Masterplan, the IDP, and the NPPF.

Ecology & Biodiversity

Policy DP7 states in part that strategic development will: "Identify and respond to environmental, landscape and ecological constraints and deliver opportunities to enhance local biodiversity and contribute to the delivery of green infrastructure in and around the town in accordance with policies elsewhere in the Plan including DP38: Biodiversity;..."

DP9 also makes clear that "the relevant land uses and infrastructure delivery for each phase: Identify and take account of environmental, landscape and ecological constraints including where possible avoiding or minimising harm to sensitive receptors and appropriately responding to the landscape setting including retention of woodland, hedgerows and other important natural features wherever possible and appropriate landscaping and safe design of balancing ponds and water/drainage features; and deliver opportunities and requirements as set out in Policy DP7: General Principles for Strategic Development at Burgess Hill and DP38: Biodiversity..."

Policy DP38 of the District Plan states:

"Biodiversity will be protected and enhanced by ensuring development:

- Contributes and takes opportunities to improve, enhance, manage and restore biodiversity and green infrastructure, so that there is a net gain in biodiversity, including through creating new designated sites and locally relevant habitats, and incorporating biodiversity features within developments; and
- Protects existing biodiversity, so that there is no net loss of biodiversity. Appropriate measures should be taken to avoid and reduce disturbance to

sensitive habitats and species. Unavoidable damage to biodiversity must be offset through ecological enhancements and mitigation measures (or compensation measures in exceptional circumstances); and

- Minimises habitat and species fragmentation and maximises opportunities to enhance and restore ecological corridors to connect natural habitats and increase coherence and resilience; and
- Promotes the restoration, management and expansion of priority habitats in the District; and
- Avoids damage to, protects and enhances the special characteristics of internationally designated Special Protection Areas, Special Areas of Conservation; nationally designated Sites of Special Scientific Interest, Areas of Outstanding Natural Beauty; and locally designated Sites of Nature Conservation Importance, Local Nature Reserves and Ancient Woodland or to other areas identified as being of nature conservation or geological interest, including wildlife corridors, aged or veteran trees, Biodiversity Opportunity Areas, and Nature Improvement Areas.

Designated sites will be given protection and appropriate weight according to their importance and the contribution they make to wider ecological networks.

Valued soils will be protected and enhanced, including the best and most versatile agricultural land, and development should not contribute to unacceptable levels of soil pollution.

Geodiversity will be protected by ensuring development prevents harm to geological conservation interests, and where possible, enhances such interests. Geological conservation interests include Regionally Important Geological and Geomorphological Sites."

SDP14 (Landscape and Green Infrastructure) of the Masterplan states that: "The Masterplan will preserve landscape features and wherever possible respect the landscape setting of nearby listed buildings and non-designated heritage assets. It will also deliver a net gain in biodiversity. This will be achieved by delivering ecological enhancements within the green infrastructure areas, such as ecologically valuable SuDS systems, private and shared garden and amenity space, and passive measures elsewhere such as green and brown roofs and the creation of new habitats through measures to support wildlife such as, for example, bat boxes. The development provides an opportunity to increase the diversity and resilience of tree cover, particularly in relation to climate change, pests and disease, as well as delivering a range of amenity benefits."

SDP15 of the Masterplan sets out that "the Northern Arc will provide a rich variety of attractive open spaces. These will support wider biodiversity objectives and promote climate change, pest and disease resilience, as well as meeting community needs for recreation and supporting health and well-being."

SDP16 (Ancient Woodland and Veteran Trees) of the Masterplan sets out that, "the multiple designated Ancient Woodlands within the Northern Arc, which are an irreplaceable habitat, will be retained and protected through a sensitive design approach. Ancient Woodlands will be incorporated into the framework of green spaces and protected by a buffer zone."

The IDP identifies that the network of woodland and natural open space throughout the site is intended to create strong green corridors.

At national level, the NPPF states in part at paragraph 174 that:

"Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;....."

Paragraph 180 is also relevant to the determination of planning applications with this stating that:

"When determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity."

Ecological surveys were carried out as part of the Outline Planning Application, and updated surveys accompany this reserved matters application. The following species have been identified:

- Bats
- Dormouse
- Great Crested Newts
- Reptiles

- Birds
- Badgers
- Hedgehogs

High quality habitat is proposed to be retained and where this is not possible additional habitat would be created. Precautionary methods of work, along with mitigation where necessary, is proposed to ensure the protection of protected species.

Five protected habitats have been identified on site, these include:

- Ancient woodland;
- Hedgerows;
- Rivers and Streams;
- Ponds; and
- Semi-improved and Unimproved grassland

Some hedgerow and semi-improved grassland would be lost as part of the proposal. In order to mitigate for this, additional wildflower rich grassland habitats would be created and new hedgerow would be planted.

The proposal includes extensive amounts of open space, which includes the provision of new habitats and the enhancement of existing habitats.

The CEMP, secured by condition on the Outline Planning Application, will ensure that there are no unacceptable impacts from construction activity.

The Biodiversity Net Gain calculations demonstrate that the proposed site should deliver a net gain of above the 10 per cent net gain required by the outline planning application and would be acceptable.

The reserved matters submission is therefore considered to be in accordance with Policies DP7, DP9 and DP38 of the District Plan, Principles SDP14, SDP15 and SDP16 of the Masterplan, the IDP and the NPPF.

Water Resources, Flood Risk & Drainage

Policy DP9 requires the relevant land uses and infrastructure delivery for each phase, to, in part:

"Take account of on-site flood plains and avoid areas of current and future flood risk through a sequential approach to site layout to comply with Policy DP41: Flood Risk and recommendations in the Strategic Flood Risk Assessment;

- Identify, avoid, mitigate and manage the risks posed to water quality associated with the historic land uses and support the delivery of 'Good' ecological status of the River Adur and Copyhold Stream in accordance with DP42: Water Infrastructure and the Water Environment;..."

Policy DP41 of the District Plan states:

"Proposals for development will need to follow a sequential risk-based approach, ensure development is safe across its lifetime and not increase the risk of flooding elsewhere. The District Council's Strategic Flood Risk Assessment (SFRA) should be used to identify areas at present and future flood risk from a range of sources including fluvial (rivers and streams), surface water (pluvial), groundwater, infrastructure and reservoirs.

Particular attention will be paid to those areas of the District that have experienced flooding in the past and proposals for development should seek to reduce the risk of flooding by achieving a reduction from existing run-off rates.

Sustainable Drainage Systems (SuDS) should be implemented in all new developments of 10 dwellings or more, or equivalent non-residential or mixed development unless demonstrated to be inappropriate, to avoid any increase in flood risk and protect surface and ground water quality. Arrangements for the long term maintenance and management of SuDS should also be identified.

For the redevelopment of brownfield sites, any surface water draining to the foul sewer must be disconnected and managed through SuDS following the remediation of any previously contaminated land.

SuDS should be sensitively designed and located to promote improved biodiversity, an enhanced landscape and good quality spaces that improve public amenities in the area, where possible.

The preferred hierarchy of managing surface water drainage from any development is:

1. Infiltration Measures
2. Attenuation and discharge to watercourses; and if these cannot be met,
3. Discharge to surface water only sewers.

Land that is considered to be required for current and future flood management will be safeguarded from development and proposals will have regard to relevant flood risk plans and strategies."

Policy DP42 of the District Plan states:

"New development proposals must be in accordance with the objectives of the Water Framework Directive, and accord with the findings of the Gatwick Sub Region Water Cycle Study with respect to water quality, water supply and wastewater treatment and consequently the optional requirement under Building Regulations - Part G applies to all new residential development in the district. Development must meet the following water consumption standards:

- Residential units should meet a water consumption standard of 110 litres per person per day (including external water use);
- Non-residential buildings should meet the equivalent of a 'Good' standard, as a minimum, with regard to the BREEAM water consumption targets for the development type.

Development proposals which increase the demand for off-site service infrastructure will be permitted where the applicant can demonstrate;

- that sufficient capacity already exists off-site for foul and surface water provision. Where capacity off-site is not available, plans must set out how appropriate infrastructure improvements approved by the statutory undertaker will be completed ahead of the development's occupation; and
- that there is adequate water supply to serve the development.

Planning conditions will be used to secure necessary infrastructure provision. Development should connect to a public sewage treatment works. If this is not feasible, proposals should be supported by sufficient information to understand the potential implications for the water environment.

The development or expansion of water supply or sewerage/sewage treatment facilities will normally be permitted, either where needed to serve existing or proposed new development, or in the interests of long term water supply and waste water management, provided that the need for such facilities outweighs any adverse land use or environmental impacts and that any such adverse impact is minimised."

SDP20 of the Masterplan states that green infrastructure will help to reduce flood risk and manage storm water through an extensive network of SuDS.

SDP23 of the Masterplan states that the Northern Arc will identify opportunities to reduce potable water demand to below the 110 litres per day through the use of a non-potable water network.

The IDP identifies that the Northern Arc will deliver potable water, surface water and foul water projects to the development.

Flood Risk

The majority of the site is located within Flood Zone 1 (low risk), however, the development extends into Flood Zones 2 (medium risk) and 3 (high risk) where it is immediately west of the river. No development is located within the flood zone.

The Eastern Bridge and Link Road runs through the middle of the Bellway site. The planning permission included a condition on that consent requiring access ramps along the river banks prior to the use of the bridge. The access to the river would need to be provided within the parcels covered by this application, however, details of this access have not been provided. As such, a condition is recommended to secure details of this river access prior to the commencement of this parcel.

The Environment Agency have commented on the proposal and have raised no objection subject to a condition to secure the access ramps along the river bank referred to above.

Sustainable Drainage

Details of Sustainable Drainage has been addressed through the outline permission with a condition being used to secure full details of the drainage.

Notwithstanding this the Council's Drainage Officer has been consulted and has commented that the drainage strategies submitted meet the requirements of the Drainage Masterplan and we therefore do not object to the details being addressed as part of a future discharge of conditions application.

In light of the above comments, the proposal is considered to be in accordance with Policies DP9, DP41 and DP42 of the District Plan, Principles SDP20 and SDP23 of the Masterplan, the IDP and the NPPF.

Sustainability

Policy DP39 of the District Plan 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"

SDP21 (Climate Resilient Development) of the Masterplan states that:

"Development within the Northern Arc will seek to make best possible use of passive design approaches to optimise the internal comfort of buildings. Coupled with extensive green infrastructure, these will in turn help to manage external comfort by managing air flows, temperature and shade.

Green infrastructure will also help to reduce flood risk and manage storm water through an extensive network of biodiverse SuDS. Evidence of response to future climate projections (i.e. UKCP18) will be required for all future development.

Green infrastructure will be designed with species that are tolerant to the prevailing climatic conditions of the south east, in order to respond to the hotter, drier summers and the colder winters. Additionally, a wide palette of species will be used to enhance the existing species range on site in order to improve resilience to pests and diseases."

SDP22 (Low Carbon Energy) of the Masterplan states that:

"Development at the Northern Arc will promote low carbon energy technologies, meeting criterion 1 of Part L of Building Regulations through passive design and embracing the transition to electric vehicles.

Buildings will be oriented for solar gain, alongside fabric efficiency measures. The development will also incorporate low carbon energy generation/distribution to ensure that energy performance delivers a meaningful reduction in carbon emissions from the baseline. This could include the use of emerging technologies, such as waste heat networks and local electricity storage and aggregation.

All properties with off- street parking will include charging points. For properties with on-street parking, there will be sufficient charging points to be ahead of the emerging electric vehicle market. The development will also include rapid charging points for taxis and buses and will provide electric car clubs to help reduce congestion and overall vehicle movement."

SDP23 (Integrated Water Management) of the Masterplan states that:

"Responding to the challenge of water stress across the South East, the Northern Arc will identify opportunities to reduce potable water demand to below the 110 litres per day required by Part G of the Building Regulations.

To deliver this, a non-potable water network will be required, building on the existing commitment to an extensive network of natural SuDS which, as well as mitigating flood risk, will provide an alternative source of water and allow for the potential reuse of waste water."

SDP24 (Construction and Material Use) of the Masterplan states that:

"The development will take into consideration the whole life cost and embodied carbon of all building materials to encourage innovated and sustainable use of natural resources. This will include the principles of 'Long life/loose fit' - buildings designed for adaptability with a simple floor plate, good daylighting, generous floor to ceiling heights and adequate space for servicing that enables easy reconfiguration of internal space as well as design for disassembly.

Homes England has an ambition to deliver homes at the Northern Arc at an accelerated pace, including through the use of Modern Methods of Construction (MMC). These comprise use of volumetric systems, panelised systems and systems which use pre-manufactured components."

The IDP also sets out a number of Sustainable Travel Projects including walking and cycling projects and travel plans which have been referenced in the highways and access section of this report.

Paragraph 150 of the NPPF seeks to ensure new development helps, "to reduce greenhouse gas emissions, such as through its location, orientation and design." Paragraphs 153 expects new development to, "take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption."

The applicant has provided a sustainability Strategy with the application. This confirms that Bellway Homes and Homes England have committed to deliver an

enhanced sustainability strategy for the site whereby all plots will meet the requirements of the interim Future Homes Standard (Part L 2021).

An overall improvement of 31 per cent reduction in CO2 emissions is achieved against current building regulations.

This will be achieved through the following measures:

- Fabric specification better than the fabric values required to meet Part L including the following:
 - External walls 20 per cent improvement
 - Floors 40 per cent improvement
 - Roof 50 per cent improvement
 - Windows 35 per cent improvement
 - Air tightness 50 per cent improvement
- 113 homes will be installed with PV's
- 23 houses would be fitted with Air Source Heat Pumps
- All apartments fitted with Hot Water Heat Pumps

In addition, houses will be designed with heat distribution systems which accommodate lower flow temperatures of 45 degrees to ensure the high efficiency gas condensing boilers to be fitted are able to operate in condensing mode for longer periods, and to ensure the system is adaptable to the future installation of air source heat pumps should residents wish to retrofit alternative heating systems.

Devices to increase the energy efficiency of the heating systems such as Flue Gas Heat Recovery and Waste Water Heat Recovery will be installed.

These measures would be secured by condition.

The proposal is therefore considered to be in accordance with Policy DP39 of the District Plan, Principles SDP21, SDP22, SDP23 and SDP24 of the Masterplan, the IDP and paragraphs 150 and 153 of the NPPF.

Other Issues

A number of third party concerns have not been addressed in the report above.

With regards to noise, a condition requiring a CEMP is attached to the outline consent, the details contained in the CEMP will help protect surrounding residents from noise disturbance during construction.

With regards to increased traffic, this was assessed at the outline stage and the road network was considered to be able to satisfactorily accommodate the vehicular movements associated with the development.

Finally with regards to the concern that the focus should be on developing Burgess Hill Town Centre and providing meaningful facilities, the Council must determine the application that has been submitted. Any applications for development within the Town Centre will be assessed on their own merits.

EIA Regulations

The proposal is part of a project that is EIA development. The outline planning application, DM/18/5114, was accompanied by an Environmental Statement.

This application is considered to be a subsequent application as it is part of the same project.

It is considered that the environmental information already before the Council is adequate to assess the significant effects of the development of the environment. It is considered that the development is in broad accordance with the outline planning permission and as such the conclusions of the Environmental Statement submitted under that application remain relevant.

Planning Balance and Conclusion

The principle of the development of up to 460 dwellings, has been established through the granting of the outline planning permission DM/18/5114.

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

The details of the reserved matters of the layout, scale, appearance and landscaping of the site need to be assessed against the relevant policies in the development plan. In making an assessment as to whether the proposal complies with the development plan, the Courts have confirmed that the development plan must be considered as a whole, not simply in relation to any one individual policy. It is therefore not the case that a proposal must accord with each and every policy within the development plan.

The impact of the scheme on the surrounding landscape and the trees is considered acceptable.

The proposal is considered acceptable in respect of the visual impact with the design being supported by the Council's Urban Designer, the Design Review Panel and the Council's Tree Officer.

The proposal preserves the significance of Lowlands Farm (a non-designated heritage asset) and has no unacceptable impact on any other heritage assets. The proposal is supported by the Council's Tree Officer.

The proposal also provides a good level of play space and open space in accordance with District Plan policy.

No objections are raised to the proposal by the local highway authority and in the absence of any technical objections there are not deemed to be any reasonable grounds to refuse the application on highways related matters. Adequate levels of car and cycle parking are provided.

The affordable housing provision of 75 units is policy compliant (30 per cent) and the mix of units and their location also accords with the Council's requirements.

The proposal will not result in demonstrable significant harm to neighbouring residential amenity and the scheme will provide a good standard of accommodation for future occupiers.

There are no technical reasons to object to the scheme in respect of water resources, flood risk and drainage.

The proposal also accords with the Council's sustainability policy requirements and in respect of the ecological and biodiversity effects of the development.

The application is deemed to comply with policies DP4, DP6, DP7, DP9, DP20, DP21, DP22, DP23, DP26, DP28, DP29, DP30, DP31, DP34, DP37, DP38, DP39, DP41 and DP42 of the Mid Sussex District Plan, the Northern Arc Masterplan (2018), the Northern Arc Infrastructure Delivery Plan and Phasing Strategy (2018) and the NPPF.

The application is therefore recommended for approval, subject to the conditions listed in Appendix A.

APPENDIX A – RECOMMENDED CONDITIONS

1. The development shall be carried out in accordance with the approved details.

Reasons: To ensure an acceptable development in accordance with Policy DP9 of the District Plan.

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

Reason: To ensure an acceptable level of car parking and to ensure highway safety in accordance with Policy DP21 of the District Plan.

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

Reason: To provide alternative travel options to the use of the car in accordance with Policy DP39 of the District Plan.

4. The Measures set out in the Sustainability Strategy Note shall be implemented for each dwelling prior to the occupation of that dwelling.

Reason: To ensure sustainable construction in accordance with Policy DP39 of the District Plan.

5. Prior to the commencement of Parcels P1.5 and OS1.2N, full details of the Green Circle route shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to ensure connectivity with the surrounding parcels in accordance with DP9 and DP26 of the District Plan

Parcel P1.3

6. Prior to the commencement of any development on Lowlands Barn (including demolition work) full details of the following shall be submitted and approved in writing by the Local Planning Authority:
 - a) Details of roofing and facing materials
 - b) Detailed drawings at an appropriate large scale, including sections and annotated to show materials and finishes, of the following:
 - typical examples of windows and external doors
 - typical eaves detail
 - c) Confirmation that the rainwater goods will be of painted metal
 - d) Confirmation that the rooflights to be flush fitting, metal framed conservation style rooflights.

The development shall be carried out in accordance with the approved details.

Reason: To ensure the significance of the non-designated heritage asset is preserved in accordance with DP34 of the District Plan

7. Prior to the commencement of development on Parcel P1.3 (as shown on plan 022106-BEL-SL-LPP) the following shall be submitted and approved in writing by the Local Planning Authority in relation to parcel P1.3:
- a) Details and samples of the facing materials to include a materials plan
 - b) 1: 5 scale front elevation and section drawings of the hot water pump system vents on the block of flats shown in context.
 - c) 1:20 scale elevation and section drawings showing the following typical features of the houses and flats in context: balustrading, entrance door/canopy, projecting brick detailing between vertically grouped windows, inset rainwater downpipe, eaves detailing, PV panels on the roof.
- The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity in accordance with DP9, DP26 of the District Plan

8. Prior to commencement of development on Parcel P1.3 (as shown on plan 022106-BEL-SL-LPP) and notwithstanding any information submitted to the contrary, full details of a hard and soft landscaping scheme for Parcel P1.3 shall be submitted to and approved in writing by the Local Planning Authority. This shall include:
- New planting
 - Indications of all existing trees and hedgerows on the land, and details of those to be retained, together with measures for their protection in the course of development.
 - Hard surfacing
 - Boundary treatments
 - Section drawings of the attenuation ponds/swales

These works shall be carried out as approved. The works shall be carried out in accordance with a programme agreed by the Local Planning Authority. Any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. In addition, all planting either in the verge adjoining the cycleway or in any visibility splay informed by Manual for Streets design must be kept below 600mm in height.

Reason: In the interests of visual amenity and to ensure an acceptable impact on the heritage asset and retained trees in accordance with DP9, DP26, DP34 and DP37 of the District Plan.

9. No part of Parcel P1.3 shall be occupied until Electric Vehicle Charging spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

Reason: In the interests of sustainability in accordance with Policy 39 of the District Plan.

Parcel P1.5

10. Prior to the commencement of development on Parcel P1.5 (as shown on plan 022106-BEL-SL-LPP) the following shall be submitted and approved in writing by the Local Planning Authority in relation to parcel P1.5:

- a) Details and samples of the facing materials to include a materials plan
- b) 1: 5 scale front elevation and section drawings of the hot water pump system vents on the block of flats shown in context.
- c) 1:20 scale elevation and section drawings showing the following typical features of the houses and flats in context: balustrading, entrance door/canopy, projecting brick detailing between vertically grouped windows, inset rainwater downpipe, eaves detailing, PV panels on the roof.

The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity in accordance with DP9, DP26 of the District Plan

11. Prior to commencement of development on Parcel P1.5 (as shown on plan 022106-BEL-SL-LPP) and notwithstanding any information submitted to the contrary, full details of a hard and soft landscaping scheme for Parcel P1.5 shall be submitted to and approved in writing by the Local Planning Authority. This shall include:

- New planting
- Indications of all existing trees and hedgerows on the land, and details of those to be retained, together with measures for their protection in the course of development.
- Hard surfacing
- Boundary treatments
- Section drawings of attenuation ponds/swales

These works shall be carried out as approved. The works shall be carried out in accordance with a programme agreed by the Local Planning Authority. Any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. In addition, all planting either in the verge adjoining the cycleway or in any visibility splay informed by Manual for Streets design must be kept below 600mm in height.

Reason: In the interests of visual amenity and to ensure an acceptable impact on retained trees in accordance with DP9, DP26 and DP37 of the District Plan.

12. No part of Parcel P1.5 shall be occupied until Electric Vehicle Charging spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

Reason: In the interests of sustainability in accordance with Policy 39 of the District Plan.

Parcel 1.6

13. Prior to the commencement of development on Parcel P1.6 (as shown on plan 022106-BEL-SL-LPP) the following shall be submitted and approved in writing by the Local Planning Authority in relation to parcel P1.6:

- a) Details and samples of the facing materials to include a materials plan
- b) 1: 5 scale front elevation and section drawings of the hot water pump system vents on the block of flats shown in context.
- c) 1:20 scale elevation and section drawings showing the following typical features of the houses and flats in context: balustrading, entrance door/canopy, projecting brick detailing between vertically grouped windows, inset rainwater downpipe, eaves detailing, PV panels on the roof.

The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity in accordance with DP9, DP26 of the District Plan

14. Prior to commencement of development on Parcel P1.6 (as shown on plan 022106-BEL-SL-LPP) and notwithstanding any information submitted to the contrary, full details of a hard and soft landscaping scheme for Parcel P1.6 shall be submitted to and approved in writing by the Local Planning Authority. This shall include:

- New planting
- Indications of all existing trees and hedgerows on the land, and details of those to be retained, together with measures for their protection in the course of development.
- Hard surfacing
- Boundary treatments

These works shall be carried out as approved. The works shall be carried out in accordance with a programme agreed by the Local Planning Authority. Any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. In addition, all planting either in the verge adjoining the cycleway or in any visibility splay informed by Manual for Streets design must be kept below 600mm in height.

Reason: In the interests of visual amenity and to ensure an acceptable impact on retained trees in accordance with DP9, DP26, and DP37 of the District Plan.

15. No part of Parcel P1.6 shall be occupied until Electric Vehicle Charging spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

Reason: In the interests of sustainability in accordance with Policy 39 of the District Plan.

Parcel OS1.1a

16. Prior to commencement of development on Parcel OS1.1a (as shown on plan 022106-BEL-SL-LPP) and notwithstanding any information submitted to the contrary, full details of a hard and soft landscaping scheme for Parcel OS1.1a shall be submitted to and approved in writing by the Local Planning Authority. This shall include:

- New planting
- Tree survey and indications of all existing trees and hedgerows on the land, and details of those to be retained, together with measures for their protection in the course of development.
- Hard surfacing
- Boundary treatments
- Other furniture
- Details of bat house

These works shall be carried out as approved. The works shall be carried out in accordance with a programme agreed by the Local Planning Authority. Any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local

Planning Authority gives written consent to any variation. In addition, all planting either in the verge adjoining the cycleway or in any visibility splay informed by Manual for Streets design must be kept below 600mm in height.

Reason: In the interests of visual amenity and to ensure an acceptable impact on retained trees in accordance with DP9, DP26, and DP37 of the District Plan.

Parcel OS1.1b

17. Prior to commencement of development on Parcel OS1.1b (as shown on plan 022106-BEL-SL-LPP) and notwithstanding any information submitted to the contrary, full details of a hard and soft landscaping scheme for Parcel OS1.1b shall be submitted to and approved in writing by the Local Planning Authority. This shall include:

- New planting
- Tree survey & indications of all existing trees and hedgerows on the land, and details of those to be retained, together with measures for their protection in the course of development.
- Hard surfacing
- Boundary treatments
- Furniture
- Section drawings of attenuation ponds/swales

These works shall be carried out as approved. The works shall be carried out in accordance with a programme agreed by the Local Planning Authority. Any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. In addition, all planting either in the verge adjoining the cycleway or in any visibility splay informed by Manual for Streets design must be kept below 600mm in height.

Reason: In the interests of visual amenity and to ensure an acceptable impact on retained trees in accordance with DP9, DP26, and DP37 of the District Plan.

Parcel OS1.2N

18. Prior to commencement of development on Parcel OS1.2N (as shown on plan 022106-BEL-SL-LPP) and notwithstanding any information submitted to the contrary, full details of a hard and soft landscaping scheme for Parcel OS1.2N shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of:

- New planting
- Tree survey and indications of all existing trees and hedgerows on the land, and details of those to be retained, together with measures for their protection in the course of development.
- Removal of existing boundary treatments and hard surfacing
- Hard surfacing (including Green Circle details)
- Details of the maintenance access route to the river (as required by condition 15 of the Eastern Bridge and Link Road Permission - DM/19/3313)
- Boundary treatments
- Furniture

These works shall be carried out as approved. The works shall be carried out in accordance with a programme agreed by the Local Planning Authority. Any trees or plants which, within a period of five years from the completion of development, die,

are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. In addition, all planting either in the verge adjoining the cycleway or in any visibility splay informed by Manual for Streets design must be kept below 600mm in height.

Reason: In the interests of visual amenity, to ensure an acceptable impact on retained trees and to ensure suitable access to the river banks for maintenance/emergency works as necessary in accordance with DP9, DP26, DP37 and DP41 of the District Plan.

Parcel OS1.5

19. Prior to commencement of development on Parcel OS1.5 (as shown on plan 022106-BEL-SL-LPP) and notwithstanding any information submitted to the contrary, full details of a hard and soft landscaping scheme for Parcel OS1.5 shall be submitted to and approved in writing by the Local Planning Authority. This shall include:

- New planting
- Indications of all existing trees and hedgerows on the land, and details of those to be retained, together with measures for their protection in the course of development.
- Hard surfacing (including pedestrian/cycle links to eastern neighbourhood centre)
- Boundary treatments
- Furniture

These works shall be carried out as approved. The works shall be carried out in accordance with a programme agreed by the Local Planning Authority. Any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. In addition, all planting either in the verge adjoining the cycleway or in any visibility splay informed by Manual for Streets design must be kept below 600mm in height.

Reason: In the interests of visual amenity and to ensure an acceptable impact on retained trees in accordance with DP9, DP26, and DP37 of the District Plan.

Parcel OS1.6

20. Prior to commencement of development on Parcel OS1.6 (as shown on plan 022106-BEL-SL-LPP) and notwithstanding any information submitted to the contrary, full details of a hard and soft landscaping scheme for Parcel OS1.6 shall be submitted to and approved in writing by the Local Planning Authority. This shall include:

- New planting
- Indications of all existing trees and hedgerows on the land, and details of those to be retained, together with measures for their protection in the course of development.
- Hard surfacing (including pedestrian/cycle link)
- Boundary treatments
- Furniture
- Section drawings of pocket park

These works shall be carried out as approved. The works shall be carried out in accordance with a programme agreed by the Local Planning Authority. Any trees or

plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. In addition, all planting either in the verge adjoining the cycleway or in any visibility splay informed by Manual for Streets design must be kept below 600mm in height.

Reason: In the interests of visual amenity and to ensure an acceptable impact on retained trees in accordance with DP9, DP26, and DP37 of the District Plan.

INFORMATIVES

1. The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the proposed adoptable on-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that any works commenced prior to the S38 agreement being in place are undertaken at their own risk.

Plans referred to in Consideration of this Application:
Plans to be added in update

APPENDIX B – CONSULTATIONS

Parish Consultation

Noted.

Contaminated Land

The updated information does not alter my comments made on the 16/11/2021, which are reproduced below:

The EIA Statement of Conformity makes it clear that a Phase II site investigations and risk assessment will be completed, in line with condition 10 of outline application DM/21/3870, after this application has been given consent. As such, I have no comment to make on the current application.

MSDC Urban Design Officer

Urban Design Observations

To: Louise Yandell, Development Management

From: Will Dorman, Urban Designer, Mid Sussex DC

Application ref: DM/21/3870

Date: 26/4/22

Address: Northern Arc, Land N/NW of Burgess Hill between Bedelands Nature Reserve in the east and Goddard's Green Waste, Water Treatment Works in the west

Description: Reserved Matters Application pursuant to outline application DM/18/5114, to consider access, appearance, landscaping, layout, and scale with respect to the erection of 247 dwellings and associated car parking, open space, and infrastructure, including an extension to Bedelands Nature Reserve and provision of the Green Circle and pedestrian/cycle route for Sub-Phases P1.3, P1.5, P1.6, OS1.1a, OS1.1b, OS1.1N, OS1.5 and OS1.6 to the east of Isaacs Lane and Lowlands Farm at the Northern Arc development.

Drawings: Revised drawings received 17/3/22 + 19/4/22

PARCEL 1.5/1.6

Layout / Landscaping

The overall layout works well and appropriately accords with the guidelines in the Northern Arc Design Guide/masterplan. The development benefits from a variety of open spaces and a retained hedgerow as well as a backdrop of mature trees principally on the south, east, and west boundaries; this not only helps through softening and screening, but it also helps invest the different parts of the scheme with their own character.

The central focus of the scheme is the formal north south tree-lined axis of the N Arc avenue (NAA) which bisects the development (and will be terminated by the proposed secondary school). This is appropriately defined by the higher density element that is provided by 3 storey apartment blocks.

Running parallel with the NAA on the west side is the retained hedgerow where the opportunity has been taken to provide a green/pedestrian link that provides a safe environment for children to walk to the secondary school (which is proposed to be extended through to the development parcel to the south to link up with eastern neighbourhood centre). This arrangement reduces the amount of road space that necessitates the large rear court parking area at the rear of the apartment blocks 3 to 8. These parking areas have been carefully designed and enclosed by coach house style flats over garages (FOG's) that contribute to the natural surveillance of the space and reduce the amount of visible parking. Trees and threshold gardens serving the apartment blocks also help to soften this area and create a Mews style street that contributes to giving variety to the development. The following revisions have been made that positively respond to the DRP's concerns about the layout/landscaping:

- The northern boundary now integrates more successfully with the school and the Eastern Bridge Link Road (EBLR). Most notably the pocket park north of block 3 has been re-designed with an extended boundary (facilitated by a reduced secondary school threshold) that allows sufficient space for the pathway to negotiate the significant east west level difference. The extension has also enabled the school entrance plaza to be extended into the pocket park and provides for trees and shrubs on the northern boundary that will screen the weld mesh school security fence.
- The pathway along the green link has been widened and pulled marginally* away from the houses to both accommodate large numbers of school children and reduce their impact upon residents (*it was not possible to further increase the buffer because of the need to safeguard the ecology of the retained hedge).
- The path around the attenuation pond is now linked up on the east and west side and the seating has been set-back to avoid impeding the path.
- The axial link between block 6 and 7 that is terminated with block 1's eastern frontage has now been rationalised avoiding unnecessary turns in the path.
- As a safety measure a knee-high rail has been incorporated around the so-called "Village Green".

I nevertheless still have the following detailed comments which I would like to be addressed through a landscaping condition:

- More discussion is needed on the palette of surface materials and street furniture to ensure there is sufficient coordination to avoid a busy appearance.
- On the other hand, all shared surfaces should be finished in a material other than tarmac to visually indicate that pedestrians have equal right of use. This applies to the eastern area of parcel 1.5 and the street serving plots 53-55 and 83-86.
- Some of the proposed street trees such as in front of plot 1 and block 2 do not appear to have sufficient safeguarding space around them to protect them from vehicles. I also think all the street trees need to demonstrate they have sufficient soil volume to support them.
- While I note that the planting around the pumping station has been extended in response to the DRP's concerns, it would benefit from some trees as well as shrubs (ie. not just ornamental amenity planting). Trees on the south and west side of the attenuation basin will nevertheless need to be carefully positioned so they allow some natural surveillance of the pathways from the adjacent blocks of flats.
- The tree selection and arrangement need reviewing as some potential large trees (Lime and Oak) in the Village Green look too closely spaced trees. More generally I would also like to see more consistent application of tree species along the streets.
- A detailed section of the SuDS (swales and attenuation pond) is needed to ensure they contribute positively to the appearance of the surrounds.

- The pocket park needs to be further reviewed to ensure that it addresses the DRP's concerns about its vulnerability to trampling adjacent to the paths. The surface materials also need to be coordinated with the EBLR and the school entrance plaza.

It should also be noted that perspective PER01 is inaccurate as the existing hedge will occupy most of the foreground space (which also looks exaggerated) and will neither permit much of a view of the houses nor provide much usable open space as suggested. For this reason, I recommend it is not presented to the Committee.

Elevations

The revised drawings incorporate re-designed apartment blocks along the NAA that involve the replacement of flat roofs with pitched roofs and improvements in the overall articulation and detailing of the facades. This gives the blocks a better relationship with the design of the rest of the dwellings and provides a more elegant and architecturally interesting façade which now acceptably address this key street frontage. The articulation includes more consistently proportioned bays that generate a natural rhythm that is typical of a run of terraced houses which helps to break down the scale of these long frontages. The brick detailing has been employed to vertically group the upper floor windows which contributes to the vertical proportions of the facade. In response to the DRP's request, a large-scale drawing has been produced to show how the bricks would be laid to achieve the design effect of the gables. Recessed balconies are now consistently incorporated throughout the frontage that help give the elevations a sense of structural depth; and the balustrading feature metal railings in place of glass panels and are better detailed. The rear elevations have also been improved so they provide a formal frontage facing the rear court parking/mews. Internally the two-bedroom flats have been redesigned where it was necessary to address the DRP's concerns by providing larger living rooms and allowing more fenestration to face the balcony.

Following the DRP's concerns, the revised drawings also illustratively show vents on the apartment buildings that are required to accommodate the proposed hot water pump system in the apartment blocks. Unfortunately, no precedent pictures have been provided that show how they will actually appear, and I am concerned they may have a more disruptive impact than currently shown. A condition is therefore recommended to ensure this is sensitively accommodated.

Many of the other streets feature gabled fronted houses that help punctuate/address the street corners and vertically articulate and add interest to the wider street frontage. This is exemplified by the long elevation (plots 1 to 20) facing the "Village Green" where the revised drawings benefit from a consistent arrangement of gabled fronted houses within the semi-detached configuration that is suitably formal.

The DRP were nevertheless previously critical of the inconsistent application of secondary facing materials at front and back. This has largely been addressed and the drawings now show the elevations that are clearly visible from the public realm benefiting from the application of cladding or tile hanging on the front, side, and rear elevations.

The facing materials have generally been used consistently within each street to help distinguish and give a different character to the various parts of the development.

Also in response to the DRP, photovoltaics are now clearly indicated on the roofs where they are proposed. They have been designed to sit flush with the roof and are mostly discreetly positioned at the side or rear roof slope. The main exception to this is plots 1-20 facing the "Village Green"; here I am concerned the PV's may look cluttered as there are so many of

them. I feel consideration should be given to employing slate or grey tiling which will at least help lessen the contrast with the PV panels.

The revised drawings show the coach houses/FOG's on corner plots 115,117,118, 120 with windows in the return corner which address the streets and spaces they face. I nevertheless note that street section SS22B the FOG has been incorrectly drawn as it is orientated the wrong way round with the entrance canopy facing west, not east.

PARCEL 1.3

The layout generally works well on this constrained site and it benefits from frontages that face the tree lined boundaries that provide an attractive backdrop to the public realm. I nevertheless have some concerns about the proximity of the block of flats to Freeks Lane as it does not allow much space to accommodate new trees and shrubs to replace the existing soft landscaped boundary which will mostly be lost to facilitate the scheme (as I understand it has little value in arboricultural or ecological terms). Careful species selection will therefore be needed to ensure that it provides a soft edge to preserve the character of Freeks Lane without depriving residents of natural light.

The houses on parcel 1.3 have been designed in the same architectural style as the larger site. While this does little to distinguish it, this is a small site separated from parcel's 1.5/1.6 by Countryside's Freeks Farm scheme that ensures there is sufficient diversity of character across this part of the Northern Arc. Also, both prominent buildings at the site entrance are quite individual. This includes the converted barn and the three-storey block of flats with its angled return configuration, dormer windows, black cladding and barn hip roof that helps generate a softer aesthetic than the blocks on the larger parcel that is commensurate with its more rural location.

In response to the DRP's comments on plots 243 and 244, the garages have now been designed with barn hips on both sides that has improved their relationship with the adjacent houses.

In respect of the landscaping, I have the same comments as with parcels 1.5/1.6 (refer above) on the surface materials/street furniture/shared surfaces and the design of the attenuation pond and would likewise recommend that the landscape condition applies to parcel 1.3.

The revised drawings have nevertheless addressed the DRP's concern about the design of the parking and T-junction adjacent to the converted barn and this now appropriately shows more soft landscaping.

OVERALL ASSESSMENT

The scheme now sufficiently accords with policy DP26 of the District Plan and the principles set out in the Council's Design Guide; I also believe the proposal addresses most of the DRP's issues. I therefore raise no objections, but would recommend that conditions are included requiring the submission of the following drawings/information to secure the quality of the design:

- Hard and soft landscaping details including boundary treatments across the scheme and detailed section drawings of the pocket park, attenuation ponds and swales showing the surrounding context.
- Details of the facing materials including a materials plan.

- 1: 5 scale front elevation and section drawings of the hot water pump system vents on a typical block of flats shown in context.
- 1:20 scale elevation and section drawings showing the following typical features of the houses and flats in context: balustrading, entrance door/canopy, projecting brick detailing between vertically grouped windows, inset rainwater downpipe, eaves detailing, PV panels on the roof.

Consideration could also be given to securing the scheme's sustainability proposals through the inclusion of a condition.

Northern Arc Design Review Panel

NOTES OF NORTHERN ARC DESIGN REVIEW PANEL (24/03/2022)

Panel: Neil Way (Chair), Lap Chan (Vice Chair), Alice-Rose Hoile, James Rae, Andrew Cameron, Richard Partington

MSDC: Will Dorman (MSDC Urban Designer), Louise Yandell (Northern Arc Strategic Development Manager)

Ward Councillor: Councillor Anne Eaves

Bellway Parcels (Sub-phases P1.3, P1.5, P1.6, OS1.5 & OS1.6 and part of OS1.1a, OS1.1b, OS1.2N of the Northern Arc)

Description of Scheme

Reserved Matters Application pursuant to outline application DM/18/5114, to consider access, appearance, landscaping, layout and scale for the erection of 247 dwellings, alterations to Lowlands Farm and its conversion to form 2 dwellings, associated car parking, open space and infrastructure, including an extension to Bedelands Nature Reserve and provision of the Green Circle (pedestrian/cycle/equestrian route) for Sub-Phases P1.3, P1.5, P1.6, OS1.5, OS1.6 and part of OS1.1a, OS1.1b and OS1.2N.

Presenters

Architect: Ed England (DHA)
Steve Mitchell (DHA)
Landscape Architect: Adam Williams (Macfarlane Associates)
Developer: Mike Birch (Bellway)
Planning Agent: James McConnell (McConnell Planning)

The Panel's Comments

The panel commended the progress that had been made to the design since the DRP in January. The panel considered that most of the comments made by the panel had been addressed and the changes represented an improvement to the overall design especially in respect of the apartment blocks and the pocket park.

Nevertheless, the scheme would benefit from some further refinement to the design particularly in relation to the landscaping that could be more positively designed and avoid being dominated by the vehicular and servicing requirements:

- The landscaping often appears engineered especially where it is squeezed in around turning areas where it would benefit from careful integration.
- The parking area immediately in front of the pocket park, some of the spaces could possibly be rotated 90 degrees to reduce the hardstanding.
- The pedestrian journey from the area in front of block 1, past units 98-100 and past the area to the side of block 8 does not flow particularly effectively because of the 90 degree turns. The panel questioned whether this route could be softened and whether the overall experience could benefit from the rotation of block 1 that would enable the area in front of this block to be opened up.
- On parcel P1.3, the panel believed the use of bollards adjacent to the barn was unnecessary because it is a lightly trafficked area. The delineation of the path and carriageway can instead be indicated through different materials. The parking to the east of the barn could be brought forward and staggered to reduce the expanse of hardstanding in this area. Furthermore, the parking alongside the road in this area could be more effectively integrated into the widths of the highway, reducing the need for the parking bays which appear overly formal in the context of this parcel.
- The imagery of the soft landscaping was quite aspirational. Careful consideration is needed of tree species in relation to their locations, and all plants need specifying. Details including the soil volume of tree pits, as well as the size of the girths and root balls should be included in the application submission.
- The landscaping outside of the flats will need to be managed by a private management company to ensure a consistent appearance and avoid changes by private owners which could reduce the quality of the appearance.
- The widths of paths should be considered further and where these are narrowed due to the placement of furniture, the routes should be widened, or the furniture set-back from the paths to ensure these routes are not constrained (e.g. where the benches are positioned around the SuDS basin).
- The planting in the pocket park may be vulnerable to trampling adjacent to the paths and could benefit from rationalisation. Concern was also raised about the proximity of the events space and the adjoining dwellings and the location of this should therefore be reconsidered.
- The area of open space on the southern boundary should integrate effectively with the Eastern Neighbourhood Centre parcel to the south.
- The pumping station and substation need to be better integrated into the surrounding open space. A tarmacked surface would appear visually intrusive here and an alternative more natural surfacing should be used that integrates harmoniously with the soft landscape. The hedging follows the unnatural rectilinear boundary of the pumping station and substation. The landscaping would benefit from a bolder approach this could include a bosque of tree planting and the shrubs spreading out to the surrounding pathways and the SuDS basin.

With regards to sustainability, the panel were glad to see that PV's had now been shown on the buildings; however, they will need to be on the side of the building which maximises their performance and the inconsistent positioning on perspective 5 suggested this may not be the case. The PV's will also need to be well detailed and set flush with roof slope to provide an acceptable appearance.

There was a concern the design team did not fully understand the hot water pump system. The air ducts required are likely to result in very large vents both in and out of the building that would significantly impact upon the buildings appearance. This does not appear to have been considered and it is unclear where they would be located. It was also unclear how the heat would be distributed around the building; this should be considered further with the details included in the application.

The building regulation changes will introduce a requirement to consider overheating. It was unclear if this had been considered by the design team. This should be investigated to avoid the need for retrospective mechanical solutions

The panel had some questions regarding the detailing of the gables and how the bricks would be laid to achieve the design effect. Large scale drawings should be provided to indicate how this would be achieved.

The relationship of the asymmetric roofs of the garages and the houses on plots 243 and 244 would benefit from being reviewed.

The panel were concerned that the layout of the two-bedroom flats in the blocks facing the Northern Arc avenue did not represent the best use of the space available. They suffered from a disproportionately small living rooms and too much circulation space. The fake windows behind the balcony would have a deadening effect upon the road frontage and a better solution could be achieved, where the balcony directly fronts onto living space. Storage in the units would be limited as most of the space would be required for the heat pump infrastructure, and for this reason it was questioned whether the flats meet the minimum space requirements.

The panel were keen to ensure that:

- All the dwellings, including the flats/coach houses would have convenient access to secure cycle parking.
- Car parking spaces within the car ports were restricted for car parking (with inclusion of a planning condition) so they cannot be infilled in the future.

Overall Assessment

The panel support the scheme subject to changes that address the above issues.

NOTES OF NORTHERN ARC DESIGN REVIEW PANEL (13/01/2022)

Panel: Neil Way (Chair), Lap Chan (Vice Chair), James Rae, Andrew Cameron, Richard Partington

Apologies: Alice-Rose Hoile

MSDC: Will Dorman (MSDC Urban Designer), Louise Yandell (Northern Arc Strategic Development Manager)

Ward Councillor: Councillor Anne Eaves

Bellway Parcels (Sub-phases P1.3, P1.5, P1.6, OS1.1a, OS1.1b, OS1.2N, OS1.5 & OS1.6 of the Northern Arc)

Description of Scheme

Reserved Matters Application pursuant to outline application DM/18/5114, to consider access, appearance, landscaping, layout and scale with respect to the erection of 247 dwellings and associated car parking, open space and infrastructure, including an extension to Bedelands Nature Reserve and provision of the Green Circle and pedestrian/cycle route for Sub-Phases P1.3, P1.5, P1.6, OS1.1a, OS1.1b, OS1.1N, OS1.5 and OS1.6.

Presenters

Architect: Steve Mitchell (DHA)
Landscape Architect: Glen Macfarlane (Macfarlane Associates)
Adam Williams (Macfarlane Associates)
Developer: Mike Birch (Bellway)
Planning Agent: James McConnell (McConnell Planning)

The panel commended the general design aesthetics of the scheme but were concerned that the scheme did not rise to the aspirations seen at Freeks Farm and represented a step down in design quality.

The panel were disappointed that comments raised at the previous Design Review Panel in relation to sustainability did not appear to have been seriously considered or addressed, and that Bellway appeared to be proposing a minimum compliance approach.

Concern was raised that the approach to uplift the carbon reduction from 19 per cent to 31 per cent by PV panels hadn't been fully considered and the exact details of how the uplift would be achieved was not known. A large number of the roofs face east-west and would not be suitable for solar panels. In addition, the impact on the overall appearance of PV's on the scheme had not been considered. PV's should be shown on the application drawings.

No consideration appeared to have been given to the panel's previous comments regarding overheating from large areas of west facing glazing.

In relation to the comments regarding the properties being suitable for retrofitting to use air source heat pumps, the panel wanted clarification on where the units would be located for flats.

The Northern Arc Avenue is a very significant route where much of the activity will be and should be the part of the scheme with the grandest architecture and civic space. The panel were disappointed with the design of the flats which appeared to be too simplified, and in relation to the remainder of the scheme. There seemed to be no context for the aesthetic (which gives the impression of 1950's factory buildings). Consideration should be given to increasing the height of the flats and modelling the roofline such as by providing pitched roofs. Concern was also raised with the design and horizontal emphasis of the balconies and overall further detail is needed by the inclusion of 1:20 drawings.

The panel were concerned around the lack of rear elevations in the presentation and wanted to ensure that the rear elevations were not watered down and reflected the front elevations.

The inclusion of detailed sections was helpful. However, it demonstrates there will need to be a lot of cut and fill to achieve the re-profiled slopes. It would also be helpful to have sections across the Northern Arc Avenue.

Concern was raised with some of the presentation material being mis-representative of how the development would appear in reality, e.g backdrop's of trees where buildings would be located, open space where there would be retained hedgerow, failure to ensure CGI's and plans were accurate in relation to each other etc. It was recommended that the design team carry out an audit of all the application drawings to ensure accuracy.

Concern was raised about the design of the green link that forms the main route from the Neighbourhood Centre to the school which should be seen as the most attractive/convenient approach in order to promote its use. It therefore needs to address the following:

- The width of the path at 2m is very narrow for the large numbers of movements school children arriving both on foot and by bike, and is uncomfortably close to building frontages.
- The desire line through the pocket- park to the school entrance.
- The route through the open-space at the south of the plot to the neighbourhood centre.

The design needs to embrace what is happening around the red line boundary. The interface between both the school and the Eastern Bridge Link Road (EBLR) needs to be explored further with the other teams of consultants and a composite drawing produced.

The panel considered that access should be provided to the SuDS basin from The Northern Arc Avenue.

The panel considered that car ports should be used in preference to garages to encourage their use for car parking over storage.

Th panel were concerned that the car parking could dominate the area around the "village green" and considered that the parking and shared surface so close to a play area could raise safety issues and require fencing.

The panel were concerned about the distance between the coach houses (flats over garages) and the flats at the southern end of the mews. The panel considered that the FOG's at the south-west of block 7 should be omitted to allow a better outlook from the flats immediately facing these.

With regards to parcel P1.3, the panel considered that the Roman Road could continue across the road to provide a courtesy crossing.

Overall Assessment

The panel did not support the scheme.

MSDC Drainage Engineer

RESERVE MATTERS APPLICATION CONSULTATION RESPONSE

APPLICATION DETAILS

Application Number	DM/21/3870
Planning Officer	Louise Yandell
Flood Risk and Drainage Officer	Natalie James
Response Date	2022-01-18
Site Location	Isaacs Lane, Burgess Hill
Northern Arc Development Description	Comprehensive, phased, mixed-use development comprising approximately 3,040 dwellings including 60 units of extra care accommodation (Use Class C3) and 13 permanent gypsy and traveller pitches, including a Centre for Community Sport with ancillary facilities (Use Class D2), three local centres (comprising Use Classes A1-A5 and B1, and stand-alone community facilities within Use Class D1), healthcare facilities (Use Class D1), and employment development comprising a 4 hectare dedicated business park (Use Classes B1 and B2), two primary school campuses and a secondary school campus (Use Class D1), public open space, recreation areas, play areas, associated infrastructure including pedestrian and cycle routes, means of access, roads, car parking, bridges, landscaping, surface water attenuation, recycling centre and waste collection infrastructure with associated demolition of existing buildings and structures, earthworks, temporary and permanent utility infrastructure and associated works. Burgess Hill Northern Arc, Land North and North West of Burgess Hill, Between Bedelands Nature Reserve in The East And, Goddard's Green Wastewater Treatment Works In The West
Development Parcels	1.3, 1.5 and 1.6
Recommendation	No objection subject to existing conditions Advice

This response provides an update to the flood risk and drainage team's consultation response dated 2021-12-06 and supersedes it.

The flood risk and drainage team provided initial response to this application on 2021-12-06. The initial response included some comments from the team regarding the drainage strategy submitted for parcels 1.3, 1.5 and 1.6. These comments were based on previous pre-application discussions around potential drainage strategies for the plots. A meeting was held between the applicant and the flood risk and drainage team to discuss the comments on 2022-01-18.

The following comments are based on the previous consultation response and discussions held within the 2022-01-18 meeting.

The Flood Risk and Drainage team are aware the application is to address the reserve matters, access, appearance, landscaping, layout, and scale. Therefore, we recommend the detailed drainage design is managed via the conditions associated with the outline planning application.

The drainage strategies submitted as part of this reserved matters application lack several the SuDS features / options discussed as part of the site's pre-application process. The designs at present focus on a more traditional piped system with a single attenuation location before discharging surface water into a watercourse.

The drainage strategies submitted meet the requirements of the Drainage Masterplan and we therefore do not object to the details being addressed as part of a future discharge of

conditions application. However, we provide the following comments on the proposed surface water drainage scheme for the consideration of the developer within the detailed drainage design:

- *The detailed drainage design should include a summary/comparison table which shows the technical requirements of each drainage system (discharge rates, on-plot and regional attenuation and design storms etc) based on the Drainage Masterplan and the submitted detailed drainage design.*
- *This is to ensure the systems do not over utilise regional drainage features which are designed to serve multiple development plots.*
- *If piped drainage has been utilised instead of more sustainable design such as ditches and swales, then evidence should be provided which shows why this approach has been taken.*
- *Following our meeting we understand that the existing pipe-led design is based on site constraints such as topography and root protection zones. The drainage design should show how more sustainable options have been considered and discounted.*
- *If source control, or early SuDS train features such as rain gardens, swales, small scale attenuation features are not included within the detailed drainage design then evidence into why this approach has been taken will need to be provided.*

Following our meeting we understand that the existing pipe-led designs have been produced due to the site constraints found as part of the drainage strategy work. The information submitted as part of the drainage design should show how source control or early SuDS train features have been considered throughout the design process.

Tree Officer

These comments relate to the development of land bordering Isaacs Lane only.

All the relevant documents appear to have been submitted in sufficient detail to constitute a reserved matter, including technical details of planting pits.

In general, a reasonable and appropriate selection of trees has been made, however, a number of unsuitable trees have been included, in particular *Acer pseudoplatanus* which I would like to see replaced with British natives. Policy DP37 favours native planting and , whilst there are a number of non natives, there is a balance to be struck.

I think there is a place for some of these ornamentals, however, *Gleditsia* is not a good choice in general for the area, soil etc

I note that we have an avenue style area where *Tilia tomentosa* is used and, whilst not native, I consider these appropriate within their context.

I note that there has been some effort to incorporate resistant elms, Scots pines, hornbeams etc, as well as oaks. A number of protected oaks have been lost along Isaacs Lane and I would favour oaks to replace at least some of the sycamores.

There is an opportunity to use *Acer campestre* within the site. This is a predominant tree in the area and could be used in preference to a number of unsuitable trees.

I will comment on individual drawings as follows :

Drawing 1/6

Please replace *Acer pseudoplatanus* and other *Acer* sp with British natives, preferably with oaks or other natives used within the site.

I have concerns with the use of Pyrus ' Chanticleer ' partly because of the fruit smell nuisance but there is an opportunity for a better, native tree, although I would accept a crab apple. Otherwise, hawthorn or other suitable native.
Although Prunus sargentii is a fine tree, this is another opportunity to use a native, eg Prunus avium (not ' plena').

Drawing 2/6

Same concerns over Pyrus and sycamore, as above.

Drawing 3/6

Same concerns over Pyrus and sycamore, as above.
Please replace P. sargentii with P. avium

Drawing 4/6

Same concerns over Pyrus and sycamore, as above.

Drawings 5/6 and 6/6

Same concerns over Pyrus and sycamore, as above

Subject to these changes, I could support this application.

These comments relate to the Green Circle only.

There is a lack of detail, including the exact route of the path. However, my understanding is that other details will be conditioned.

One concern relates to the use of limestone within RPAs , with the potential to leach into rooting areas of adjacent trees. It may be the case that you wish surfacing to be agreed as a condition, rather than as shown on the plan. I would also like to see appropriate treatments of the tanalised timber edgings to prevent leaching where this is being suggested.

I note the intention within the landscape strategy to divert the path around valuable trees where possible and narrow the path where this is not possible. This is welcome and could be conditioned. It is in accordance with Policy DP37.

If the details are conditioned, a tree survey would be required, an AIA and method statement would also be required.

So, a condition re exact route of path with diversion around valuable trees and path narrowing where possible would meet the ' tests', particularly as it is already stated as an intention.

A condition requiring a topographical survey and technical details of a methodology to address this where there are issues with levels around trees would be valuable.

There is insufficient detail for me to comment further.

These comments relate to Bedelands only.

There is insufficient detail for me to comment fully.

However, it is noted that all trees will be retained.

An AIA, tree survey and method statement will be required. A topography schedule detailing treatments of trees and paths where there are slopes, should also be supplied.

I have concerns about muddy 'mown paths'. The ground here is susceptible to flooding.

I am also concerned about the use of limestone and potential leaching through to tree roots.

Although some detail is shown in relation to planting pits, fence design should include details of post holes being lined to prevent leaching of concrete etc, therefore, further details required.

These comments relate to land at Lowlands Farm only.

I note the use of some native trees and there is a balance to be struck between these and more ornamental species.

However, of concern is the use of *Acer pseudoplatanus* and *Pyrus 'Chanticleer'*. *Gleditsia* is inappropriate for this soil type and location.

These trees should be replaced with natives such as oak, where larger species required and potentially with field maple where smaller specimens are required.

Subject to this and replacement of *Gleditsia* and *P sargentii* with natives, I would not object to the planting.

MSDC Heritage Officer

Further comments on the above application, in respect of the impact on the Non Designated Heritage Asset at Lowlands Barn. Please read these in conjunction with my previous comments on the proposal, repeated below for your convenience.

Following on from my previous comments and our online meeting to discuss the proposal the applicants have made amendments to the scheme in respect of the alterations to the barn, in terms of the proposed fenestration, and in particular rather than introducing large new openings to the side and rear of the building to reopen the original barn door opening to the front (courtyard facing) elevation. These amendments address the concerns previously raised and in terms of the reopening of the barn doors will reintroduce some the character that the building has lost due to previous harmful alterations. The applicant has also confirmed that the extension to the east of the building is to be retained and modified, and that internally the cross frames to the roof structure are to be kept in situ. On this basis the proposal is now considered to preserve the character of the NDHA, subject to detail which can be controlled by condition.

I would recommend the following conditions:

- Details of roofing and facing materials
- Detailed drawings at an appropriate large scale, including sections and annotated to show materials and finishes, of the following:
 - typical examples of windows and external doors
 - typical eaves detail
 - Rainwater goods to be of painted metal
 - Rooflights to be flush fitting, metal framed conservation style rooflights
- Detailed hard and soft landscaping scheme for the area around the barn, including details of any new or altered boundary treatments, and of hard landscaping materials.

Lowlands Farm Barn appears to date from around the mid 19th century and is part of Lowlands Farm (formerly Frick Farm, then Freeks Farm). Lowlands Farm is a small farmstead, now in use as kennels, and is listed in the West Sussex Historic Farmsteads and Landscape Character Assessment as a historic farmstead of the 19th century. The farm's surviving barn, together with a small outbuilding to the south east of this, appear to date from the mid 19th century or earlier and are the earliest surviving buildings on the site. There are a number of other buildings around the courtyard which are more recent- the original farmhouse appears from historic mapping to have been located to the south west of the farm courtyard but appears to have been demolished by the mid 20th century, having been possibly made redundant by a new dwelling constructed just to the south of the courtyard c.1900 (this house is still extant).

The Barn, as previously discussed, would be regarded as a non-designated heritage asset (NDHA), and although it has been altered, would be considered to possess a moderate degree of potential historical evidential value. It also has historical illustrative value, again moderate, in the local context, in terms of illustrating the former agricultural economy of the area, prior to the spread of Burgess Hill during the 20th century. The building also has modest fortuitous aesthetic value, despite some unfortunate moderate alterations, which depends on its vernacular form and materials, seen within the existing rural setting. The building is therefore considered to be an NDHA of moderate significance within the local context.

The existing rural setting of the building contributes significantly, in my opinion, to both its historical illustrative and its aesthetic value. The site makes up a large part of this setting and makes a strong contribution to the appreciation of these aspects of the NDHA's significance. This includes not only views from the barn towards the site and vice versa, but also the approaches to the barn along the PROW running along Freeks Lane.

The current proposal is for the approval of reserved matters in relation to the outline approval DM/18/5114 for a development of 247 dwellings, including access, appearance, landscaping, layout and scale. This detailed application also includes the proposed retention and conversion of Lowlands Barn into 2 dwellings, with associated internal and external alterations.

The retention of the barn, which in earlier versions of the scheme it was proposed to demolish, is welcome, and the principle of residential conversion is not considered contentious. In terms of the detail of the scheme, I would make the following comments, which are made in light of the relevant Historic England guidance on adapting traditional farm buildings for new uses :

- Externally, a number of alterations to the building are proposed including removal of some of the existing additions to the building and the construction of what appears to be a new extension to its eastern end, although it is not entirely clear from the plans whether this is new or a modification of the existing structure. Demolition and roof plans would be helpful to allow a more informed assessment of this aspect of the proposal, although it is not likely to be considered contentious in principle, as the existing additions to the building are not of interest and tend to obscure the original barn.
- Also, externally alterations to the existing window openings, and the creation of new openings are proposed. The position, size and form of some of the proposed new openings are not considered sympathetic to the character of the building, and would be contrary to the above HE guidance, in particular the large openings to the western and northern elevations, both of which will result in the loss of a significant amount of fabric from the framing of the building. The form of these openings is

similar to the glazing often seen to barn door openings to converted barns, however neither of these openings is existing or in the position where barn doors would be expected (centrally on one or both long elevations). For these reasons these openings are unsympathetic to the character of the barn. I appreciate the need to provide natural light to the interior of the building, however, so would be open to a discussion of alternatives with the applicant.

- It is not clear from the submitted drawings whether it is proposed to retain the surviving original cross frames which are a feature of the surviving original roof structure. This should be clarified- ideally we would wish as much as possible of the original structure to be retained.
- Internally, it appears that the building has been subject to a number of interventions relating to the kennels and possibly other previous uses, including insertion of a floor structure and extensive partitioning. It would appear that due to these alterations little of the original character of the barn, which is likely to have been one space open to the roof, remains. The current proposal has the potential to see some of that original character restored, with the creation of a double height space to the western end of the barn, however it is not clear if this space is open to the full height of the building- sections would be useful to illustrate this.
- Although the degree of compartmentation elsewhere in the main barn building would be likely to be considered unacceptable in other circumstances (for example see the above mentioned Historic England guidance), given the existing situation this is not considered contentious in this particular case.

In summary, although the principle of the proposal is not considered contentious, aspects of the scheme require amendment or further information.

MSDC Housing Enabling & Development Officer

DM/21/3870 Burgess Hill Northern Arc, Land North And North West Of Burgess Hill, Between Bedelands Nature Reserve In The East And, Goddard's Green Waste Water Treatment Works In The West

Reserved Matters Application pursuant to Outline application DM/18/5114, to consider access, appearance, landscaping, layout and scale for the erection of 247 dwellings, alterations to Lowlands Farm and its conversion to form 2 dwellings, associated car parking, open space and infrastructure, including an extension to Bedelands Nature Reserve and provision of the Green Circle (pedestrian/cycle/equestrian route) and pedestrian/cycle route for Sub-Phases P1.3, P1.5, P1.6, , OS1.5 OS1.6 and part of OS1.1a, OS1.1b, OS1.1N to the east of Isaacs Lane and Lowlands Farm at the Northern Arc development on land north and north-west of Burgess Hill. (Amended description following the receipt of amendments)

A development of 249 units (including the conversion of Lowlands Farm into 2 dwellings) is now being proposed but this still gives rise to an Affordable Housing requirement of 75 units (30 per cent) in line with District Plan Policy DP31. The applicant has also submitted amended plans for the site which have slightly adjusted the floorspace of some of the units, however these appear to still meet our occupancy and floor area requirements.

The development comprises 3 sub phases:

Sub-phase P1.3

This sub-phase comprises 25 units of which 8 units are for Affordable Housing (30 per cent). These units comprise 6 units for social / affordable rent and 2 units for shared ownership

Affordable/Social Rent

2 x 1B/2P flats @ 54.15m² - 54.38m²

4 x 2B/4P flats @ 70.34m² -70.62m²

Shared Ownership

2 x 2B/4P duplex flats @ 79.29m², each with its own separate access

Sub-phase P1.5

This sub-phase comprises 136 units of which 41 units are for Affordable Housing (30 per cent). These units comprise 31 units for social / affordable rent and 10 units for shared ownership

Affordable /Social Rent

General Needs

13 x 1B/2P flats @ 50.01m² - 50.69m²

2 x 1B/2P coach houses @ 50.19m² - 61.07m²

9 x 2B/4P flats @ 70.07m² - 70.24m²

3 x 2B/4P houses @ 79.95m²

1 x 3B/5P house @ 93.82m²

Affordable / Social Rent

Wheelchair Accessible units

2 x 1B/2P flat @ 57.24m²

1 x 2B/3P flat @ 70.07m²

Shared Ownership

2 x 1B/2P Coach houses @ 50.19m² - 61.07m²

5 x 2B/4P houses @ 79.95m²

3 x 3B/5P houses @ 93.82m².

Sub-phase P1.6

This sub-phase comprises 86 units of which 26 units are for Affordable Housing (30 per cent). These units comprise 20 units for social / affordable rent and 6 units for shared ownership.

Affordable / Social Rent

16 x 2B/4P houses @ 79.95m²

4 x 3B/5P houses @ 93.82m²

Shared Ownership

3 x 2B/4P houses @ 79.95m²

2 x 3B/5P houses @ 93.82m²

1 x 4B/6P house at 106.54m²

Please note however that we still require 3 hard copies of 1:50 plans showing dimensions and floor areas of individual rooms for the wheelchair user flats and these will need to be checked and approved by our OT prior to planning permission being granted or as a condition of planning consent. This is to make sure that these units meet the requirements contained in Part M4(3)(1)(a) and (b) and Part M4(3)(2)(b) of Schedule 1 of the Building Regulations 2010 as amended. I should be grateful if these could be sent to me at the Council Offices asap.

MSDC Ecology Consultant

Ecological Advice

TO: Louise Yandell

FROM: Mike Bird

APPLICATION REF: DM/21/3870

SITE: Burgess Hill Northern Arc, Land North And North West of Burgess Hill, Between Bedelands Nature Reserve In The East and, Goddard's Green Waste Water Treatment Works In The West

PROPOSAL: Reserved Matters Application pursuant to outline application DM/18/5114, to consider access, appearance, landscaping, layout and scale for the erection of 247 dwellings, alterations to Lowlands Farm and its conversion to form 2 dwellings, associated car parking, open space and infrastructure, including an extension to Bedelands Nature Reserve and provision of the Green Circle (pedestrian/cycle/equestrian route) and pedestrian/cycle route for Sub-Phases P1.3, P1.5, P1.6, OS1.5, OS1.6 and part of OS1.1a, OS1.1b and OS1.1N to the east of Isaacs Lane and Lowlands Farm at the Northern Arc development on land north and north-west of Burgess Hill (Amended description following the receipt of amendments)

DATE: 13 April 2022

Based on the results of the phase 2 species surveys , and appropriate measures being set out in the CEMP required under Condition C8 of DM/18/5114, I am of the opinion that significant impacts on protected / notable species can be avoided, adequately mitigated or, as a last resort, compensated for in accordance with the requirements of DP38 and Policy 180 of the NPPF. I am also of the view that where a European protected species licence is required that it will be feasible to demonstrate to Natural England that the derogation tests can be met, including maintaining favourable conservation status of the species concerned.

With regard to habitat impacts, there is a discrepancy between baseline hedgerow surveys undertaken by Aecom for the outline application and the results presented by Greengage for this reserved matters application, with the former indicating that hedgerows that will be lost (or subsumed within built development) are species poor (see Fig 1 below) and the latter suggesting that they are species rich . This discrepancy needs explanation and the status of any hedgerows to be lost should be confirmed with survey data conforming to standard hedgerow sampling methodology (as set out in the Hedgerows Regulations 1997). Species rich hedgerows are indicative of older hedgerows which pre-date the typically species-poor hedgerows planted under the enclosure acts and may be deemed irreplaceable due to landscape heritage value and biodiversity value developed over centuries. Policy 180 of the NPPF states that:

"development resulting in the loss or deterioration of irreplaceable habitats... should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists". Irreplaceable habitat is defined in the NPPF as "Habitats which would be technically

very difficult (or take a very significant time) to restore, recreate or replace once destroyed, taking into account their age, uniqueness, species diversity or rarity".

Under guidance for the proposed government biodiversity net gain metric, bespoke compensation needs to be agreed where approval is proposed involving loss of irreplaceable habitats.

¹ Ecological Impact Assessment report by Greengage dated October 2021 and Additional Ecological Survey Results report dated January 2022

¹ Para 5.68 of the Ecological Impact Assessment by Greengage

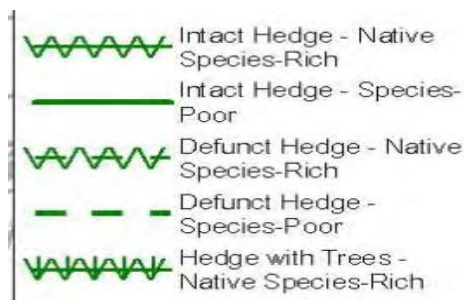


Fig 1: extract from Aecom Phase 1 habitat survey with main impacted section highlighted

With regard to biodiversity net gain requirements generally, the proposals and supporting metrics demonstrate an increase in units of 22.48 per cent compared to the predicted outcomes in the approved Biodiversity Scheme of 21.71 per cent . For hedgerows, the increase is only 5.40 per cent which is below the minimum 10 per cent requirement for the Northern Arc development as a whole and considerably below the predicted outcome for these particular parcels within the approved Biodiversity Scheme, which is 49 per cent . The metric does not allow trading between linear and area-based habitats and therefore creates a concern for delivery of approved Biodiversity Scheme. If the minimum 10 per cent requirement cannot be met within these land parcels, my view is that offsetting options within the wider Northern Arc scheme should be explored with Homes England and a suitable option identified to support this application.

Mike Bird MCIEEM

Principal Consultant, Calyx Environmental Ltd

The contents of this memo are provided under a consultancy agreement between Calyx Environmental Ltd and Mid Sussex District Council. They do not constitute a view for or against a proposal, but represent independent ecological advice on the biodiversity implications of a planning application so that it may be determined in accordance with relevant planning policies and legal obligations.

Environment Agency

Dear Planning team (FAO: Louise Yandell),

RESERVED MATTERS APPLICATION PURSUANT TO OUTLINE APPLICATION DM/18/5114, TO CONSIDER ACCESS, APPEARANCE, LANDSCAPING, LAYOUT AND SCALE FOR THE ERECTION OF 247 DWELLINGS, ALTERATIONS TO LOWLANDS FARM AND ITS CONVERSION TO FORM 2 DWELLINGS, ASSOCIATED CAR PARKING, OPEN SPACE AND INFRASTRUCTURE, INCLUDING AN EXTENSION TO BEDELANDS NATURE RESERVE AND PROVISION OF THE GREEN CIRCLE (PEDESTRIAN/CYCLE/EQUESTRIAN ROUTE) AND PEDESTRIAN/CYCLE ROUTE FOR SUB-PHASES P1.3, P1.5, P1.6, OS1.5, OS1.6 AND PART OF OS1.1A, OS1.1B AND OS1.1N TO THE EAST OF ISAACS LANE AND LOWLANDS FARM AT THE NORTHERN ARC DEVELOPMENT ON LAND NORTH AND NORTH-WEST OF BURGESS HILL (AMENDED DESCRIPTION FOLLOWING THE RECEIPT OF AMENDMENTS).

BURGESS HILL NORTHERN ARC LAND NORTH AND NORTH WEST OF BURGESS HILL BETWEEN BEDELANDS NATURE RESERVE IN THE EAST AND GODDARD'S GREEN WASTE WATER TREATMENT WORKS IN THE WEST.

In light of the additional information provided in an email from Mid Sussex District Council dated 13 April 2022, confirming that the red line has now been reduced in size to remove the river crossing from the proposal and this will form a separate Reserved Matters application which is expected later in the summer, we can remove our objection to this reserved matters application (as per our letter dated 23 March 2022), provided that the following condition be attached to any planning permission granted, and that the details in relation to the condition be submitted and approved by the Local Planning Authority.

Condition

Prior to any development within Parcel OS1.1a, full details of the maintenance access route to the river (as required by condition 15 of the Eastern Bridge and Link Road Permission - DM/19/3313) shall be submitted to and approved in writing by the Local Planning Authority.

Reasons

Suitable access to the river banks must be provided for maintenance/emergency works as necessary. Details of the access route are therefore required prior to development in the area in which the access route is shown as being located.

Advice to the Applicant

Flood Risk Activity Permit

The Environmental Permitting (England and Wales) Regulations 2016 requires a permit (called a 'Flood Risk Activity Permit') to be obtained for any activities which will take place:

- On or within 8 metres of a main river (16 metres if tidal);
- On or within 8 metres of a flood defence structure or culvert (16 metres if tidal);
- On or within 16 metres of a sea defence;
- Involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert; and/or
- In a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it is a tidal main river) and you do not already have planning permission.

For further guidance, please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

The Applicant should note that a permit is separate to and in addition to any planning permission granted. The granting of planning permission does not necessarily lead to the granting of a permit.

To enquire about the permit application process, the Applicant should contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

If you have any queries regarding the above information, please do not hesitate to contact the advisor identified below.

Yours faithfully,

Environment Agency - Solent & South Downs

Sustainable Places Advisor: Phoebe Nelson

Direct dial: 02077 141637

Direct e-mail: phoebe.nelson@environment-agency.gov.uk

WSCC Highways

WEST SUSSEX COUNTY COUNCIL CONSULTATION

TO: Mid Sussex District Council

FAO: Louise Yandell

FROM: Stephen Gee WSCC - Highways Authority

DATE: 2 December 2021

LOCATION: Burgess Hill Northern Arc, Land North And North West Of Burgess Hill, Between Bedelands Nature

Reserve In The East And, Goddard's Green Waste Water Treatment Works In The West

SUBJECT: DM/21/3870

Reserved Matters Application pursuant to Outline application DM/18/5114, to consider access, appearance, landscaping, layout and scale with respect to the erection of 247 dwellings and associated car parking, open space and infrastructure, including an extension to Bedelands Nature Reserve and provision of the Green Circle and pedestrian/cycle route for Sub-Phases P1.3, P1.5, P1.6, OS1.1a, OS1.1b, OS1.1N, OS1.5 and OS1.6 to the east of

Isaacs Lane and Lowlands Farm at the Northern Arc development on land north and north-west of Burgess Hill.

DATE OF SITE VISIT: n/a

RECOMMENDATION: More Information

S106 CONTRIBUTION TOTAL: n/a

The application is for the approval of reserve matters pursuant to Outline application DM/18/5114 for sub-Phases P1.3, P1.5, P1.6, OS1.1a, OS1.1b, OS1.1N, OS1.5 and OS1.6
Pre application discussions have taken place between May and September 2021 Access

Parcel 1.3 is to be accessed from the Freek's Farm development via a simple priority junction including 6m kerb radi, 5.5m wide carriageway and 2m wide footway.

Parcel 1.5 is served via the Eastern Bridge Link Road (EBLR) with both parcels being served by simple priority junctions as set out in the EBLR approved application including 6m kerb radi, 5.5m wide carriageway and 2m wide footway.

Parcel 1.6 is to be accessed from the south via the construction of a secondary street between Isaac's Lane and the EBLR

Parking

P1.3

A total of 47 spaces are to be provided (32 allocated, 7 unallocated for apartments, 3 unallocated for house residents and 5 visitor spaces)

P1.5

A total of 168.5 parking spaces are to be provided (63 allocated, 1 garage (counting as 0.5 of a space), 88 unallocated for apartments and 17 unallocated for house residents) It is noted 6 spaces are included along the link road which is outside the red line boundary.

P1.6

A total of 172 spaces are to be provided (108 allocated, 8 garages (counting as 0.5 of space) 12 unallocated for apartment residents, 30 unallocated for house residents and 18 visitor parking spaces.

The level of unallocated/visitor parking spaces along the southern road would create an unbalanced provision but would not result in a reason for refusal.

The level of parking on each phase slightly exceeds the WSCC guidance and as such no concerns are raised.

Details of EV parking levels are secured via condition of the outline application however the planning statement and transport note now indicate that they will be provided in line with WSCC guidance and as such details should be secured via condition

Cycle Parking

Cycle parking is to be provided in line with WSCC guidance (totalling 275 spaces), any property without a garage will be provided with a safe and secure cycle storage space within the rear garden. Apartment blocks will be provided secure storage units.

Vehicle Tracking

Tracking appears only to have been provided for plot 1.5 (Two drawings only have a north arrow within the appendices which could be corrupted versions). It would be beneficial to separate the refuse tracking and fire tender tracking within the plan.

Within 1.5 no details appear to have been provided on the refuse strategy to the southern corner east of the link road.

Green Circle

Clarification is required upon the delivery of the green circle to the south east of phase 1.5. Some of the drawing show an additional section of the route being delivered (as shown below and highlighted yellow)

Conclusion

Additional information is requested in the form of:

Separation of refuse and fire tender tracking

Vehicle tracking for P1.3 and P.16

Clarification on refuse strategy for P1.5

Details of the interaction between the carriageway in front of plots 206/7 and the shared use facility

Further details on the provision of the greenlink in the South East corner of P1.5

Stephen Gee

West Sussex County Council - Planning Services

WSSCC Public Rights of Way

WEST SUSSEX COUNTY COUNCIL CONSULTATION

TO: Mid Sussex District Council

FAO: Louise Yandell

FROM: WSSCC Highways - Public Rights of Way

DATE: 24 December 2021

LOCATION: Burgess Hill Northern Arc, Land North And North West Of Burgess Hill, Between Bedelands Nature

Reserve In The East And, Goddard's Green Waste Water Treatment Works In The West

SUBJECT: DM/21/3870

Reserved Matters Application pursuant to Outline application DM/18/5114, to consider access, appearance, landscaping, layout and scale with respect to the erection of 247 dwellings and associated car parking, open space and infrastructure, including an extension to Bedelands Nature Reserve and provision of the Green Circle and pedestrian/cycle route for Sub-Phases P1.3, P1.5, P1.6, OS1.1a, OS1.1b, OS1.1N, OS1.5 and OS1.6 to the east of Isaacs Lane and Lowlands Farm

at the Northern Arc development on land north and north-west of Burgess Hill.

DATE OF SITE VISIT: n/a

RELEVANT PUBLIC RIGHTS OF WAY NUMBER(S):

FP's 43BH, 44BH, 45BH, 94CR and 96CR

RECOMMENDATION: No Objection

S106 CONTRIBUTION TOTAL: n/a

Thank you for the opportunity to comment on the above numbered 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 WSSCC map information. In respect to the above planning application I would provide the following comments.

Unfortunately the documents were not available on the District Council website due to an error on the system but the basic principles of upgrading the above named public footpaths to Bridleway status to allow walking, horse riding and cycling are supported by WSSCC's PROW team.

Whilst the PROW team support the proposals there are some important elements that need to be considered as part of any upgrade in status of the existing footpaths. Firstly at no stage, without a legal closure, can any of the Public Rights of Way be closed or obstructed at any time. If a closure is required, for the purposes of protecting public safety, then a legal closure must be sought from WSSCC's PROW team.

Secondly any upgrade in status of the above referenced footpaths will require an increase in usable width. The minimum width accepted on a shared use route, which a public bridleway would be, is 3m but ideally we would like to see a width of around 4m to comfortably accommodate the different users within the legal width. It is possible to have pinch points along the route where unavoidable but these should be short sections and visibility needs to

be carefully considered at these points to avoid any potential conflict between all lawful users. From the documents seen to date this seems to be achievable but further discussion will be necessary to minimise the pinch points along the proposed public bridleway so as not to adversely impact future lawful use. Continuity is also an important thing to consider when upgrading the above referenced footpaths to bridleway. There must be public access continuity for lawful users therefore any length of proposed bridleway must allow lawful users to use the route and have a continuation route they are legally allowed to use. This can be between public highway of the same or higher status but dead end routes must be avoided. Through previous discussions this seems to be able to be achieved but I believe some of the proposed Green Circle will not be PROW but managed and maintained by another party other than WSCC so whilst people will have the ability to use then they will not be formally designated as highway. In relation to this if advice is required on specifications, widths and structures along these non-highways sections we would of course be happy to offer advice however will not require any particular standards due to the routes not falling with WSCC PROW teams remit to manage or maintain. Specification for any formal public bridleway will also have to be carefully considered as part of these proposals and WSCC's PROW team have previously provided a specification that would be acceptable on a public bridleway that will be managed and maintained by WSCC as highway. Any specification must be approved in writing by the PROW team prior to any works taking place and in respect of the proposed status upgrade of Freaks Lane there will be a need for two different specifications due to the differing uses. The section proposed solely for walkers, horse riders and cyclists will need to be a rolled stone surface consistent with the existing Green Circle in Burgess Hill and in respect of the length of proposed bridleway that will carry vehicles as well a more hard wearing specification will be required to accommodate the higher impact use of vehicles. An example specification for a shared route carrying vehicular access has also been provided through the stages of this process I believe but it must be agreed with the PROW team prior to works commencing. Due to the difficulty in accessing the documents on-line I hope that this covers the PROW element of these proposals but if not then please do contact me for further comment and I would be more than happy to advise further in relation to what can and can't be achieved on the PROW network and how WSCC may support the proposals of improved public access as part of the Northern Arc development. (Mapping reproduced from or based upon 2021 Ordnance Survey material, WSCC licence 100023447. Rights of Way information is not definitive).

Nick Scott
Principal Rights of Way Officer
Public Rights of Way
West Sussex County Council

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