

MID SUSSEX DISTRICT COUNCIL

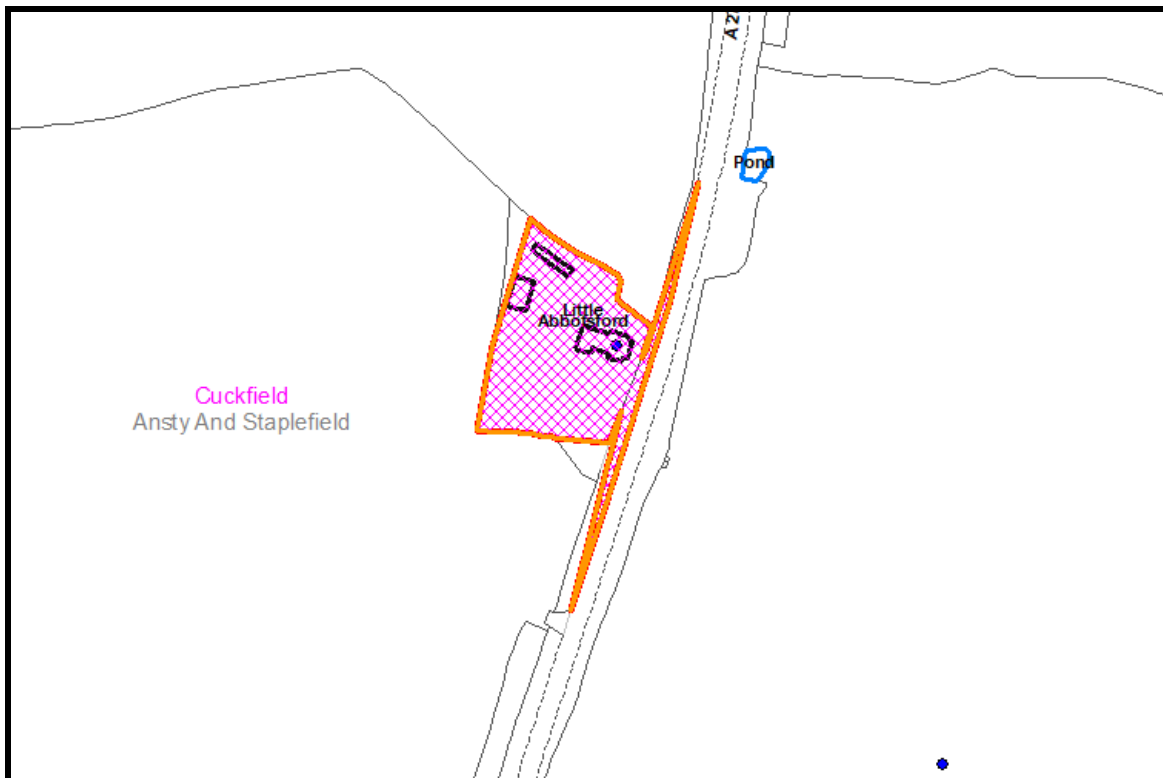
Planning Committee

14 APR 2022

RECOMMENDED FOR PERMISSION

Ansty And Staplefield

DM/19/3234



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**LITTLE ABBOTSFORD ISAACS LANE BURGESS HILL WEST SUSSEX
PROPOSED ERECTION OF NINE DWELLINGS WITH ASSOCIATED
PARKING, TURNING AREAS AND NEW ACCESS ONTO ISSACS LANE.
ALL MATTERS RESERVED APART FROM ACCESS DETAILS REVISED
DRAWINGS RECEIVED ON 29TH OCTOBER 2021, 14TH JANUARY 2022
AND 10TH FEBRUARY 2022.**

MR J CLARKE

POLICY: Area of Special Control of Adverts / Built Up Areas / Classified
Roads - 20m buffer / Aerodrome Safeguarding (CAA) /

ODPM CODE: Smallscale Major Dwellings

13 WEEK DATE: 22nd April 2022

WARD MEMBERS: Cllr Robert Salisbury / Cllr Pete Bradbury /

CASE OFFICER: Rachel Richardson

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 outline planning permission for the demolition of Little Abbotsford and its ancillary buildings, on Isaacs Lane and the erection of 9 new dwellings, with access via Isaac's Lane. The means of access is to be determined at this outline stage. All other matters would be considered as Reserved Matters.

Planning legislation requires the application to be determined in accordance with the Development Plan unless material circumstances indicate otherwise. In this part of Mid Sussex, the development plan comprises the District Plan (DP).

As the proposed development is within the built up area as defined in the MSDP, the principle of additional windfall housing development is acceptable under policy DP6 of the DP. The application site is also a category 1 settlement as defined within policy DP6 and will conform with the General Principles for Strategic Development at Burgess Hill as set out in policy DP7 of the DP. The proposed development is also covered by the strategic allocation set out in policy DP9 to the north and north west of Burgess Hill for a mixed use development to progress in accordance with a Masterplan, Infrastructure Delivery and Phasing Strategy.

The Council's Mid Sussex Design Guide Supplementary Planning Document has been adopted and is a material consideration in the determination of planning applications.

It is considered that the application is in accordance with the Development Plan and that this is the proper starting point for decision making. However, the Council also must have regard to other material considerations, including the National Planning Policy Framework (NPPF) in determining this planning application.

Given the fact that the site is bounded on three sides by the strategic allocation of the Northern Arc development, this is also considered to be a material consideration which further supports the proposed development. This outline application for residential development has been designed with consideration to the Masterplan and the Infrastructure Delivery and Phasing Strategy.

Provision of the proposed access onto Isaacs Lane is considered to be acceptable subject to a 'Grampian style' condition so that the development cannot be first occupied prior to the appropriate speed limits on Isaacs Lane being introduced and

the satisfactory outcome of a traffic regulation order.

There would be no adverse impact in relation to ecological or tree related matters and there will be additional opportunity for further landscaping at the reserved matters stage. There are no objections raised in relation to drainage matters. As such these points are neutral in the planning balance.

The proposed development will provide 9 new dwellings (a net gain of 8) which will assist with meeting the Council's housing requirements. There would also be economic benefits from the proposal arising from the additional economic activity during the construction phase and also from the additional spending in the local economy from the additional population. These factors all weigh positively in the planning balance and should be given significant weight.

The only aspect that may be considered to weigh against the proposal is that in the short-term the scheme could be wholly dependent on access by the private car because the proposed housing could be brought forward and constructed in advance of the adjacent Northern Arc development. However, this would be a short-term issue as there is a very high degree of certainty that the adjacent land will be developed in the relatively near future. It is also to be noted that a development to the north of this site on Isaacs Lane (Woodfield House - DM/19/3769), which proposed 30 houses and had similar planning circumstances, was granted planning permission by Members of the Planning Committee in June 2020.

Therefore, taking all the points into consideration, there are very compelling reasons to approve this application. This is a relatively small site, within the defined built up area and within the strategic 'Northern Arc' allocation of Policy DP9, which in the future will be completely surrounded by the Northern Arc development. Subject to the satisfactory completion of a Section 106 Legal Agreement to secure monies for infrastructure provision and the imposition of suitable conditions, it should be approved.

RECOMMENDATION

RECOMMENDATION A

That outline permission be granted subject to conditions listed in the appendix and the satisfactory completion of a Section 106 Agreement to secure financial contributions for infrastructure improvements.

RECOMMENDATION B

It is recommended that if the applicants have not submitted a satisfactory signed S106 Legal Agreement/or legal undertaking securing the necessary infrastructure payments and affordable housing provision by the 14 July 2022, then permission be refused at the discretion of the Divisional Lead for Planning and Economy, for the following reason:

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

SUMMARY OF REPRESENTATIONS

Letters of objection have been received from the occupants of 2 households. Their concerns have been summarised as follows:

- Development of the application site would compromise the natural green space of the east-west wildlife corridor. The number of units proposed should be reduced and should follow the line of mature trees on the site.
- The proposed access will be prejudicial to highway safety given the proximity and other accesses for the Northern Arc development. At the very least there should be no right turn into, or out of the application site.

SUMMARY OF CONSULTEES (full comments in appendix)

County Planning Officer

Requires contributions towards education provision, libraries and TAD.

West Sussex County Council Lead Local Flood Authority

No objection subject to conditions.

West Sussex County Council Highway Authority

No objection. The LHA advised that the Road Safety Audit be revisited to review the revised access arrangements and provide an updated RSA and Designers Response. The applicant's have done this and the LHA has now withdrawn their original objection. The LHA has recommended that permission be subject to planning conditions, one of which should be a Grampian condition to ensure that the proposed development is not occupied prior to the appropriate speed limits introduced on Isaacs Lane and the approval of a Traffic Regulation Order (TRO).

West Sussex County Council Fire, Water and Access

No objection. The revised indicative layout Rev G indicates that the proposed dwellings are all accessible and within the required 45m hose length. A fire hydrant can be provided as a detail at the reserved matters stage.

West Sussex County Council Waste and Minerals

No objection.

Southern Water

No objection in principle. As there is no public foul and surface water sewers in the area to serve this development the applicant will need to find alternative means of disposal and the supporting documents for sustainable drainage systems can be adopted by Southern Water should this be requested by the developer.

Sussex Police

I have no detailed comment to make at this stage. At the reserved matters stage I would encourage the applicant to update the Design and Access Statement to include appropriate measures for crime prevention and community safety using the principles of Secured by Design and the attributes of safe, sustainable places.

Environmental Health Officer

No objection subject to a condition regarding construction working hours and from noise and dust to protect residential amenity.

MSDC Drainage Officer

No objection subject to conditions. The site is within flood zone 1 and is at low risk of flooding from main rivers and it is not an area identified as having possible surface water flood risk. The development proposal indicates the intention to install a new adoptable sewer along Isaacs Lane which is acceptable in principle.

MSDC Urban Designer

No objection to the revised indicative layout Rev G.

MSDC Community Leisure Officer

Requires contributions towards off site leisure provision.

MSDC Tree Officer

No objection to the amended layout and if permission is granted it is recommended that planning conditions be added requesting that an arboricultural method statement (AMS) (including tree protection plan) should be submitted and approved by the Planning Authority to ensure the trees being retained are adequately protected throughout the development.

A detailed landscaping plan (including specifications, planting and maintenance details) would also need to be submitted and approved by the Planning Authority.

MSDC Ecology Consultant

Recommends a condition that an updated report be submitted on submission of the reserved matters application.

TOWN/PARISH COUNCIL OBSERVATIONS

The Parish Council initially objected to the application and commented that the site is within an area of countryside restraint.

The PC has also commented that if permission is to be granted then the local communities infrastructure monies should be allocated to an electric car charging

point, which could be placed at Staplefield Common, Ansty Recreation Ground car park or in the layby at Brook Street.

INTRODUCTION

Outline planning permission is sought for the construction of 9 dwellings following the demolition of Little Abbotsford and its ancillary buildings. The detail to be considered at this stage is for access only with all other matters, appearance, landscaping, layout and scale, reserved for consideration under a subsequent Reserved Matters application.

RELEVANT PLANNING HISTORY

CD/025/99

Proposed Extension and Closure of Existing Access and Creation of New Access.
Permission 15.09.1999

SITE AND SURROUNDINGS

The site area totals 0.25 hectares and consists of an existing detached dwelling and associated garden which is generally to the north of Burgess Hill.

The site lies off the western side of Isaacs Lane (A273) and currently comprises a single detached two storey dwelling house, a dilapidated garage/car port building adjacent to its northern boundary and a two storey triple car port with rooms in the roof, which is situated to the western side of the plot. There are various shrubs and trees planted within and around the site. The site is relatively flat and adjoins open fields to the north, south and western boundaries. There is also an open field on the opposite side of Isaacs Lane to the east.

In terms of planning policy the site lies within the built-up area as defined in the Mid Sussex District Plan (MSDP) and within the Strategic development allocation for the north and north-west of Burgess Hill under policy DP9. However, it lies outside of the site of the outline planning permission for a phased mixed use development comprising approximately 3,040 dwellings and other associated community facilities for reasons of land ownership (DM/18/5114). Details for the Northern Arc residential redevelopment of the land surrounding the application site have not yet come forward, but this application proposal (illustrative layout) has been designed having regard to the Northern Arc Masterplan and Infrastructure Delivery Plan as well as the Phasing Strategy.

APPLICATION DETAILS

As stated above, this application is seeking outline planning permission for the construction of 9 no. three storey town houses following the demolition of Little Abbotsford and its ancillary buildings.

The means of access is to be determined at this stage.

Full details of the revised proposed access are included within the Redwood Partnership statement. A separate plan showing the revised access has also been submitted (REDW-3334-110 Rev B). This plan shows the proposed access and layby in the context of the proposed indicative site layout. The plan also shows how the new access can be implemented pre and post the Northern Arc improvements. A swept path analysis Drawing No. REDW-3334-113 for refuse and fire tender vehicles to turn within the site has also been submitted. A revised stage 1 road safety audit and the designers response report has also been submitted.

Amended drawings illustrating the indicative proposed site layout (Drawing No. B.062.18.01 Rev G), and north and eastern elevations have also been submitted for the consideration of this application.

Internally the layout that is shown on the submitted plan is for illustrative purposes to demonstrate that this amount of development could be accommodated on the site.

The amended indicative layout (Rev G) and elevations show a scheme for nine townhouses arranged in two terraces. One of the terraces (plots 6 to 9) is arranged on an east west axis at right-angles to Isaacs Lane. Plots 1 to 5 are in a terrace on a north south axis towards the frontage of the site with Isaacs Lane. The indicative layout shows the parking and turning areas for the proposed dwellings within a mews type layout. The turning area includes provision for emergency vehicle access. The layout also indicates how the proposed development can be designed to avoid the root protection areas of the boundary trees which are to be retained.

The highway access plan shows a track swept path analysis for larger refuse and fire lorries to turn within the site and parking spaces for the provision of 21 vehicles. Bins and cycle storage are illustrated as being positioned within the rear gardens of each property.

Materials would be vernacular using a mix of local stock bricks, with through colour rendered boarding or hanging tiles on the upper walls and plain machine tiles covering the roofs.

The illustrative housing mix is as follows:

5 X three bed houses (GIA of 90 sqm)
4 X four bed houses (GIA of 103 sqm)

The proposed illustrative layout shows that, compared to the position of the existing access, the proposed access has moved further south and will be more centrally positioned within the Isaacs Lane boundary frontage of the application site. The existing two accesses (at the north and southern ends of the existing boundary frontage) will be closed.

As well as the drawings, the application is accompanied by a planning statement, an amended design and access statement, transport assessment, existing topographical survey, amended sustainability statement, statement of community involvement, statement of conformity to the Northern Arc Design Guide,

arboricultural survey, an extended phase 1 habitat survey and preliminary bat roost assessment.

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.

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.

LIST OF POLICIES

Mid Sussex District Plan 2014-2031

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

DP4 Housing

DP6 Settlement Hierarchy

DP7 General Principles for Strategic Development at Burgess Hill
DP9 Strategic Allocation to the north and north-west of Burgess Hill
DP21 Transport
DP26 Character and Design
DP27 Dwelling Space Standards
DP28 Accessibility
DP29 Noise, Air and Light Pollution
DP37 Trees, Woodlands and Hedgerows
DP39 Sustainable Design and Construction
DP41 Flood Risk and Drainage

Neighbourhood Plan

The site is not within an area that is covered by a Neighbourhood Plan.

Development Infrastructure and Contributions Supplementary Planning Document (SPD)

Development Viability 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 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.

Technical Housing Standards Nationally Described Space Standards

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.

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 (DM/18/5114). Whilst this site was not included in the Outline Planning Application, the site is part of the Northern Arc allocation in the District Plan and as such, the Northern Arc Design Guide is considered to be a material planning consideration for this application.

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.

ASSESSMENT

As above, this is an outline planning application for the detailed consideration of only access. All other issues will be considered in detail under the reserved matters application to follow and can only be assessed under this application for indicative purposes only.

It is considered that the main issues that need to be considered in the determination of this outline application are as follows;

- The principle of development
- Design and impact on character of area
- Space standards
- Sustainability
- Neighbour amenity
- Highways
- Ecology
- Flood Risk/Drainage
- Infrastructure provision
- Ashdown Forest

Principle

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 this part of Mid Sussex consists of the Mid Sussex District Plan 2014-2031 (MSDP).

The MSDP is up to date and the Council can demonstrate a 5 year supply of deliverable housing land. The balance to be applied in this case is therefore a non-tilted one.

As the proposed development is within the built-up area as defined in the MSDP, the principle of additional windfall housing development is acceptable under policy DP6 of the MSDP, which states:

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

The growth of settlements will be supported where this meets identified local housing, employment and community needs.'

Burgess Hill is a Category 1 settlement hierarchy listed under MSDP policies DP4 and DP6 with a comprehensive range of services and facilities and benefits from good public transport links. The site is located within the built-up area, is on land within the strategic allocation to the north and north-west of Burgess Hill (policy DP9 of the DP) and is surrounded by the Northern Arc development approvals.

As the application site is within the strategic development area at Burgess Hill policy DP7, General Principles for Strategic Development at Burgess Hill, is relevant in so far as it applies to this much smaller site. The application proposal endeavours to follow the general principles for the strategic development of the Northern Arc.

The Northern Arc Masterplan does not include the Little Abbotsford application site. However, the masterplan has informed the wider Northern Arc proposals and this application seeks to follow the general principles established in the Northern Arc Masterplan in terms of infrastructure delivery and the phasing strategy. This application will deliver financial contributions towards infrastructure provision, and in terms of phasing the application site is within close proximity to the proposed Eastern Neighbourhood Centre and will be adjacent to a primary school and the Northern Arc link road which are scheduled to be delivered at a relatively early stage in the overall phasing strategy.

As such, the development proposal is not considered to be premature to the development proposals on the adjoining Northern Arc land. The principle of developing this site separate to the Northern Arc adjoining land, is therefore considered to be acceptable, and is not therefore compromised by what may be seen as a piecemeal approach.

The application site is considered to be a highly sustainable location for residential development. Notwithstanding that, in the short-term the scheme could be wholly dependent on access by the private car because the proposed housing could be brought forward and constructed in advance of the adjacent Northern Arc development. However, this would be a short-term issue as there is a very high degree of certainty that the adjacent land will be developed in the relatively near future.

The principle of redevelopment of this site thus accords with the development plan.

Design and Impact on Character of the Area

MSDP policy DP26 concerns considerations of character and design and 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.'

Chapter 4: Site Layout, Streets and Spaces of Mid Sussex Design Guide SPD contains certain principles which are relevant to this application proposal. These are DG12: to deliver a clear and connected structure of streets and spaces, DG13: provides positive frontages to streets, DG14 provides enclosure, DG15: legibility and image, DG16: creates a positive development edge, DG17: pedestrian friendly streets and street hierarchy, DG18: integrate parking to support attractive streets and spaces, DG19: provision of off-street parking, DG21: consider and allow for servicing, refuse collection and deliveries, DG22: integrate refuse and recycling into the design of new development, DG24: plan for cyclists, DG27: integrate tree planting and soft landscape, DG30: design for everyone and look to the future.

The applicant is expected to meet the requirements of all the relevant principles or provide justification for failure to do so.

Paragraph 124 of the NPPF states that 'The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.'

Paragraph 117 of the NPPF states in part 'Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses,

while safeguarding and improving the environment and ensuring safe and healthy living conditions.'

Paragraph 122 of the NPPF states 'Planning policies and decisions should support development that makes efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- b) local market conditions and viability;
- c) the availability and capacity of infrastructure and services - both existing and proposed - as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
- e) the importance of securing well-designed, attractive and healthy places.'

The Northern Arc Design Guide sets out the design principles that should be applied to development on the Northern Arc.

This is an outline scheme where matters such as appearance and layout are reserved for the detailed consideration under a subsequent planning (reserved matters) application.

However, as part of this application an indicative layout and elevational drawings have been submitted to demonstrate that the amount of development can be accommodated on the site. The elevations also provide an indication of height and scale. Amended drawings have been submitted to the Council in response to comments received from the Council's Urban Designer.

These illustrative plans reduced the number of units to 9 houses omitting plot 1 (4 bed house) of the original scheme. The relocation of the bin stores from the front boundary to the rear of plot 1 together with the omission of a unit has improved the provision for emergency/refuse vehicles. The houses fronting onto Isaacs Lane have been pushed further back (by 6.5m from the front boundary) to allow for planting (trees) which in turn has resulted in plots 6-9 (at the rear) being terraced creating more space from plot 6 to the existing tree on the northern boundary. A green planting buffer is also shown at the rear gardens of plots 6-9 to screen the parking area from the housing. The footpath to the north of plots 5 to 9 now continues across the full depth of the plot from the east to western boundaries to link to the Northern Arc adjoining land.

The Council's Urban Designer is now satisfied with this layout in terms of site constraints and the disposition of buildings about the site. The arrangement takes account of existing trees along the northern boundary and the future adjoining Northern Arc development plans in terms of height and density. Linkages in the form of the footpath proposed along the front and rear of plots 5-9, together with turning and parking spaces in the south western corner indicates careful planning with the adjoining Northern Arc land to the west. It will ensure a more comprehensive approach instead of appearing piecemeal.

The outline approval for the Northern Arc land to the north of the application site indicates between 2-3 storeys in height and the land to the west and south of the application site has approved indicative heights of between 3 and 5 storeys. The scheme has indicated heights of 3 storeys and a proposed density of 45 dph compared to the adjoining Northern Arc plans which range from between 35-65 dph.

The design and access statement sets out the design rationale for the residential redevelopment of this site and the integration of this scheme with the surrounding Northern Arc proposals. The applicant has commented that this outline scheme has been designed in accordance with the adopted Masterplan for the Northern Arc area, and as such, regard has been had for the scale, density, building height and land use of the Masterplan for the Northern Arc proposals.

In terms of landscaping, the application has been prepared with the benefit of a full arboricultural survey which includes a tree survey schedule, tree quality assessment and root protection area formula. The outcome of these surveys and recommendations have been followed in the formulation and concept for this development proposal.

The indicative layout thereby takes into account the arboricultural survey which has been undertaken on site, including trees to be retained and their root protection areas and the indicative layout demonstrates how the site can be developed without harming the protection zones.

Dwelling Space Standards

Policy DP27 Dwelling Space Standards, of the MSDP states the following:

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.'

The design and access statement confirms that, *'The indicative floor plans and layout have been formulated in accordance with this policy and nationally described space standards. This can be confirmed and detailed as part of an Approval of Reserved Matters application.'*

The Technical housing standards - national described space standards stipulates that a three storey 3 bedroom property should have a gross internal floor area (GIA) of between 90-108 sqm (and 2.5 sqm of built-in storage space), and a three storey 4 bedroom property should have a GIA of 103-130 sqm (and 3sqm of built in storage). The indicative plans illustrate that the proposed 3 bedroom properties will have a GIA of 90 sqm and the 4 bedroom properties, 103 sqm. These illustrative proposals meet

the requirements of national standards and policy requirements but the details will be considered as part of a future Reserved Matters submission if outline permission is granted.

Accessibility

MSDP policy DP28: Accessibility states:

All development will be required to meet and maintain high standards of accessibility so that all users can use them safely and easily.

This will apply to all development, including changes of use, refurbishments and extensions, open spaces, the public realm and transport infrastructure, and will be demonstrated by the applicant.

With regard to listed buildings, meeting standards of accessibility should ensure that the impact on the integrity of the building is minimised.

Accessible and Adaptable Dwellings

Developments of 5 or more dwellings will be expected to make provision for 20% 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 individuals or groups, where a greater proportion may be appropriate.*

Wheelchair-user dwellings

Category 3 - Wheelchair-user dwellings under Building Regulations - Approved Document M Requirement M4(3) will be required for a reasonable proportion of affordable homes, generally 4%, 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.'

While this is a matter to be considered in detail under a subsequent application, the applicant has addressed this issue of accessibility by amending the Design and Access Statement. The statement comments as follows:

'The proposed development will have to comply with access under building regs, i.e. level or ramped access to all areas. The surfaces that we are providing will be solid and stable but also permeable for disabled access from the car parking area to the front doors.

We will be content with a condition that two of the dwellings will meet the requirement of Part M of the buildings regs.'

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.*

Principle DG37 of the Council's Design Guide deals with 'sustainable buildings' and states;

The Council welcomes innovative and inventive designs that respond to the sustainability agenda by minimising the use of resources and energy both through building construction and after completion.

It lists a number of issues that designers should consider, including, amongst others, the incorporation of renewable energy technologies.

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.'*

This application is accompanied by an amended sustainability statement which is proportionate to the outline scheme proposed.

In terms of location, the application site is within the built up area as defined by the Mid Sussex District Plan, and although at present located to the north of the current limits of Burgess Hill, it will on completion of the Northern Arc proposals, be adjacent and surrounded by the eastern community and centre of the Northern Arc. The Northern Arc proposals include facilities such as shops, community facilities, recreation and children's play areas. These will be within walking distance without the need to travel by car.

The indicative layout also illustrates the provision of cycle storage for each dwelling to reduce the need to travel by car.

Each dwelling can also be orientated to maximise solar gain. This will reduce heat loss which with high insulation values will reduce the need to input energy for space heating. The layout and design of the proposed dwellings will seek to be in accordance with the latest building regulation requirements of Part L.

In respect of water usage fixtures these will be designed to reduce general water usage by the future occupants. It is intended that measures will be integrated into the final design to ensure that water usage is limited and in accordance with MSDP policy DP42.

The Sustainability Statement confirms that the scheme will assist in the mitigation and adaptation to climate change. This will be achieved by meeting or exceeding Part L of the Building regulation requirements, measures to reduce car use, flood risk assessment and efforts to improved biodiversity.

Under the sustainability objectives of paragraph 8 in the NPPF, the proposed development will help to contribute towards the local economy by providing jobs for construction workers and through the acquisition of locally sourced materials and building supplies/machinery. This will support growth, innovation and improved productivity in what is currently a difficult financial climate.

As such, it is considered that at this outline stage where detail is not required, the intention to comply with policy requirements are met and is therefore in accordance with MSDP policy DP39.

Full details will be required under a future submission for the Reserved matters. The development would also need to conform with the requirements of the Building Regulations at implementation stage.

Neighbour Amenity

Policy DP26 seeks to protect residential amenity and states that new development will not be permitted if significant harm to the amenities of existing nearby residents and future occupants of new dwellings, when considering matters such as overlooking, loss of privacy and noise/disturbance, amongst other potential issues.

Policy DP29 deals specifically with noise pollution, as well as air and light, and seeks to protect the quality of people's life from unacceptable levels of noise. It states that the residential development *'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 a development'*.

Mid Sussex Design Guide provides guidelines for the protection of residential amenity. Principles DG45 addresses issues of privacy, DG46 - External Amenity Space, DG47 - Daylight and Sunlight, DG48 - Noise, Air and Light Pollution. It

acknowledges that the design of new development can have a direct impact on the quality of life.

NPPF (July 2021) also states at paragraph 130 (f) that decisions should ensure that developments create places with a high standard of amenity for existing and future users.

As the internal layout is for illustrative purposes the detailed neighbour relationships can be assessed at a subsequent reserved matters application. Notwithstanding this, the layout has undergone careful review and considered against the Mid Sussex Design Guide Principles. The Council's Urban Designer raises no objection to the latest illustrative layout Rev G. It is considered that the indicative layout and disposition of housing about the site is an acceptable one for a built up residential area.

As such, it is considered that this element of MSDC policy DP26 can be met subject to the Reserved Matters.

Highways

Policy DP21 of the District Plan deals with transport matters and sets out criteria against which decisions on development proposals will be assessed. 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 111 of the NPPF states that:

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

Access details have been submitted for this application and have been designed to co-ordinate and integrate with the submitted Northern Arc transport and highway details.

West Sussex County Council, in its capacity as Local Highway Authority (LHA), was re-consulted on the revised scheme now proposing 9 dwellings.

The LHA has confirmed that the tracking for vehicles has been appropriately demonstrated by the applicant and has confirmed that their earlier objection has now been withdrawn but that this is also subject to, any recommendation to grant permission, including a 'Grampian style' planning condition (amongst others) to ensure that the Northern Arc Highway works (including traffic signals, footway works and speed limit change) are in place first and completed and implemented prior to occupation of the development proposal.

The LHA understand that the speed limit on Isaacs Lane will be reduced to 40mph if the Traffic Regulation Order (TRO) is successful. Therefore, if the access and development for Little Abbotsford is built once this speed limit and traffic signals are in place, it is considered that the proximity of the traffic signals and highway works would allow the Manual for Streets (MfS) methodology to be applied to calculate the stopping sight distance. For 40mph and a local road context conducive to MfS, this

would be a requirement for 65m. As the access plans show 70m (and it appears in excess of this can be achieved in the leading direction) the LHA considers that the visibility as demonstrated is suitable, provided the traffic signals, speed limit change to 40mph and associated highway works are completed prior to occupation.

The LHA had previously requested further information in the form of a revised Road Safety Audit (RSA) to assess the revised access arrangements and omission of servicing layby.

The latest and most up to date LHA comments are that;

'The amended RSA raises the following points:

2.4 - Edge of carriageway markings should be included at the site access. Designer responds that these have now been shown on drawing REDW-3334-408 Rev A and LHA consider these can be further reviewed at detailed design stage.

3.1 - Keep Clear markings should be included across southbound lane of Isaacs Lane, opposite new development site access road, to ensure no obstruction for egress from new site. Designer responds that these have now been shown on drawing REDW-3334-408 Rev A and LHA consider these can be further reviewed at detailed design stage.

Issues identified outside the terms of reference include drainage, street lighting, maintenance/ inspection covers and is considered can be reviewed at detailed design stage.

The Designers Response should be provided in the accepted format shown in tables F4 and F5 of GG119 so that the LHA can fill out the 'Overseeing Organisation' section and sign off.

Matters of internal layout, including car and bicycle parking will be assessed at reserved matters stage.'

Given the above, the LHA considers that the proposal will not be prejudicial to highway safety and would not result in 'severe' cumulative impacts on the operation of the highway network. As such the proposed development would not be in conflict with policy DP21 or paragraph 111 of the National Planning Policy Framework.

While the details for parking is a matter to be considered under a subsequent Reserved Matters application, the Highway Authority has confirmed that the indicative parking arrangement is acceptable.

The latest revised indicative layout plan illustrates adjustments relating to the parking spaces in the southwest corner of the site swept path analysis for a fire tender and for a refuse vehicle which is larger. These diagrams indicate that the revised parking layout allows fire and refuse vehicles to turn on the site.

WSSCC has also accepted the provision of a fire hydrant adjacent to the first parking space as you enter the application site. West Sussex County Council Water and Access is also now satisfied by the latest indicative layout.

Overall, it is considered that the details submitted for access are acceptable and do comply with the criteria of relevant policies DP21 of the MSDP and paragraph 111 of the NPPF.

Ecology

MSDP policy DP38: Biodiversity states the following:

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.'

Policy DP38 seeks to ensure that new developments protect and enhance existing biodiversity and create new green infrastructure and ecological networks to ensure a net gain in biodiversity.

The Design and Access Statement comments that:

'The development has ensured that biodiversity will be protected and enhanced. The planning application includes a Preliminary Ecological Appraisal (PEA) of the scheme. The applicant is willing to implement the recommendations of the PEA for enhancements to the site so there is a net gain in biodiversity across the site.'

The comments received from the Council's ecology consultant suggests that the PEA was carried out some time ago but also that it identified the findings of protected species. The ecology consultant raised no objection in principle to the proposed residential redevelopment of the site, in terms of biodiversity constraints, but would require updated survey information to be submitted at the reserved matters stage. This is to mitigate and provide compensatory measures in the form of an Ecological Impact Assessment report in accordance with good practice. A planning condition can be added should planning permission be granted for this scheme.

As such, it is considered that for the purposes of this application, the proposal meets the criteria of policy DP38 of the MSDP.

Flood Risk and Drainage

Policy DP41 of the MSDP deals with flood risk and drainage matters and states the following:

'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.'

The application site is not subject to any flood risk area and given the size of the development Sustainable Drainage System will be implemented.

The applicant has commissioned a SuDS and Foul Sewage Report which concludes:

'The development of the site will be used as an opportunity for environmental enhancement and the sustainable management of surface water runoff at source, including a 40 % allowance for climate change, through the provision of SuDS.'

Furthermore, formal consultation with Southern Water has confirmed that there is capacity within the local adopted foul sewer network to accommodate the anticipated foul water flow from the 10 new dwellings and identified the closest permissible connection point.'

In light of the above, the principle of the proposed development is deemed acceptable on drainage grounds and will provide a positive contribution to the sustainable management of surface water runoff and foul water flows from the scheme.

Drainage details can be the subject of an approval of reserved matters application. However, WSCC Lead Local Flood Authority has raised no objection to this application.'

Following receipt of this report, the Council's drainage officers have raised no objection.

As such, it is considered that at this outline stage of the planning application process, the proposed development does comply with DP policy DP41 in terms of flood risk and drainage issues.

Infrastructure Provision

MSDP Policy DP20 advises that developers will be expected to provide for or contribute towards the infrastructure provision within the Northern Arc and mitigation measures made necessary by their development proposals in the form of appropriate on-site mitigation and infrastructure provision, the use of planning obligations and CIL when it is in place.

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 NPPF sets out the government's policy on planning obligations in paragraphs 54 and 56 which state:

'54 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:

'56 Planning obligations must 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).

In this instance the applicant will be required to enter into a S106 Obligation to make the following provision.

- £7,965 towards **local community infrastructure provision** and specifically for an electric car charging point, which could be placed at Staplefield Common, Ansty Recreation Ground car park or in the layby at Brook Street.
- £17,480 is required to make improvements (**children's playing space**) to play equipment (£9,500) and kickabout provision (£7,980) for older children.
- £10,880 is required toward **formal sport** facilities at The Triangle leisure centre.
- £6,240 is required to make improvements to Sheddingdean Community Centre (**community buildings**).

The leisure contributions are required to enhance capacity and provision due to increased demand for facilities in accordance with the District Plan policy and SPD which require contributions for developments of five or more dwellings.

In terms of the scale of contribution required, these figures are calculated on a per head formulae based upon the total number of units proposed and an average occupancy of 2.5 persons per unit (as laid out in the Council's Development Infrastructure and Contributions SPD) and therefore is commensurate in scale to the development.

The West Sussex County Council Education and Libraries contributions (and total access demand) are formula-based due to it being an outline application. The full amounts will be calculated at the point when the payments become due as per the terms of the Section 106 Agreement.

The education (primary, secondary and sixth form) and libraries contributions will be put towards additional facilities at the catchment schools / nearest library to the development - this can encompass any adjustments such as additional equipment/classroom reconfiguration/additional stock etc, required to mitigate the impact of the additional children/residents generated by the development on the local services.

For education WSCC has commented that:

'The contributions generated by this proposal shall be spent on fixtures, fittings and equipment at the new Primary School One serving the Northern Arc strategic development. The contributions generated by this proposal shall be spent on fixtures, fittings and equipment at the new secondary school serving the Northern Arc strategic development. The contributions generated by this proposal shall be spent on additional facilities at St Paul's Catholic College Sixth Form.'

For library infrastructure, WSCC has commented that:

'The County Librarian advises that the proposed development would be within the area served by Burgess Hill Library and that the library would not currently be able to adequately serve the additional needs that the development would generate. However, a scheme is approved to provide additional floorspace at the library. In the circumstances, a financial contribution towards the approved scheme would be

required in respect of the extra demands for library services that would be generated by the proposed development. The contributions generated by this proposal shall be spent on the new Tier 7 Library facilities being provided by the Northern Arc strategic development site or towards additional facilities at Burgess Hill Library.'

For the Total Access Demand (TAD), WSCC have said that:

'The contributions generated by this proposal shall be spent on Public realm and connectivity improvements in Burgess Hill Town Centre.

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.

Any payment required for a Traffic Regulation Order (TRO) in respect of the proposed development is due either on the commencement of development or receipt of a TRO application to the County Council, whichever is the earlier.'

Given the above, the Council maintains that the contributions sought as set out are in full accordance with the requirements set out in Circular 05/2005 and in Regulation 122 of the Community Infrastructure Levy Regulations 2010.

As such, it is considered that on this issue alone the proposed development is compliant with the criteria of the relevant policy DP20 of the DP and the provisions contained within the NPPF.

A S106 obligation is in preparation to secure these payments and subject to its completion, the scheme is considered to accord with relevant Development Plan policy in this respect.

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.

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

Atmospheric pollution

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

The proposed development was modelled in the Mid Sussex Transport Study as a **windfall development** such that its potential effects are incorporated into the overall results of the transport model, which indicates there would not be an overall impact on Ashdown Forest. Additionally, based on analysis of Census 2011 data, the proposed development is not likely to generate travel to work journeys across 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.

Planning Balance and Conclusion

This is an outline application for 9 houses and the detailed consideration of access only. All other matters are to be reserved and considered under a subsequent planning application.

Planning legislation requires the application be determined in accordance with the Development Plan unless material circumstances indicate otherwise. In this part of Mid Sussex, the development plan comprises the District Plan (DP).

As the proposed development is within the built up area as defined in the MSDP, the principle of additional windfall housing development is acceptable under policy DP6 of the DP. The application site is a category 1 settlement defined within policy DP6 and in turn will conform with the General Principles for Strategic Development at Burgess Hill in terms of successfully integrating with the existing town, to provide connectivity to services and facilities, as set out in policy DP7 of the DP. The proposed development is also covered by the strategic allocation set out in policy DP9 to the north and north west of Burgess Hill for a mixed use development to progress in accordance with a Masterplan, Infrastructure Delivery and Phasing Strategy.

The Northern Arc application has been prepared for and submitted on behalf of Homes England, but the approved Outline Planning Application did not include the application site. Nevertheless, it has been demonstrated that an acceptable layout could be achieved at reserved matters stage that would successfully integrate with the wider Northern Arc proposal.

It is considered that the application is in accordance with the development plan and that this is the proper starting point for decision making. However, the Council also must have regard to other material considerations, including the National Planning Policy Framework (NPPF) in determining this planning application.

Provision of the proposed access onto Isaacs Lane is considered to be acceptable subject to a Grampian condition so that the development cannot be first occupied prior to the appropriate speed limits on Isaacs Lane being introduced and the satisfactory outcome of a traffic regulation order.

There would be no adverse impact in relation to ecological or tree related matters and there will be additional opportunity for further landscaping at the reserved matters stage. There are no objections raised in relation to drainage. As such these points are neutral in the planning balance.

The proposed development will provide 9 new dwellings (a net gain of 8) which will assist with meeting the Council's housing requirements. There would also be economic benefits from the proposal arising from the additional economic activity during the construction phase and also from the additional spending in the local economy from the additional population. These factors all weigh positively in the planning balance and should be given significant weight.

The only aspect that may be considered to weigh against the proposal is that in the short-term the scheme could be wholly dependent on access by the private car because the proposed housing could be brought forward and constructed in advance of the adjacent Northern Arc development. However, this would be a short-term issue as there is a very high degree of certainty that the adjacent land will be developed in the relatively near future. It is also to be noted that a development to the north of this site on Isaacs Lane (Woodfield House - DM/19/3769), which

proposed 30 houses and had similar planning circumstances, was granted planning permission by Members of the Planning Committee in June 2020.

Therefore, taking all the points into consideration, there are very compelling reasons to approve this application. This is a relatively small site which in the future will be completely surrounded by the Northern Arc development proposals. Therefore subject to the satisfactory completion of a Section 106 Legal Agreement to secure monies for infrastructure provision and the imposition of suitable conditions, it should be approved.

APPENDIX A – RECOMMENDED CONDITIONS

1. Approval of the details of the appearance, layout, scale and landscaping of the site (hereinafter called the "reserved matters") shall be obtained from the Local Planning Authority for any phase of development, prior to the commencement of development on site.

Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 2 years from the date of this permission.

The development hereby permitted must be begun before the expiration of 1 year from the date of approval of the last of the reserved matters.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990.

Pre commencement

2. 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 proposed development is satisfactorily drained and to accord with Policy DP41 of the Mid Sussex District Plan 2014 - 2031.

3. No works in connection with the development hereby approved shall commence unless a site protection plan has been submitted to and approved in writing by the Local Planning Authority. Site protection measures in respect of the pond shall be shown on a layout plan accompanied by descriptive text and shall include:
 - a) The location of the features to be retained and protected during construction works; and
 - b) The position and details of warning signs and protective fencing to be erected.

No works in connection with the development hereby approved shall commence unless the site protection measures have been implemented in full accordance with

the approved details. All protective fencing and warning signs shall be retained during the construction period in accordance with the approved details.

Reason: In the interests of protecting and enhancing the biodiversity of the environment and to accord with Policy DP38 of the Mid Sussex District Plan 2014 - 2031.

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

Reason: To avoid undue congestion of the site and consequent obstruction to access. and to accord with Policy DP21 of the Mid Sussex District Plan 2014 - 2031.

5. Prior to the commencement of construction of any dwelling or building 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. 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 Policies DP26 and DP37 of the Mid Sussex District Plan 2014 - 2031

6. No development above slab level shall be carried out unless and until samples/a schedule of materials and finishes to be used for external walls / roofs / fenestration of the proposed buildings have been submitted to and approved by the Local Planning Authority. The works shall be carried out in accordance with the approved details unless otherwise agreed with the Local Planning Authority in writing.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031

7. Details of the materials to be used for the access road, driveways and internal footways shall be submitted and approved in writing by the Local Planning Authority prior to work commencing in respect of these parts of the development. The development shall not be carried out otherwise than in accordance with such details.

Reason: To ensure that this aspect of the development is compatible with the design of the building and to accord with Policy DP26 of the District Plan 2014 - 2031.

Pre occupation

8. The access works as detailed on drawing no. REDW-3334-110-Rev B, dated 10.02.2022 shall not be in use and no dwelling shall be occupied until the Northern Arc Highways Works to Isaacs Lane (which includes traffic signals, footway works and speed limit change) are completed in accordance with the approved drawings of application reference DM/19/3313 or any subsequent Section 73 application to that permission and the speed limit on Isaacs Lane has been reduced to a maximum of 40 miles per hour at the point of access.

Reason: In the interests of road safety and to accord with Policy DP21 of the Mid Sussex District Plan 2014 - 2031 and the provisions contained within the National Planning Policy Framework.

9. No part of the development shall be first occupied until visibility splays of 2.4 metres by 70m metres have been provided at the proposed site vehicular access onto Isaacs Lane in accordance with the approved planning drawing (REDW-3334-110-Rev B. 10.02.2022). 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 and the provisions contained within the National Planning Policy Framework.

10. No dwellings shall be occupied until details of proposed screen walls/fences have been submitted to and approved by the Local Planning Authority and the approved screen walls/fences have been erected.

Reason: In order to protect the appearance of the area and to accord with and Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

11. Prior to the occupation of any of the dwellings hereby permitted, details shall be provided of the facilities for charging plug-in and other ultra-low emission vehicles for the written approval of the Local Planning Authority. The scheme shall be constructed in accordance with the approved details.

Reason: To provide facilities for plug in and ultra-low emission vehicles in the interests of sustainability and to comply with policy DP21 of the Mid Sussex District Plan 2014-2031

12. No dwelling hereby permitted shall be occupied until details, including a timetable for implementation, of ducting to premises infrastructure, to facilitate connection to high speed broadband and 4G, have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To ensure improved digital connectivity and the provision of high-speed broadband and 4G to the development and to accord with Policy DP23 of the District Plan.

13. A minimum of 20 percent of the dwellings shall be built to meet national standards for accessibility and adaptability (Category M4(2) of the Building Regulations). These shall be identified in any subsequent reserved matters submissions and 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, unless an exception is otherwise agreed in writing 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.

14. The reserved matters application shall be supported by an Ecological Impact Assessment report prepared in accordance with best practice published by the Chartered Institute of Ecology and Environmental Management Ltd based on an updated scoping survey and any phase 2 surveys for any protected / notable species where the need for these is identified from the scoping survey.

Reason: To ensure that any significant impacts on biodiversity can be avoided, adequately mitigated or, as a last resort, compensated for, in accordance with policies DP38 of the Mid Sussex District Plan and 175 of the NPPF.

Construction phase

15. Construction hours: Works of construction or demolition, including the use of plant and machinery, 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 in accordance with policy DP26 of the Mid Sussex District Plan.

16. Dust: Demolition/Construction work shall not commence until a scheme of measures for the control of dust during the construction phase has been submitted to and approved by the local planning authority. The scheme as approved shall be operated at all times during the construction phases of the development.

Reason: To protect the amenities of nearby residents from dust emissions during construction and to accord with Policy DP29 of the Mid Sussex District Plan 2014 - 2031.

17. Smoke: No burning of demolition/construction waste materials shall take place on site.

Reason: To protect the amenity of local residents from smoke, ash, odour and fume in accordance with policies DP26 and DP29 of the Mid Sussex District Plan.

18. Air Quality: Construction work shall not commence until a scheme of measures to minimise the long-term impact upon local air quality and to mitigate emissions has been submitted to and approved by the local planning authority. The scheme shall

be in accordance with the Air quality and emissions mitigation guidance for Sussex (2019) available at <http://www.sussex-air.net/ImprovingAQ/GuidancePlanning.aspx>

Reason: To protect the amenities of nearby residents regarding air quality and emissions and to accord with Policy DP29 of the Mid Sussex District Plan 2014 - 2031.

19. Soundproofing (Road Noise): No development shall take place until a detailed scheme for protecting the residential units from noise generated by traffic has been submitted to, and approved in writing by, the local planning authority. All works that form part of the scheme shall be completed before any part of the noise sensitive development is occupied. Details of post installation acoustic testing shall be submitted to and approved in writing by the Local Planning Authority upon request. Reason: To protect the amenities of nearby residents from smoke, ash, odour and fume and to accord with Policy DP29 of the Mid Sussex District Plan 2014 - 2031.
20. No part of any concrete foundations and no construction activities shall be within 5 metres of any drain or watercourse.

Reason: In the interests of protecting the natural environment and to accord with Policy DP38 of the Mid Sussex District Plan 2014 - 2031.

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
Location Plan		A	17.03.2022
Proposed Block Plan	B.062.18.01	G	10.02.2022
Highways Plans	REDW-3334-113		10.02.2022
Proposed Elevations	B.062.18.07	B	13.01.2022
Access Plan	REDW-3334-110	B	10.02.2022
Existing Floor Plans	drw No: 01		09.09.2019
Existing Elevations	drw No: 02		09.09.2019
Topographical Survey	18/300/100/A	-	12.08.2019
Topographical Survey	18/300/100/B	-	12.08.2019
Topographical Survey	18/300/100/C	-	12.08.2019

APPENDIX B – CONSULTATIONS

Parish Consultation

The Parish Council object to this application because the site was not allocated in the Neighbourhood Plan or MSDC Development Plan and is in an area of countryside restraint.

If permission were to be granted the Parish Council request that s106 money is allocated to the renovation, draining and surfacing of the perimeter track around Ansty Recreation ground. The recreation ground, which is owned by MSDC, is used by a lot people for recreational purposes including dog walkers. They often head to the second field beyond the rec because the recreation ground is so waterlogged. Draining the perimeter track will allow people to walk to the second field without damaging the recreation ground as well as allowing access for service vehicles. S106 money could also be allocated to the upgrading of Staplefield Pavilion to facilitate use by the community as well as cricketers.

Parish Consultation

The Parish Council object because the site was not allocated in the Neighbourhood Plan or District Plan and is an area of countryside development constraint. If permission should be granted the PC would like some s106 money towards community projects.

MSDC Urban Designer - Will Dorman

18.01.2022

I can confirm that the revised indicative layout sufficiently addresses the issues I raised in my previous email (6/1/22). The set-back of the houses from the front boundary scales off at 6.5m (at the minimum) which hopefully provides enough space to accommodate trees adjacent to the front boundary; Sarah may wish to comment further on this.

06.01.2022

The relocation of the bin stores and the provision for emergency/refuse vehicles (facilitated by the loss of one of the houses at the front is an improvement); unfortunately, in other respects the changes do not address my previous concerns.

The biggest issue is achieving a sufficient set-back of the houses fronting Isaacs Lane to comfortably accommodate trees along the street frontage. As previously advised (in bullet point one of your 11/8/21 email) this requires a bigger threshold/set-back, which should be achievable with the loss of the unit on plot 7 (now plot 6); perhaps a compromise could be reached whereby they create more space at the rear (i.e. an additional 2m) by terracing plots 6-9 (which would also have the advantage of creating more space between the front of plot 6 and the large tree). By copy to Sarah, I would also ask her to confirm she is happy with this advice.

Consideration needs to be given to connecting the site to the N Arc along the western boundary by continuing the pathway serving plots 6-9 and I would suggest the front gardens of 8+9 are reduced to help facilitate a more direct axis.

I would also want to see a planted verge at the rear of plot 6-9's rear gardens to help soften the rear parking court.

27.05.2021

This is an unusual layout; however I can see this approach has been designed to complete the suggested perimeter block as set out in fig 89 of the N Arc Design Guide. My initial concerns are the proximity of the houses to the existing trees (7-10) and Isaacs Lane plus its hard edge (1-6) and the size of the car park. By copy to Louise, the alignment of the N Arc Avenue may generate a rather constrained development parcel adjacent to Isaacs Lane and it should help if it could be moved a few metres westwards.

I am also concerned about the impact of visibility splays on existing trees and shrubs and proposed planting. I feel this should be designed to a 30mph zone requirements as it will be a built up area!

I would like to provide further comments preferably after I have visited the site which I would like to do on the 14th June.

MSDC Tree and Landscape Officer - Sarah Nelson

06.01.2022

I have discussed Will's comments (06.01.2022) with him and I can confirm I am happy with either option that Will has suggested (loss of plot 6 or terracing of plots 6-9). This would allow for more substantial planting to the front of the houses facing Isaacs Lane and would not impact the two large trees to the north and may even reduce the impact.

MSDC Drainage Officer

PLANNING APPLICATION CONSULTATION RESPONSE

APPLICATION DETAILS

Application Number	DM/19/3234 Outline
Planning Officer	Rachel Richardson
Flood Risk and Drainage Officer	Scott Wakely
Response Date	28.04.2021
Site Location	Isaacs Lane, Burgess Hill
Development Description	10 dwellings
Recommendation	Approve principle No objection subject to conditions

FLOOD RISK

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

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

SURFACE WATER DRAINAGE

It is proposed that the development will attenuate surface water via a permeable sub-base under the sites proposed vehicular access and parking area for 1 in 100 + 40% rainfall scenarios. Discharge is proposed to the roadside ditch at a suitably controlled rate. There is likely to be further works to the downstream ditch in the form of a new culvert or the clearing out of existing, which flows under the field access just south of the site.

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.

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

FOUL WATER DRAINAGE

The development intends to install a new adoptable sewer along Isaacs Lane to a connection in London Road. Whilst this is a long distance, it is acceptable in principle.

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

SUGGESTED CONDITIONS

C18F - MULTIPLE DWELLINGS/UNITS

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

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

PROTECTIVE MEASURES DURING CONSTRUCTION

No works in connection with the development hereby approved shall commence unless a site protection plan has been submitted to and approved in writing by the Local Planning Authority. Site protection measures in respect of the watercourse/ditch shall be shown on a layout plan accompanied by descriptive text and shall include:

- a) The location of the features to be retained and protected during construction works; and
- b) The position and details of warning signs and protective fencing to be erected.

No works in connection with the development hereby approved shall not commence unless the site protection measures have been implemented in full accordance with the approved details. All protective fencing and warning signs shall be retained during the construction period in accordance with the approved details.

Reason: In the interests of protecting and enhancing the biodiversity of the environment.

WORKS WITHIN 5M OF DRAIN OR WATERCOURSE

No part of any concrete foundations and no construction activities shall be within [specify] metres of any drain or watercourse.

Reason: In the interests of protecting the natural environment.

General drainage requirement guidance

SURFACE WATER DRAINAGE

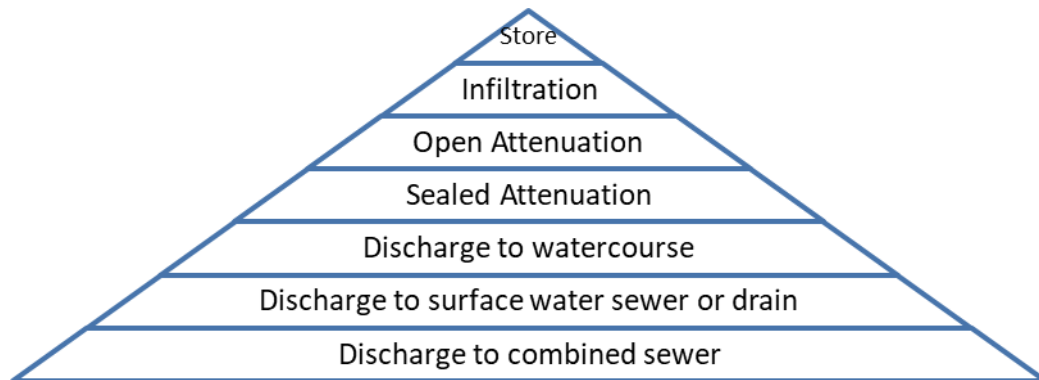
Proposed development will need to fully consider how it will manage surface water run-off. The hierarchy of surface water disposal will need to be followed and full consideration will need to be made towards the development catering for the 1 in 100-year storm event plus extra capacity for climate change.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

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

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

The proposed development drainage will need to:

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



- Protect people and property on the site from the risk of flooding
- Avoid creating and/or exacerbating flood risk to others beyond the boundary of the site.
- Match existing Greenfield rates and follow natural drainage routes as far as possible.
- Calculate Greenfield rates using IH124 or a similar approved method. SAAR and any other rainfall data used in run-off storage calculations should be based upon FEH rainfall values.
- Seek to reduce existing flood risk.
- Fully consider the likely impacts of climate change and changes to impermeable areas over the lifetime of the development.
- Consider a sustainable approach to drainage design considering managing surface water at source and surface.
- Consider the ability to remove pollutants and improve water quality.
- Consider opportunities for biodiversity enhancement.

FOUL WATER DRAINAGE

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

The use of non-mains foul drainage should consider the Environment Agency's General Binding Rules. We would advise applicants that 'General Binding Rules 2020' came into force as of 1st January 2020.

The Environment Agency have advised that any existing septic tank foul drainage systems that are found to not comply with the 2020 Binding Rules will need to be replaced or upgraded. As such any foul drainage system which proposed to utilise a septic tank will need to comply with the new 2020 rules. Guidance into the General Binding Rules can be found

on the government website (<https://www.gov.uk/guidance/general-binding-rules-small-sewage-discharge-to-a-surface-water>)

FLOOD RISK AND DRAINAGE INFORMATION FOR PLANNING APPLICATIONS

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

PRE-APP	OUTLINE	FULL	RESERVED	DISCHARGE	DOCUMENT SUBMITTED
✓	✓	✓			Flood Risk Assessment / Statement (checklist)
✓	✓	✓			Drainage Strategy / Statement & sketch layout plan (checklist)
	✓				Preliminary layout drawings
	✓				Preliminary "Outline" hydraulic calculations
	✓				Preliminary landscape proposals
	✓				Ground investigation report (for infiltration)
	✓	✓			Evidence of third-party agreement for discharge to their system (in principle / consent to discharge)
		✓		✓	Maintenance program and on-going maintenance responsibilities
		✓	✓		Detailed development layout
		✓	✓	✓	Detailed flood and drainage design drawings
		✓	✓	✓	Full Structural, hydraulic & ground investigations
		✓	✓	✓	Geotechnical factual and interpretive reports, including infiltration results
		✓	✓	✓	Detailing landscaping details
		✓	✓	✓	Discharge agreements (temporary and permanent)
		✓	✓	✓	Development Management & Construction Phasing Plan

USEFUL LINKS

Planning Practice Guidance - Flood Risk and Coastal Change

Flood Risk Assessment for Planning Applications

Sustainable drainage systems technical standards

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

Climate change allowances - Detailed guidance - Environment Agency Guidance

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

INFORMATION REQUIREMENTS

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

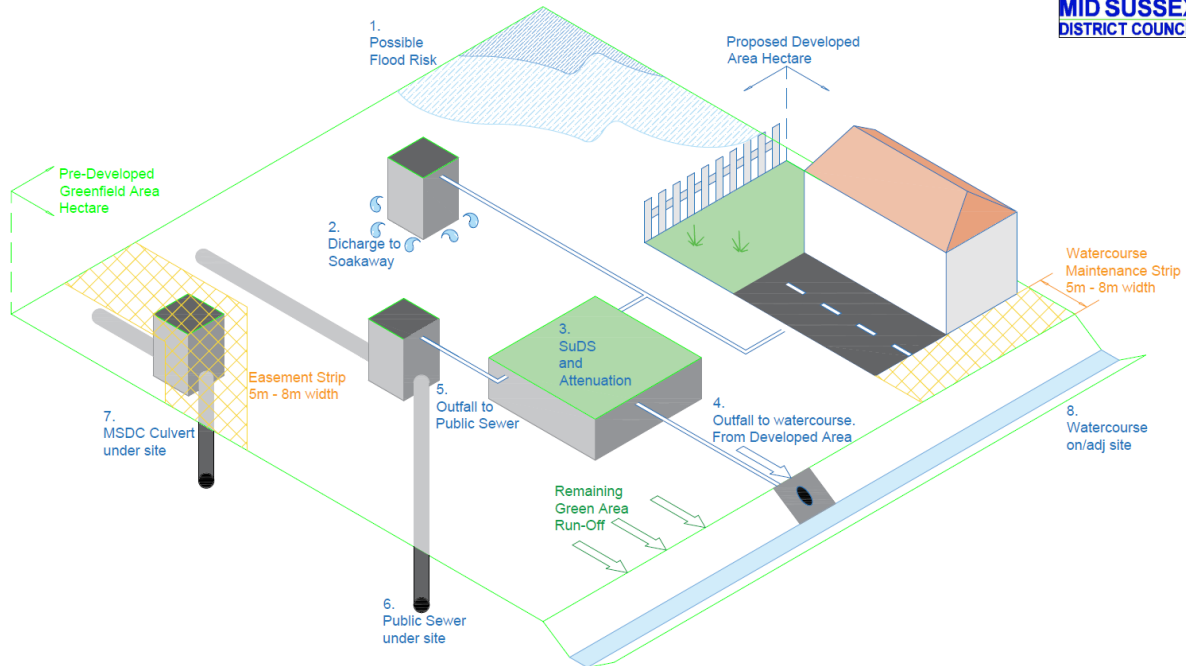
DESCRIPTION OF DEVELOPMENT	INFORMATION REQUIRED
<p>Located in Flood Zone 2 or 3.</p> <p>Located in Flood Zone 1 and greater than 1 hectare in area.</p> <p>Located in an area where a significant flood risk has been identified (including increased surface water flood risk)</p>	<ul style="list-style-type: none"> • Flood Risk Assessment which identified what the flood risks are and how they will change in the future. Also, whether the proposed development will create or exacerbate flood risk, and how it is intended to manage flood risk post development.
<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.</p> <p>Building any structure over or within proximity to such sewers will require prior permission from the sewerage undertaker. Any development within 8m of a sewer will require consultation.</p>

DESCRIPTION OF DEVELOPMENT	INFORMATION REQUIRED
MSDC culvert under or adjacent to site	<ul style="list-style-type: none"> • Evidence of approvals to build over or within proximity to MSDC assets will need to be submitted. <p><u>Advice</u> Consultation will need to be made with Mid Sussex District Council if there is a MSDC owned culvert running under or adjacent to the proposed development. Consultation should be made where such an asset is within 8m of any development.</p> <p>Building any structure over or within proximity to such culverts will require prior permission from Mid Sussex District Council. Normally it will be required that an “easement” strip of land, at least 5 to 8 metres wide, is left undeveloped to ensure that access can be made in the event of future maintenance and/or replacement.</p> <p>This matter can be discussed with Mid Sussex District Council Flood Risk and Drainage Team via drainage@midsussex.gov.uk.</p>
Watercourse on or adjacent to site	<ul style="list-style-type: none"> • Plan showing watercourse maintenance strip <p><u>Advice</u> A watercourse maintenance strip of 5 to 8 metres is required between any building and the top-of-bank of any watercourse that may run through or adjacent to the development site.</p>

INFORMATION REQUIREMENTS - SURFACE WATER DRAINAGE

PROPOSED SURFACE WATER DRAINAGE METHOD	INFORMATION REQUIRED
<p>Infiltration</p> <p>e.g. Soakaways</p>	<ul style="list-style-type: none"> • Percolation test results • Sizing calculations, details and plans to demonstrate that the soakaway system will be able to cater for the 1 in 100-year storm event plus have extra capacity for climate change. Climate change allowances for residential development is 40% and for commercial development is 30%. • Calculations which show the proposed soakaway will have a half drain time of 24 hours or less.
<p>Outfall to watercourse</p>	<ul style="list-style-type: none"> • Evidence discharge rate will be restricted in accordance with <i>West Sussex Lead Local Flood Authority Policy for the Management of Surface Water</i> (https://www.midsussex.gov.uk/media/3826/ws-llfa-policy-for-management-of-surface-water.pdf). <p><u>Advice</u> You cannot discharge surface water unrestricted to a watercourse.</p> <p>Discharge rates should be restricted to the Greenfield QBar runoff rate for the positively drained area for all events up to and including the 1 in 100-year rainfall event with climate change.</p> <p>If works (including temporary works) are undertaken within, under, over or up to an Ordinary Watercourse, then these works are likely to affect the flow in the watercourse and an <i>Ordinary Watercourse Consent (OWC)</i> may need to be applied for. Guidance into the OWC application process can be found on West Sussex County Council's website at</p> <p>https://www.westsussex.gov.uk/fire-emergencies-and-crime/dealing-with-extreme-weather/dealing-with-flooding/flood-risk-management/ordinary-watercourse-land-drainage-consent/</p> <p>OWC applications can also be discussed and made with Mid Sussex District Council Flood Risk and Drainage Team via drainage@midsussex.gov.uk.</p>

<p style="text-align: center;">PROPOSED SURFACE WATER DRAINAGE METHOD</p>	<p style="text-align: center;">INFORMATION REQUIRED</p>
<p>Outfall to public sewer</p>	<ul style="list-style-type: none"> • Evidence discharge rate will be restricted in accordance with <i>West Sussex Lead Local Flood Authority Policy for the Management of Surface Water</i> (https://www.midsussex.gov.uk/media/3826/ws-llfa-policy-for-management-of-surface-water.pdf). • Evidence connection and discharge rate has been approved with responsible sewerage undertaker. <p><u>Advice</u> You cannot discharge surface water unrestricted to a sewer. Discharge of surface water into a foul sewer system is not usually acceptable.</p> <p>Discharge rates should be restricted to the Greenfield QBar runoff rate for the positively drained area for all events up to and including the 1 in 100-year rainfall event with climate change. Unless agreed otherwise with the sewerage provider.</p>
<p>SuDS and attenuation</p>	<ul style="list-style-type: none"> • Evidence any discharge rates will be restricted in accordance with <i>West Sussex Lead Local Flood Authority Policy for the Management of Surface Water</i> (https://www.midsussex.gov.uk/media/3826/ws-llfa-policy-for-management-of-surface-water.pdf). • Percolation test results • Sizing calculations, details and plans to demonstrate that any infiltration / attenuation will be able to cater for the 1 in 100-year storm event plus have extra capacity for climate change. Climate change allowances for residential development is 40% and for commercial development is 30%. • Calculations which show the proposed soakaway will have a half drain time of 24 hours or less. <p><u>Advice</u> Written Statement (HCWS 161) - Department for Communities and Local Government - sets out the expectation that sustainable drainage systems will be provided to new developments wherever this is appropriate.</p> <p>You cannot discharge surface water unrestricted to a watercourse or sewer.</p>



MSDC Waste Contracts Monitoring Officer

11.11.2021

As the freighter can now drive in and turn around within the site it will be able to ensure that the crew can get close to the bins reducing walking distances for both residents and the crew and also mitigates any roadside safety concerns we may have had with the previous plan.

As long as the entrance to the site is wide enough to accommodate the waste collection freighter entering from an angle as well then this shouldn't be an issue.

17.08.2021

Our standard waste collection freighters are 3540mm in height, 2250mm in width and 8750mm in length so they would not clear the headroom for plot 1. Which is fine if the bins are presented in a well designed designated collection point off Isaacs Lane as per the suggestion. The turn-in layby would need to be wide enough to accommodate the vehicle in its entirety and to ensure the safety of the crew as they exit the vehicle and empty the bins as it is a fast road.

Just thinking of the manual for streets guidelines - would the bins be left by the roadside by the residents or outside the individual properties for the crew to walk out? (with that in mind, the manual for streets stipulates a maximum of 25m from the collection point to the freighter) or would the residents be expected to wheel the bins to and from the properties? Plot 10 is quite far from the collection point if that's the expectation.

MSDC Environmental Protection Officer

A consultee has commented on a Planning Application. A summary of the comments is provided below.

Comments were submitted at 6:13 PM on 16 Jan 2021 from Environmental Health on behalf of Environmental Protection.

Application Summary

Reference: DM/19/3234

Address: Little Abbotsford Isaacs Lane Burgess Hill West
Sussex RH15 8RA

Proposal: Outline application for demolition of existing dwelling and outbuildings. Proposed erection of ten, 3 and 4 bedroom dwellings with associated parking, turning areas and site servicing pullover, onto Isaacs Lane. All matters reserved apart from access. Amended proposal to include a site servicing pullover instead of 3m wide turn-in layby. 15.12.2020

Case Officer: Rachel Richardson

[Click for further information](#)

Comments Details

Comments:

No
objection
/comments
e/mail sent
04/01/21.
P Bieda
EHO.

The site is adjacent to the A273 road, so noise impacts upon future residents must be considered. It is probable that due to high traffic noise levels, bedroom windows close to the road would need to be kept closed in order to avoid sleep disturbance and to meet World Health Organisation and BS8233 internal noise standards.

This in turn would mean that additional ventilation may be required, with adequate air flow to allow thermal comfort. Accordingly, there are two questions which the Planning officer may wish to consider:

- 1) How acceptable is it to have residents in parts of this development sleeping all year round in a windows closed environment?
- 2) If acceptable, what type of ventilation would be deemed appropriate for these residents?

In our view the traffic noise issue can be addressed by a suitable soundproofing condition.

Regarding air quality, more specifically the pollution generated by traffic from the development, there is no official guidance on the assessment of air quality impacts, but there is local guidance produced by Sussex Air, and the Institute of Air Quality Management (IAQM) have produced guidance which is widely accepted and used for assessing the significance of air quality impacts.

Accordingly, I recommend a condition, relating to Air Quality, to allow measures to be agreed between the developers and the LPA.

Therefore, should the development receive approval, Environmental Protection recommends the following conditions:

Conditions:

- Construction hours: Works of construction or demolition, including the use of plant and machinery, 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.

- Dust: Demolition/Construction work shall not commence until a scheme of measures for the control of dust during the construction phase has been submitted to and approved by the local planning authority. The scheme as approved shall be operated at all times during the construction phases of the development.

Reason: To protect the amenity of local residents from dust emissions during construction.

- Smoke: No burning of demolition/construction waste materials shall take place on site.

Reason: To protect the amenity of local residents from smoke, ash, odour and fume.

- Air Quality - Construction work shall not commence until a scheme of measures to minimise the long-term impact upon local air quality and to mitigate emissions has been submitted to and approved by the local planning authority. The scheme shall be in accordance with the Air quality and emissions mitigation guidance for Sussex (2019) available at <http://www.sussex-air.net/ImprovingAQ/GuidancePlanning.aspx>

Reason: To preserve the amenity of local residents regarding air quality and emissions.

- Soundproofing (Road Noise): No development shall take place until a detailed scheme for protecting the residential units from noise generated by traffic has been submitted to, and approved in writing by, the local planning authority. All works that form part of the scheme shall be completed before any part of the noise sensitive development is occupied. Details of post installation acoustic testing shall be submitted to and approved in writing by the Local Planning Authority upon request.

Reason: To preserve residential amenity in relation to noise and to accord with policy DP26 of the MSDP.

4.10.19

Nick Bennett, EHO
Environmental Protection

MSDC Community Leisure Officer

19.01.2022

Hi Rachel,

The revised contributions are as follows:

Play £9,500
Kickabout £7,980
Community Buildings £6,240
Formal Sport £10,880

This is based on market accommodation with an average occupancy of 2.5 residents per dwelling and takes the demolition of the existing residential property into account.

Kind regards,
Elaine

08.01.2022

Dear Rachel,

Thank you for the opportunity to comment on the revised plans for the development of 10 residential dwellings at Little Abbotsford, Isaacs Lane, Burgess Hill RH15 8RA on behalf of the Head of Corporate Resources.

The following leisure contributions are required to enhance capacity and provision due to increased demand for facilities in accordance with the District Plan policy and SPD which require contributions for developments of five or more dwellings.

CHILDRENS PLAYING SPACE

Stonefield Way, owned and managed by the Council, is the nearest locally equipped play area to the development site. This facility will face increased demand from the new development and a contribution of £19,665 is required to make improvements to play equipment (£10,688) and kickabout provision (£8,978) for older children.

FORMAL SPORT

In the case of this development, a financial contribution of £12,240 is required toward formal sport facilities at The Triangle leisure centre.

COMMUNITY BUILDINGS

The provision of community facilities is an essential part of the infrastructure required to service new developments to ensure that sustainable communities are created. In the case

of this development, a financial contribution of £7,020 is required to make improvements to Sheddingdean Community Centre.

In terms of the scale of contribution required, these figures are calculated on a per head formulae based upon the total number of units proposed and an average occupancy of 2.5 persons per unit (as laid out in the Council's Development Infrastructure and Contributions SPD) and therefore is commensurate in scale to the development.

The Council maintains that the contributions sought as set out are in full accordance with the requirements set out in Circular 05/2005 and in Regulation 122 of the Community Infrastructure Levy Regulations 2010.

Ecology Consultant - Mike Bird

Ecological Advice

TO: Rachel Richardson
FROM: Mike Bird
APPLICATION REF: DM/19/3234
SITE: Little Abbotsford Isaacs Lane Burgess Hill West Sussex
PROPOSAL: Outline application for demolition of existing dwelling and outbuildings. Proposed erection of ten-, 3- and 4-bedroom dwellings with associated parking, turning areas and site servicing pullover, onto Isaacs Lane. All matters reserved apart from access. Amended proposal to include a site servicing pullover instead of 3m wide turn-in layby.
15.12.2020
DATE: 8 July 2021

Recommendation

In my opinion, there are no biodiversity policy reasons for refusal or amendment of the proposals, subject to the following conditions:

The reserved matters application shall be supported by an Ecological Impact Assessment report prepared in accordance with best practice published by the Chartered Institute of Ecology and Environmental Management Ltd based on an updated scoping survey and any phase 2 surveys for any protected / notable species where the need for these is identified from the scoping survey.

Reason: To ensure that any significant impacts on biodiversity can be avoided, adequately mitigated or, as a last resort, compensated for, in accordance with policies DP38 of the Mid Sussex District Plan and 175 of the NPPF.

Comments

The supporting preliminary ecological appraisal was undertaken some time ago and the potential for protected species was identified. Have regard to these findings and other information on the site, I would not anticipate any biodiversity constraints on the principle of development, but updated survey information and any protected species surveys will be

required to support detailed design work and the baseline results, design analysis and any necessary avoidance, mitigation and compensation measures should be presented in an Ecological Impact Assessment report in accordance with good practice.

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.

WSSC Highways

11.02.2022

Hi All,

Happy that tracking for required vehicles has been appropriately demonstrated. Conditions including Grampian to ensure Northern Arc works and speed limit change in place first as per previously advised.



Katie Kurek | BA (Hons) MCIHT | Senior Transport Planner (Development Management)

DATE: 17 January 2022

More info received from R. Richardson's email on 06.01.2022

RECOMMENDATION: Advice / No Objection

West Sussex County Council, in its capacity as Local Highway Authority (LHA), have been re-consulted on proposals for 9 x dwellings with matters of access sought for approval. In comments dated 29 November 2021 the LHA requested further information in the form of a revised Road Safety Audit (RSA) to assess the revised access arrangements and omission of servicing layby.

The amended RSA raises the following points:

2.4 - Edge of carriageway markings should be included at the site access. Designer responds that these have now been shown on drawing REDW-3334-408 Rev A and LHA consider these can be further reviewed at detailed design stage.

3.1 - Keep Clear markings should be included across southbound lane of Isaacs Lane, opposite new development site access road, to ensure no obstruction for egress from new site. Designer responds that these have now been shown on drawing REDW-3334-408 Rev A and LHA consider these can be further reviewed at detailed design stage. Issues identified outside the terms of reference include drainage, street lighting, maintenance/ inspection covers and is considered can be reviewed at detailed design stage. The Designers Response should be provided in the accepted format shown in tables F4 and F5 of GG119 so that the LHA can fill out the 'Overseeing Organisation' section and sign off. Matters of internal layout, including car and bicycle parking will be assessed at reserved matters stage.

Conclusion

The Local Highway Authority does not consider that the proposal would have and an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 111), and that there are no transport grounds to resist the proposal. However, the LHA request the Designers Response is sent in the correct format so appropriate sections can be completed by LHA.

If the Local Planning Authority is minded to grant planning consent the following conditions and informative note would be advised.

Grampian Condition - The access works as detailed on drawing no. REDW-3334-110-Rev B, dated 10.02.2022 shall not be in use and no dwelling occupied until the Northern Arc Highways Works (which includes traffic signals, footway works and speed limit change) are completed and implemented.

Reason: In the interests of road safety.

No part of the development shall be first occupied until visibility splays of 2.4 metres by 70m metres have been provided at the proposed site vehicular access onto Isaacs Lane in accordance with the approved planning drawing (REDW-3334-110-Rev B. 10.02.2022). 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.

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

Reason: To avoid undue congestion of the site and consequent obstruction to access.

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.

Katie Kurek
West Sussex County Council - Planning Services

DATE: 29 November 2021

RECOMMENDATION: More Information West Sussex County Council, in its capacity as Local Highway Authority (LHA), have been re-consulted on outline proposals (access sought for approval) for 9 x dwellings at Isaacs Lane. The LHA previously provided comprehensive comments on a number of occasions. The latest highways advice was sent to the Local

Planning Authority (LPA) on 16th and 12th August 2021 and covered the proposed access arrangements including visibility and servicing proposals.

Amended Highway Access Plan REDW-3334-408 and a Highways Access Response have been provided. These appear to respond to LHA comments dated 20 January 2021.

1. The scheme has been reduced from 10 to 9 units, removing the building across the access that required undercroft so that vehicle access is not restricted by this arrangement. Consequently, the servicing layby on Isaacs Lane has been removed and refuse collection is proposed to take place within the site. The latest access plan shows that the 5m wide access with 6m corner radii is suitable with swept path tracking showing a refuse collection vehicle entering and turning on site in order to exit to the public highway in a forward gear.
2. Visibility splays of 2.4m by 70m both north and south are demonstrated. As per comments dated 12 August 2021 the proposed 30mph speed limit as part of Northern Arc development was rejected and a traffic regulation order for 40mph speed limit proposed. A Grampian condition is proposed to not allow the development until the revised speed limit is in place. The LHA consider that with the installation of the new junction, traffic signals, footway, speed limit and future development that the character of the road would change and allow Manual for Streets (MfS) principles to be applied when calculating the required visibility. 70m is line with the required stopping sight distance when applying MfS deceleration rate and reaction times. The Grampian condition should read: The access shall not be in use and no dwelling occupied until the Northern Arc Highways Works (which includes traffic signals, footway works and speed limit change) are completed and implemented.
3. The previously submitted Road Safety Audit (RSA) should be revised. The amended plans and access arrangements (including layby removal) should be reviewed by the auditor and an updated Designers Response provided for LHA comment.
4. The application does not seek approval for matters of internal layout, including car parking. Parking provision and internal layout will be assessed at reserved matters stage.

Conclusion

The RSA should be revisited, please ask the auditor to review the revised access arrangements and provide an updated RSA and Designers Response.

Katie Kurek
West Sussex County Council - Planning Services

20.01.2021

RECOMMENDATION: More Information / Modification

West Sussex County Council, in its capacity as the Local Highway Authority (LHA), have been re-consulted on outline proposals for 10 x dwellings with matters of access and the proposed servicing pullover lay-by sought for approval. In comments dated 10 October 2019 the LHA requested further information in the form of a Stage 1 Road Safety Audit (RSA) with Designers Response, swept path tracking plans, footway tie-in, demonstration of suitable visibility and consideration to additional parking and turning within the site. The applicant was also advised to clarify how the development would integrate with the planned Northern Arc development for the surrounding area.

Additional plans and information have been provided to which the LHA wish to make the following comments.

Access Arrangements & Northern Arc

The bellmouth access has been altered with 6m corner radii to south and 3m to north, followed by site servicing pullover layby with taper. The access including geometry of corner radii has been designed on the presumption that the area will become 30mph and urban in context. Currently the site is rural and the road subject to 60mph and thus the access should be designed to the current standards within Design Manual for Roads & Bridges (DMRB) for the current road/site context.

As per previous comments, a speed survey revealed 85th percentile speeds of 51.9mph for both north and southbound traffic. Whilst the LHA is mindful that an ongoing s278 application will see the introduction of a signal junction immediately south of the development, this has not yet been completed. Furthermore, the Traffic Regulation Order (TRO) for change of speed limit to 30mph may not be approved. The TRO process is not guaranteed and in the scenario that the speed limit was instead changed to 40mph, for example, the new signalised junction and access for this development would need to be altered and designed to the correct standards. The LHA consider that the uncertainty of speed limit change and concurrently final design of the signalised junction means that the proposed site access for this development should be designed for the current road speeds and environment.

The LPA may wish to consider how the development could be delivered alongside planned Northern Arc improvements. The access could be designed in different scenarios, one with geometry and visibility to the current speeds and environment and one in the scenario that Northern Arc signalised junction and speed limit changes are approved. Furthermore, since comments were made in October 2019, DMRB has been updated. CA185 does not allow for a reduction factor to be applied to recorded 85th percentile speed survey results to calculate wet weather speeds. The actual recorded 85th percentile speeds (if in mostly dry weather) should therefore be used to calculate Stopping Sight Distance (SSD). The requirement from 51.9mph is therefore 156.4m. The access plan shows splays of 2.4m by 70m which would be suitable for a design speed of 50kph (31.1mph) and thus is not appropriate to current context and recorded speeds of the road.

Swept path tracking plans have been provided showing larger vehicle (delivery vans) can manoeuvre the access point and turn within the site. Tracking also shows a refuse collection vehicle utilising the servicing bay whilst an HGV can pass on Issacs Lane. This would require that a vehicle overtake using the opposing carriageway lane which is not desirable. Furthermore, larger vehicles will not be able to enter the site because of the location of plot 1 and proposed undercroft of 2.6m. The applicant is advised that the layby is widened to allow through traffic (whilst maintaining planned shared surface route rear of this) or that plot 1 is relocated so that larger vehicles can enter the site.

RSA & Designers Response

The audit assumes that as Northern Arc works are due to start imminently the audit is undertaken assuming the works have been completed. As per comments above, the TRO for reduction in speed limit may not be successful and thus the signalised junction south of the site may be redesigned. The RSA should be undertaken based on the current road context and speeds.

3.1 - Shared Use Facility Width

The shared use path that will be provided adjacent development as part of Northern Arc works is mostly 3m wide yet this width reduces to 2m adjacent southern kerb line of access, reducing available width for users. This, along with the kink in desire line may lead to collisions. The audit recommends it is 3m wide. The DR states that tree which necessitated this pinch point is now to be removed as part of Northern Arc works and thus 3m width for the shared use path is retained. This point relies on Northern Arc works and removal of tree - solution should be found independent of Northern Arc works.

3.2 - Site Access Carriageway Markings

Auditor recommends that edge of carriageway markings are provided to identify the edge of carriageway alignment adjacent to the development site access and the localised widening. The DR states that these markings have now been included on the access plan.

3.3 - Site Access Swept Path Tracking

The auditor recommends that swept path tracking for all anticipated vehicles is provided. The DR states that this has been provided showing two delivery vans passing in the access and that larger vehicles will use the narrow servicing layby. Whilst the DR justifies the servicing layby by stating that manoeuvres will be infrequent, the LHA is mindful of wider planned Northern Arc development and considers that traffic levels along Isaacs Lane means that servicing clear of the carriageway would be more desirable.

The RSA also draws attention to drainage, street lighting provision and inspection covers on carriageway which are matters for consideration at detailed design stage. The RSA should be reviewed once the access design and splays have been amended as per advice above. The auditor should also review the proposals in the scenario that the signalised junction to the south and speed limit change are not guaranteed for approval.

Car Parking

Car parking would be assessed at reserved matters stage. Nonetheless, based on 5 x 3-bedroom and 5 x 4-bedroom dwellings being provided with 2 x allocated spaces each, a total demand for 31 x spaces would result. On the basis that the parking court of 23 x spaces remain unallocated, a total demand for 25 x spaces would result and thus the parking provision as shown does fall short. The applicant should clarify the arrangements at reserved matters stage and consider providing a level of disabled and electric vehicle charging bays in line with WSCC guidance.

Trip generation and accessibility comments are provided under comments dated 10/10/2019.

Conclusion

In summary the LHA does not consider that safe and suitable access, as per paragraph 108 of the National Planning Policy Framework, has currently been demonstrated. Proposals to change the speed limit to 30mph may not be successful and thus the design of planned signalised junction to the south and context of road in this location may alter.

The LPA should consider how this development may be provided alongside planned Northern Arc improvements and how the junction could be designed for different scenarios, depending on whether the reduction to 30mph is successful.

As currently stands the LHA request that the access geometry and visibility is designed to the 85th percentile recorded speeds and that the proposed servicing arrangements are reviewed. The RSA may then require further review as currently the scheme has been assessed on the presumption that speed limit change to 30mph and thus design of signalised junction to south and nearby road network are approved.

Please ask the applicant to consider these comments and re-consult once modifications and additional information are provided.

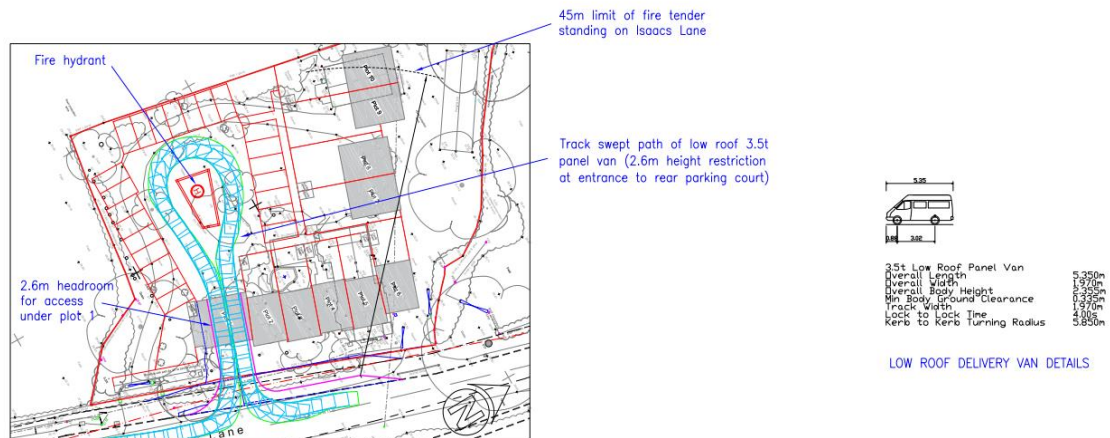
Katie Kurek - Senior Transport Planner
West Sussex County Council - Planning Services

WSSC Fire and Rescue - Ian Stocks

12.01.2022

The previous consultation plans indicated a fire hydrant in the middle of a turning area past the undercroft, where the turning facility in the new layout. New plans does not indicate the inclusion of a fire hydrant that will be required. With the undercroft being removed and a large car parking area, there looks to be sufficient access for a fire appliance, and room for the appliance to turn and make an exit.

So I think the access looks to be ok, just need information on the provision of a fire hydrant (copy of original info on FH copied below).



13.08.2021

The clearance height for a fire appliance is 3.7 metres, therefore it would not be able to pass below the undercroft to gain access to this area. There is a gravel track to plots 7 to 11; evidence will be required to show this track can withstand 18 tonne axial weight of a fire appliance and a suitable turning facility is provided to enable the appliance to turn and make an exit.

The plan also shows a 45 metre arc from the position of a fire tender. The 45 metre distance is not a straight line measurement, it is taken along the route the hose will need to be laid to reach all parts of any property. This arc is an unrealistic measurement as it passes through properties and gardens to reach this distance. A measurement needs to be made along a realistic hose lay route to identify how much hose will be needed to reach these properties.

Approved document - B Volume 1 2019 edition: B5 section 13 requires access for a fire appliance should be provided to within 45m of all points inside all dwellings houses. Any properties not within the 45 metre hose lay distance requirement will need to be mitigated by the installation of domestic sprinkler or water mist systems complying with BS9251 or BS8458 standards.

If a fire appliance cannot gain access below the under croft there is no real reason of having a fire hydrant in the middle of this dry stone walled area. The fire hydrant is connected up to the fire appliance via hoses to keep it supplied with water for firefighting. The pump on the appliance then increases the pressure to 12 to 20 Bar, sufficient to reach areas within a property on fire. Water is never used to directly fight a fire, it has to be boosted by the fire appliance. The hydrant would be better located near to the fire appliance location.

So from the plans submitted, it shows there is insufficient access for the Fire Service to comply with the requirements of AD-B volume 1 B5 section 13.

WSSC Planning Officer - Naomi Hoyland

06.01.2022

Further to our telephone conversation just now regarding our S106 consultation response for the above application I can confirm that our contributions are formula-based due to it being an outline application. The full amounts will be calculated at the point when the payments become due as per the terms of the Section 106 Agreement.

The Education and Libraries contributions will also be put towards additional facilities at the catchment schools / nearest library to the development - this can encompass any adjustments such as additional equipment/classroom reconfiguration/additional stock etc, required to mitigate the impact of the additional children/residents generated by the development on the local services.

17.08.2021

WEST SUSSEX COUNTY COUNCIL

PLANNING SERVICES DIVISION: SECTION 106 CONSULTATION RESPONSE

DATE: 17th August 2021

FROM: Naomi Hoyland

DISTRICT COUNCIL: Mid Sussex

Application Number: DM/19/3234

The Provision of Service Infrastructure Related to: Little Abbotsford Isaacs Lane Burgess Hill West Sussex RH15 8RA

Planning Application details: Outline application for demolition of existing dwelling and outbuildings. Proposed erection of ten, 3 and 4 bedroom dwellings with associated parking, turning areas and site servicing pullover, onto Isaacs Lane. All matters reserved apart from access. Amended proposal to include a site servicing pullover instead of 3m wide turn-in layby. 15.12.2020. Additional plan -access and visibility splays. 29.07.2021

S106 Contributions Sought

Primary Education
Secondary Education
Sixth Form Education
Libraries
Total Access Demand

Without prejudice to the informal representations of the County Council in respect of the above planning proposal, I am writing to advise you as to the likely requirements for contributions towards the provision of additional County Council service infrastructure, other than highways and public transport that would arise in relation to the proposed development.

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.

The planning obligation formulae below are understood to accord with the Secretary of State's policy tests outlined by the in the National Planning Policy Framework, 2019.

The advice is as follows:

1. School Infrastructure Contribution

1.1 The Director for Children and Young People's Services advises that it appears that at present primary/secondary/further secondary schools within the catchment area of the proposal currently would not have spare capacity and would not be able to accommodate the children generated by the assumed potential residential development from this proposal. Accordingly, contributions would need to be requested. However, the situation will be monitored and further advice on all of the main education sectors, (i.e. Primary/Secondary/Further Secondary) should be sought if this planning application is to be progressed.

1.2 Financial Contribution

The financial contribution sought by the County Council would be based on: the estimated additional population that would be generated by the proposed development, reduced to reflect any affordable dwellings, with a 33% discount, for occupation by persons already residing in the education catchment area; the County Council's adopted floorspace standard for education provision; and the estimated costs of providing additional education floorspace. As the housing mix is not known at this stage, I propose the insertion of a formula into any legal Agreement in order that the school infrastructure contribution may be calculated at a later date. The formula should read as follows:

The Owner and the Developer covenant with the County Council that upon Commencement of Development the Owner and/or the Developer shall pay to the County Council the School

Infrastructure Contribution as calculated by the County Council in accordance with the following formula:

$(\text{DfE figure (Primary)} \times \text{ACP} = \text{Primary Education Contribution}) + (\text{DfE figure (Secondary)} \times \text{ACP} = \text{Secondary Education Contribution}) + (\text{DfE figure (Further Secondary)} \times \text{ACP} = \text{Further Secondary Education Contribution}) = \text{Education Contribution where:}$

Note: x = multiplied by.

ACP (Additional Child Product) = The estimated additional number of school age children likely to be generated by the development calculated by reference to the total number of Housing Units, less any allowance for Affordable Housing Units, as approved by a subsequent reserved matters planning application. The current occupancy rates are as follows:

	Dwelling Size		Occupancy
	House		Flat
1 bed	= 1.5		1.3
2 bed	= 1.9		1.9
3 bed	= 2.5		2.4
4+ bed	= 3.0		2.8

Using the latest published occupancy rates from the census statistics published by the Office for National Statistics to determine an overall population increase the following factors are applied. According to 2001 census data, there are 14 persons per 1000 population in each school year group for houses and 5 persons per 1000 population in each school year group for flats. There are 7 year groups for primary (years R to 6) and 5 for secondary (years 7 to 11). For Sixth Form, a factor of 0.54 is applied to the Child Product figure as this is the average percentage of year 11 school leavers who continue into Sixth Form colleges in West Sussex.

DfE Figure = Department for Education (DfE) Secondary/Further Secondary school building costs per pupil place) as adjusted for the West Sussex area applicable at the date when the School Infrastructure Contribution is paid (which currently for the financial year 2021/2022 is £18,933 - Primary, £28,528 - Secondary; £30,939 for Further Secondary, updated as necessary by the Royal Institute of Chartered Surveyors Building Cost Information Service All-In Tender Price Index.

1.3 The contributions generated by this proposal shall be spent on fixtures, fittings and equipment at the new Primary School One serving the Northern Arc strategic development.

1.4 The contributions generated by this proposal shall be spent on fixtures, fittings and equipment at the new secondary school serving the Northern Arc strategic development.

1.5 The contributions generated by this proposal shall be spent on additional facilities at St Paul's Catholic College Sixth Form.

2. Library Infrastructure Contribution

2.1 The County Librarian advises that the proposed development would be within the area served by Burgess Hill Library and that the library would not currently be able to adequately serve the additional needs that the development would generate.

However, a scheme is approved to provide additional floorspace at the library. In the circumstances, a financial contribution towards the approved scheme would be required in

respect of the extra demands for library services that would be generated by the proposed development.

2.2 Financial Contribution

The financial contribution sought by the County Council would be based on: the estimated additional population that would be generated by the proposed development; the County Council's adopted floorspace standard for library provision; and the estimated costs of providing additional library floorspace. As the housing mix is not known at this stage, I propose the insertion of a formula into any legal Agreement in order that the library contribution may be calculated at a later date. The formula should read as follows:

The Owner and the Developer covenant with the County Council that upon Commencement of Development the Owner and/or the Developer shall pay to the County Council the Libraries Infrastructure Contribution as calculated by the County Council in accordance with the following formula:-

$L \times AP =$ Libraries Infrastructure Contribution where:

Note: x = multiplied by.

AP (Additional Persons) = The estimated number of additional persons generated by the development calculated by reference to the total number of Open Market Units and shared Ownership Affordable Housing Units as approved by a subsequent reserve matters planning application. Using the latest published occupancy rates from census statistics published by the Office for National Statistics with the current occupancy rates given as a guideline:

	Dwelling Size		Occupancy
	House		Flat
1 bed	= 1.5		1.3
2 bed	= 1.9		1.9
3 bed	= 2.5		2.4
4+ bed	= 3.0		2.8

L = Extra library space in sqm. per 1,000 population \times the library cost multiplier (which currently for the financial year 2021/2022 are [30/35 sq.m] and £5,549 per sqm respectively).

2.3 The contributions generated by this proposal shall be spent on the new Tier 7 Library facilities being provided by the Northern Arc strategic development site or towards additional facilities at Burgess Hill Library.

3. Transport (TAD) Contribution

3.1 The Total Access Demand Contribution will be calculated by the County Council in accordance with the following formula:

Total Access Demand Contribution = Sustainable Access Contribution + Infrastructure Contribution, where:

Sustainable Access Contribution = $(C - D) \times E$, where:

C (Total Access) = $(A$ (number of dwellings) \times B (Occupancy per dwelling)) using the latest published occupancy rates from census statistics published by the Office for National Statistics with the current occupancy rates given as a guideline:

	Dwelling Size	Occupancy
	House	Flat
1 bed	= 1.5	1.3
2 bed	= 1.9	1.9
3 bed	= 2.5	2.4
4+ bed	= 3.0	2.8

D = Parking Spaces provided by the residential development element of the Proposed Development

E = Standard multiplier of £724

Infrastructure Contribution = D x F, where:

D = Parking Spaces provided by the residential development element of the Proposed Development

F = Standard multiplier of £1450

Where affordable dwellings are involved, the appropriate discount is applied to the population increase (A x B) before the TAD is formulated.

The contributions generated by this proposal shall be spent on Public realm and connectivity improvements in Burgess Hill Town Centre.

General points

Please ensure that the applicants and their agents are advised that any alteration to the housing mix, either size, nature or tenure, may generate a different population and 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.

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.

Review of the contribution towards the provision of additional County Council services should be by reference to an appropriate index, preferably RICS BCIS All-In TPI. This figure is subject to annual review.

Appropriate occupancy rates using the latest available Census data will be used.

Should you require further general information or assistance in relation to the requirements for contributions towards the provision of County Council service infrastructure please contact, in the first instance, the Planning Applications Team officer, named above.

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.

Any payment required for a Traffic Regulation Order (TRO) in respect of the proposed development is due either on the commencement of development or receipt of a TRO application to the County Council, whichever is the earlier.

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.

WSCC Lead Local Flood Authority

05.08.2021

I've had a brief look over the correspondence relating to this application, and we are in agreement with the District Drainage Engineer that we would not object to this development.

Kevin Brook
Flood Risk Engineer
Lead Local Flood Authority
Highways, Transport and Planning
West Sussex County Council

WSCC Minerals & Waste - County Planning Officer

17.08.2021

Dear Mid Sussex District Council,

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

Location: Little Abbotsford Isaacs Lane, Burgess Hill, RH15 8RA

Proposal: Outline application for demolition of existing dwelling and outbuildings. Proposed erection of ten, 3 and 4 bedroom dwellings with associated parking, turning areas and site servicing pullover, onto Isaacs Lane. All matters reserved apart from access. Amended proposal to include a site servicing pullover instead of 3m wide turn-in layby. 15.12.2020

The application in question does not fall within the thresholds or consultation areas set out in the Minerals and Waste Safeguarding Guidance (March, 2020). These thresholds are set out in the Consultation Thresholds (June 2021) attached to this email. Therefore, we have not provided a detailed response in this case.

As per these thresholds, the MWPA would not expect to be consulted on a non-mineral development (residential in this case) within the Building Stone and Weald Clay consultation areas when the total site area is less than 3 hectares. Due to this it is considered that significant levels of mineral sterilisation would not occur if the development was permitted, therefore, the minerals and waste authority would offer a no comment to the proposed development.

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).

Kind regards
Tyra Money
Trainee Planner | Planning Services | West Sussex County Council

04.02.2021

As per 2.4 of the minerals and waste safeguarding guidance (found here), the site area of the proposed development is less than the consultation threshold criteria of 3ha for developments within a Weald Clay Safeguarding Area. Therefore, the MWPA would not expect to be consulted on an application of this scale as no discernible level of mineral sterilisation will be considered to occur as a result of the development should it be approved.

The MWPA would therefore offer No Objection to the proposed development.

Sussex Police

13.01.2021

I refer to your recent correspondence of 23rd December 2020, enclosing details of a planning application at to the above location. Description: Outline application for demolition of existing dwelling and outbuildings. Proposed erection of ten, 3 and 4 bedroom dwellings with associated parking, turning areas and site servicing pullover, onto Isaacs Lane. All matters reserved apart from access. Amended proposal to include a site servicing pullover instead of 3m wide turn-in layby.

15.12.2020

I have examined the detail within this application from a crime prevention viewpoint and as a result I have concluded that, under the circumstances, further crime prevention advice is not relevant. My previous crime prevention comments within my reference PE/ARU/17/21A dated 09/10/2019 remain extant.

I look forward to providing more in-depth crime prevention comments at reserved matters. I thank you for allowing me the opportunity to comment.

09.10.2019

Thank you for your correspondence of 18th September 2019, advising me of an outline application for demolition of existing dwelling and outbuildings. Proposed erection of ten, 3 and 4 bedroom dwellings with associated parking, turning areas and new access, to include 3m wide turn-in layby, onto Isaacs Lane. All matters reserved apart from access at the above location, for which you seek advice from a crime prevention viewpoint.

I have had the opportunity to examine the detail within the application and in an attempt to reduce the opportunity for crime and the fear of crime I offer the following comments from a Secured by Design (SBD) perspective. SBD is owned by the UK Police service and supported by the Home Office that recommends a minimum standard of security using proven, tested and accredited products. Further details can be found at www.securedbydesign.com Due to the application being outline, my comments will be broad with more in depth advice being delivered at reserved matters.

The National Planning Policy Framework demonstrates the government's aim to achieve healthy, inclusive and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion. With the level of crime and anti-social behaviour in Mid Sussex district being below average when compared with the rest of Sussex, I have no major concerns with the proposals, however, additional measures to mitigate against any identified local crime trends and site specific requirements should be considered.

Given that this outline application is only to determine the means of access and to seek approval in principle, I have no detailed comment to make at this stage. At the reserved matters stage I would encourage the applicant to update the Design and Access Statement to include appropriate measures for crime prevention and community safety using the principles of Secured by Design and the attributes of safe, sustainable places. These are:

- Access and movement - places with well-defined routes, spaces and entrances that provide for convenient movement without compromising security.
- Structure - places that are structured so that different uses do not cause conflict.
- Surveillance - places where all publicly accessible spaces are overlooked.
- Ownership - places that promote a sense of ownership, respect, territorial responsibility and community.
- Physical protection - places that include necessary, well designed security features.
- Activity - places where the level of human activity is appropriate to the location and creates a reduced risk of crime and a sense of safety at all times.
- Management and maintenance - places that are designed with management and maintenance in mind, to discourage crime in the present and the future.

I thank you for allowing me the opportunity to comment.

The Crime & Disorder Act 1998 heightens the importance of taking crime prevention into account when planning decisions are made. Section 17 of the Act places a clear duty on both police and local authorities to exercise their various functions with due regard to the likely effect on the prevention of crime and disorder. You are asked to accord due weight to the advice offered in this letter which would demonstrate your authority's commitment to work in partnership and comply with the spirit of The Crime & Disorder Act.

This letter has been copied to the applicant or their agent who is asked to note that the above comments may be a material consideration in the determination of the application but may not necessarily be acceptable to the Local Planning Authority. It is recommended, therefore, that before making any amendments to the application, the applicant or their agent first discuss these comments with the Local Planning Authority.

Yours sincerely
Phill Edwards
Designing Out Crime Officer
Sussex Police Headquarters

Southern Water

29.11.2021

Proposal: Proposed erection of nine dwellings with associated parking, turning areas and new access onto Issacs Lane. All matters reserved apart from access details Revised plans received on 29th October 2021.

Site: DM/19/3234: - Little Abbotsford Isaacs Lane, Burgess Hill, West Sussex, RH15 8RA.

Thank you for your letter dated 08/11/2021.

There are no public foul and surface water sewers in the area to serve this development. The applicant is advised to examine alternative means of foul and surface water disposal.

The supporting documents make 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 Design and Construction Guidance (Appendix C) and CIRIA guidance available here:

www.water.org.uk/sewerage-sector-guidance-approved-documents/
www.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. It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

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

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

Yours faithfully,
Growth Planning Team
Business Channels

www.southernwater.co.uk/developing-building/planning-your-development