

MID SUSSEX DISTRICT COUNCIL

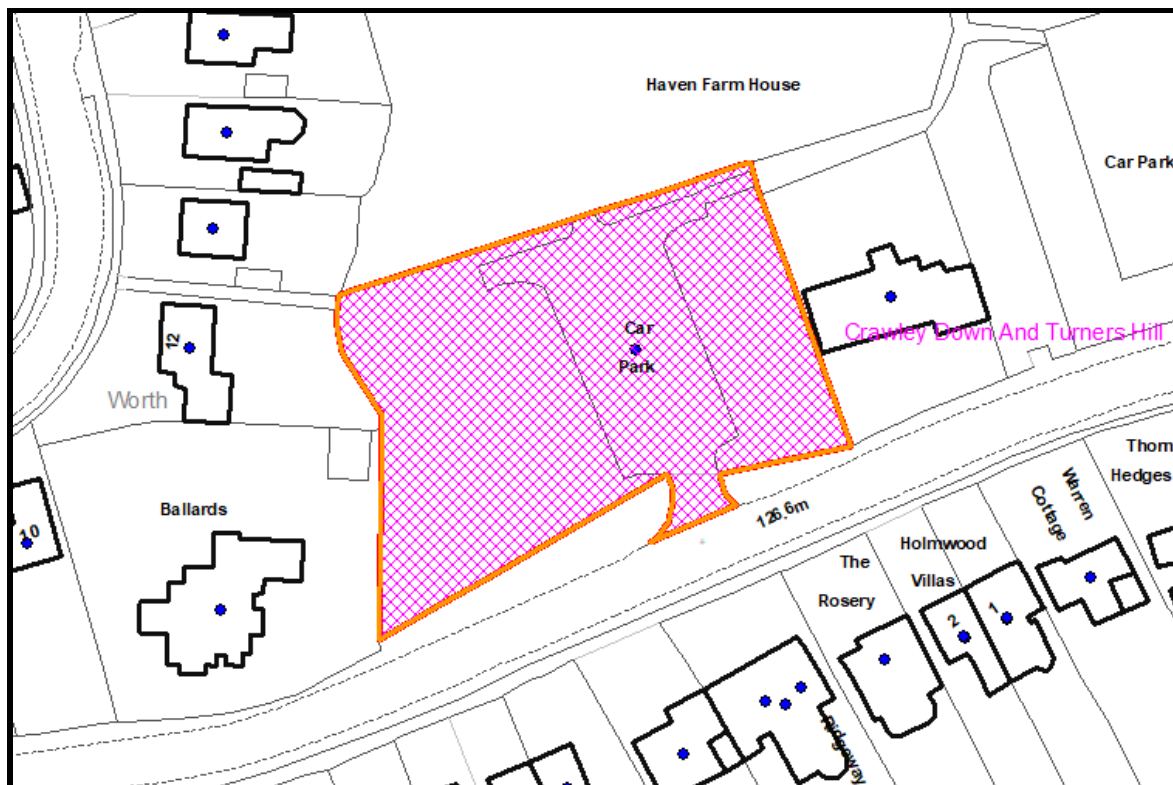
Planning Committee

8 DEC 2022

RECOMMENDED FOR PERMISSION

Worth

DM/22/2732



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**THE HAVENS SPORTSFIELD CAR PARK THE HAVEN CENTRE
HOPHURST LANE CRAWLEY DOWN WEST SUSSEX
NEW/REPLACEMENT VILLAGE HALL (RESUBMISSION OF PREVIOUSLY
APPROVED DM/19/2671)
THE TRUSTEES**

POLICY: Area of Special Control of Adverts / Ashdown Forest SPA/SAC / Built Up Areas / Countryside Area of Dev. Restraint / Classified Roads - 20m buffer / Aerodrome Safeguarding (CAA / Trees subject to a planning condition

ODPM CODE: Minor Other

8 WEEK DATE: 9th December 2022

WARD MEMBERS: Cllr Phillip Coote / Cllr Ian Gibson / Cllr Roger Webb /

CASE OFFICER: Katherine Williams

PURPOSE OF REPORT

To consider the recommendation of the Head of Economic Promotion and Planning on the application for planning permission as detailed above.

EXECUTIVE SUMMARY

Planning permission is sought for the erection of a new village hall within the western part of the Haven Sportsfield Car Park. This application is before committee as the application site is located on land owned by Mid Sussex District Council. It follows the grant of a planning permission for similar development on the site in 2019 which has now lapsed (DM/19/2671).

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

The site lies within the defined built-up area of the village where the principle of development is acceptable under policy DP6 of the District Plan. It is considered that the proposal is necessary to provide a new and improved facility for the village and therefore this is a significant benefit which accords with policy DP25 of the District Plan. It is of an appropriate design and scale and is sustainably located.

There are no highway safety concerns from the Highways Authority, and drainage and sustainability matters can be handled by condition. Impact on neighbouring residents in terms of noise and disturbance during construction and once the use comes into being can also be controlled using conditions.

The loss of trees on this site is regrettable but replacement planting can be carried out on site to mitigate this impact.

There will be no likely significant effect on the Ashdown Forest SPA and SAC.

For the above reasons, the proposal is deemed to comply with Policies DP6, DP13, DP17, DP21, DP25, DP26, DP28, DP29, DP37, DP39 and DP41 of the Mid Sussex District Plan, Policies CDNP06, CDNP08 and CDNP10 of the Crawley Down Neighbourhood Plan and the objectives of the National Planning Policy Framework. Planning permission should therefore be granted.

RECOMMENDATIONS

It is recommended that planning permission be approved subject to the conditions outlined at Appendix A.

SUMMARY OF REPRESENTATIONS

Seven letters of representation have been received which raised the following concerns:

- Negative impact on village
- Loss of mature trees
- Loss of parking, unsafe to park on the road
- Unnecessary development
- Highway survey required
- Future pressure on remaining trees, a new tree survey is required
- 80 car movements per day at existing village hall
- Tree survey is out of date
- Would impact on tree within garden of Ballards, building should be moved away
- Loss of open space
- Not a central location within the village
- Existing conveyance on the land restricting its use
- Better use of money

SUMMARY OF CONSULTATIONS

WORTH PARISH COUNCIL OBSERVATIONS

Defer to the opinion of the officer

Tree Officer

Objection

Drainage Engineer

No objection, recommend condition

Environmental Health

No objection, recommend conditions

WSCC Highways Authority

No objection, recommend conditions

Gatwick Safeguarding Officer

No objection, informative suggested

OFFICER REPORT

Introduction

The application seeks permission for the erection of a new Village Hall at The Havens Sportsfield Car Park. The application has been referred to Committee because the land is owned by the District Council.

Relevant Planning History

DM/19/2671 - Village Hall with associated parking. Granted

DM/20/3296 - Variation to condition 2 relating to planning application DM/19/2671 to substitute amended drawings for those on approved scheme, in order to reduce the scale of the building with minor adjustments to certain window/doors and an enhancement to the front entrance design. Granted

DM/21/1769 - Variation to condition 2 relating to planning application DM/20/3296 to substitute amended drawings for those on original and subsequent approved schemes for economical and construction detail requirements. Granted

DM/22/0220 - Variation of condition 2 relating to Planning Application DM/20/3296 - to substitute drawings for those on the original approved scheme, in order to reduce the scale of the building with adjustments to external materials, design of roof and reduced car parking between rows. (Amended description 25.03.2022). Granted

Site and Surroundings

The application site consists of a public car park to the northern side of Hophurst Lane, within the built up area of Crawley Down.

The southern side of the highway consists of two storey detached dwellings of varying designs and forms. The dwellings are set back evenly from the highway with front boundary hedging which gives a distinctive character to this side of the highway. The northern side includes residential properties, however, these are more sporadically positioned with differing relationships with the highway. The areas

between the properties consists of the Haven Centre and the car park to the Haven Centre Sportsfield with Crawley Down Football Club beyond to the north. These areas border the highway with mature trees and hedging which contribute to the character of the area.

The application site consists of a car park with a wide verge western side with access to the north to the open space. Planning permission was previously granted for a community building on the land, however this permission has subsequently lapsed.

Application Details

The proposal seeks planning permission for the erection of a new village hall community building to replace the existing village hall which is located elsewhere in the village. A proposed village hall was previously granted under application DM/19/2671 and lapsed on 30th September 2022. Subsequent variation of condition applications was granted including DM/22/0220, which was of the same design as the current application.

The proposed building would be located on the western side of the site, and partly over the existing parking area and grassed area.

The building would have an overall width and depth of some 24.1 metres and 15.3 metres and would include a large hall (court), small hall, committee room, W.C., kitchen, storerooms and plant room. The building would have a double height and two storey appearance over the large hall with a crown roof with an overall height and eaves height of some 7.5 metres and 4.6 metres. The single storey elements would also have a crown roof and a pitched roof form over the proposed entrance doors with an overall height and eaves height of some 4.3 metres and 3 metres.

The proposed building would be constructed in multi-stock brickwork on the ground floor with cedar weatherboarding above, plain roof tiles and white upvc windows and aluminium doors.

There are currently 14 car parking spaces on this site, the proposal will result in 17 spaces being provided (including 1 disability space) and 5 cycle parking spaces.

The proposal will result in the loss of 5 trees from the site (2 x Hornbeams, 2 x Beech and 1 x Oak).

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, Crawley Down Neighbourhood Plan and the Site Allocation DPD.

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

Mid Sussex District Plan

The District Plan is up to date and was adopted at Full Council on 28th March 2018.

Relevant policies:

DP6- Settlement hierarchy

DP13 - Preventing Coalescence

DP17 - Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC)

DP21 - Transport

DP25 - Community Facilities and Local Services

DP26 - Character and Design

DP28 - Accessibility

DP29 - Noise, Air and Light Pollution

DP37 - Trees, Woodland and Hedgerows

DP39 - Sustainable Design and Construction

DP41 - Flood Risk and Drainage

Mid Sussex District Plan 2021-2039 Consultation Draft

The District Council is now in the process of reviewing and updating the District Plan. The new District Plan 2021 - 2039 will replace the current adopted District Plan. The draft District Plan 2021-2039 was published for public consultation on 7th November and the Regulation 18 Consultation period runs to 19th December 2022. No weight can be given to the plan at this stage due to the very early stage that it is at in the consultation process.

Crawley Down Neighbourhood Plan (made January 2016)

Relevant policies:

CDNP06 - Sustainable Drainage Systems
CDNP08 - Prevention of Coalescence
CDNP10 - Promoting Sustainable Transport

Site Allocations DPD (June 2022)

No relevant policies.

Mid Sussex Design Guide Supplementary Planning Document (SPD)

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

National Planning Policy Framework (NPPF) (July 2021)

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.'

National Planning Policy Guidance

Ministerial Statement and Design Guide

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

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

ASSESSMENT

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

- The principle of development
- Coalescence
- The Design and Character
- The impact on neighbouring amenity
- Highways matters
- Drainage
- Sustainability
- The impact on trees
- Accessibility
- Other matters, and
- Planning Balance and Conclusion

Assessment

Principle of Development

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

Using this as the starting point, the development plan in Mid Sussex consists of the Mid Sussex District Plan (2018), together with the Crawley Down Neighbourhood Plan and Site Allocations DPD.

When the previous application was considered (DM/19/2671) the site lay outside the built up area boundary of Crawley Down where the principle of development had to be established. However, the built up area boundary of Crawley Down was amended as part of the Site Allocation DPD review of the built up area boundaries which was adopted on 29th June 2022. The boundary now extends to the north of the

application property and also includes the adjacent residential property, Haven Farm House, the Haven Centre and The Beckers.

Policy DP6 of the District Plan states in part:

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

Policy DP25 of the Mid Sussex District Plan states:

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

Where proposals involve the loss of a community facility, (including those facilities where the loss would reduce the community's ability to meet its day-to-day needs locally) evidence will need to be provided that demonstrates:

- that the use is no longer viable, or*
- that there is an existing duplicate facility in the locality which can accommodate the impact of the loss of the facility, or*
- that a replacement facility will be provided in the locality.*

The on-site provision of new community facilities will be required on larger developments, where practicable and viable, including making land available for this purpose. Planning conditions and/or planning obligations will be used to secure on-site facilities. Further information about the provision, including standards, of community facilities will be set out in a Supplementary Planning Document.

Community facilities and local services to meet local needs will be identified through Neighbourhood Plans or a Site Allocations Development Plan Document produced by the District Council.'

The proposal would provide a community facility within the built up area of Crawley Down and would contribute towards a sustainable community. The building would provide up to date facilities which cannot be provided by other existing community buildings within the village, such as The Haven Centre and the existing village hall on Turners Hill Road. Due to this, and that the site is now within the built up area boundary of Crawley Down, it is considered that the proposal accords with policy DP6 and DP25 of the Mid Sussex District Plan, and acceptable in principle.

Coalescence

Policy DP13 of the District Plan and Policy CDNP08 of the Neighbourhood Plan seek to prevent coalescence between settlements.

Policy DP13 states:

'The individual towns and villages in the District each have their own unique characteristics. It is important that their separate identity is maintained. When travelling between settlements people should have a sense that they have left one

before arriving at the next.

Provided it is not in conflict with Policy DP12: Protection and Enhancement of the Countryside, development will be permitted if it does not result in the coalescence of settlements which harms the separate identity and amenity of settlements, and would not have an unacceptably urbanising effect on the area between settlements. Local Gaps can be identified in Neighbourhood Plans or a Site Allocations Development Plan Document, produced by the District Council, where there is robust evidence that development within the Gap would individually or cumulatively result in coalescence and the loss of the separate identity and amenity of nearby settlements. Evidence must demonstrate that existing local and national policies cannot provide the necessary protection'

Policy CDNP08 states:

'Development outside the village boundary will only be permitted if it can be demonstrated that:

- a. It does not detract significantly from the openness and character of the landscape.*
- b. It does not contribute to 'ribbon development' along the roads or paths linking the village to neighbouring settlements of Copthorne, Felbridge, Turners Hill and Crawley.*
- c. It does not significantly reduce the gaps between the village and neighbouring settlements of Copthorne, Felbridge, Turners Hill and Crawley.'*

As stated above, the site is now located within the built-up area boundary of Crawley Down, following the changes made as part of the adopted Site Allocation DPD. The proposed building would be located between a residential housing estate to the west, ribbon development of housing to the south, an existing dwelling and a community hall and car parking area to the east, and a formal sports pitch to the north-east. In this context, the green space between Haven Gardens to the west and The Beckers to the east (currently occupied by the football club pitch, skatepark, The Haven Centre, car park and Haven Farm House) would not be compromised by the infilling of the verdant space to the site. It is considered that the building will be viewed in context with the built development in the area and would therefore not impact on the gap between Crawley Down and East Grinstead/Felbridge. Accordingly, the application would comply with the above policies.

When considering the previously permitted scheme (DM/19/2671) no conflict was found with these policies.

Character and Design

Policy DP26 of the Mid Sussex District Plan states:

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

- *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 DP27),*
- *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.'*

Principle DG38 of Mid Sussex Design Guide states:

'Applicants should establish an architectural approach and identity in the design of building that is borne from the place.

The facade and elevational treatment, roofscape fenestration and materials used in existing buildings within the locality should be a starting point for the consideration of architectural design of new buildings. However, this should not result in pastiche replicas of traditional buildings. Instead a re-interpretation of key aspects of their form should be demonstrated.

Good architecture involves the successful co-ordination of proportions, materials, colour and detail. Buildings should therefore be holistically designed with each part in harmony with its whole while appropriately responding to both its context and modern living requirements. This includes:

- *The elevational treatment and overall façade design,*
- *The placement, proportions and design of windows, doors and balconies,*
- *A roofscape and form that creates a harmonious composition and minimises the visual impact of downpipes and guttering,*
- *The appropriate incorporation of dormer windows and chimneys,*
- *An appropriate palette of good quality materials that are preferably locally sourced.'*

The proposed building would be of a size and scale which would be in proportion and appropriate to the size of the site. The building would be located to the western side of the site and the existing vehicular entrance onto Hophurst Lane and car park, which would allow views from the streetscene towards the sports field and therefore maintaining the verdant character it contributes to the streetscene. The proposal would also maintain the hedging and boundaries separating the site from the residential properties to the east and west along with the existing boundary hedging onto the highway.

The current proposal would be similar in form and scale to the building approved under DM/19/2671, however the proposal now has a crown roof for which has reduced the overall height and mass of the building, which is the same as previously approved under a variation of condition application (DM/22/0220). This roof form would be similar in appearance to the shallow pitched roof of The Haven Centre, which can be seen within the context of the application site. Given the design and form of the proposal, along with the previous approvals on the site, it is considered that the proposal would be in keeping with the character of the area and would meet the requirements of DP26 and the Mid Sussex Design Guide.

Impact on the amenities of neighbouring properties

Policy DP26 in part seeks to ensure that development:

'does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP29),'

Policy DP29 of the Mid Sussex District Plan states in part:

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

Noise pollution:

- *It is designed, located and controlled to minimise the impact of noise on health and quality of life, neighbouring properties and the surrounding area,*
- *If it is likely to generate significant levels of noise it incorporates appropriate noise attenuation measures,*
- *Noise sensitive development, such as residential, will not be permitted in close proximity to existing or proposed development generating high levels of noise unless adequate sound insulation measures, as supported by a noise assessment are incorporated within the development.*

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

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

The degree of the impact of noise and light pollution from new development or change of use is likely to be greater in rural locations, especially where it is in or close to specially designated areas and sites.'

The Council's Environmental Health Officer has been consulted on the application and has re-iterated the comments made which state:

'This application seeks to provide a new village hall adjacent to a main road in Crawley Down in a residential area close to an existing community facility used by a local football club which operates a bar, a café and which offers rooms for hire allowing various uses including exercise classes and functions such as weddings and other celebrations. Although the village hall will be introducing a new noise source into this area, given the proposed location alongside an existing community facility, Environmental Protection is of the opinion that provided the following recommend conditions are applied to any planning permission granted, the amenity of local residents will not be significantly affected during the construction or operation of this premises.

Activities such as exercise classes to music or functions at the new hall could potentially generate noise however, Environmental Protection has received confirmation from the applicant that suitable air conditioning will be provided to the halls and entrance lobby which should ensure that these areas can be used without the need to have windows and doors open to assist ventilation. Environmental Protection would recommend that a Noise Management Plan be provided outlining measures to mitigate disturbance to local residents. Possible measures could include requiring use of air conditioning during exercise classes and functions involving music rather than opening doors and windows, limiting the volume of music played on site and the provision of signage requesting that guests be considerate to neighbours when using the car park or leaving the site.

The Officer also recommended a number of conditions to mitigate the impact on neighbouring residential properties during the construction of the proposal and during the operation of the building.

To the western side of the site are Ballards and No. 12 Haven Gardens. The proposed building would be at least 20 metres from these neighbouring dwellinghouses with mature hedging and planting in between. Due to this it is considered that the proposal would not cause significant harm to the amenities of neighbouring properties.

On the southern side are the properties which face onto Hophurst Lane, particularly Jamaica, The Glen, Twin Firs and Ridgeway House. The proposed building would be visible from these neighbouring properties, however due to the position of the

building on the opposite side of the road and its two storey form, it is considered that it would not cause harm to the amenities of these neighbouring properties.

To the east of the site is Haven Farm House, the proposed building would be some 30 metres from this neighbouring property with existing boundary hedging. This neighbouring dwelling does not include any side windows facing onto the application. Given the distance between the proposed building and this neighbour it is considered that the proposal would not cause significantly harm to the amenities of this neighbouring property although it would be visible.

Accordingly, it is considered that the scheme would comply with Policies DP26 and DP29 of the Mid Sussex District Plan.

The same conclusions were reached in considering the previous application permitted in 2019 and there are not considered to be any reasons why a different decision should be taken now (DM/19/2671).

Highways matters

Policy DP21 of the Mid Sussex District Plan states (in part):

'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*
- *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.'

Policy CDNP10 of the Neighbourhood Plan states:

'Development that does not conflict with other Policies will be permitted provided that it promotes sustainable transport within the Neighbourhood Area by:

- a) Providing safely located vehicular and pedestrian access with adequate visibility.*
- b) Demonstrating that adequate sustainable transport links to the principal village facilities including the village centre, the primary school, Health Centre and recreation open space already exist or will be provided.*
- c) Identifying and undertaking appropriate measures, such as highway improvements, to address any transport infrastructure inadequacies.*
- d) Where development would add to traffic congestion in the village or inappropriate traffic on rural lanes, proposals should be brought forward to mitigate any traffic impact or contribute funding towards local transport schemes.*
- e) Development proposals for new developments should include secure cycle storage and ideally storage for children's buggies and mobility scooters where appropriate.*
- f) Development proposals would maintain or enhance the existing public footpaths, rights of way, bridle paths and twittens.*
- g) A full transport assessment is provided using current data and identified issues addressed developments of more than 50 houses.'*

The site will utilise the existing access from Hophurst Lane, which currently serves an informal car parking area. It is proposed that a minibus service is to be used for a number of activities and that it is anticipated that many visits would be local residents who may walk or cycle to the site. The applicant has also stated that there is no anticipation of the site being used for large groups of people that would result in overspill parking and the minibus service will operate in the event that there is a large group event. It is also not anticipated that the use of the village hall will not significantly clash with the use of the site at weekends for parking for the playing field.

The proposal would include 17 parking spaces and provision for 5 cycle storage space with a minibus service. The site is connected to the surrounding area by street lit footways opposite, which enable pedestrians to access the site from the village. There are also a number of bus stops within walking distance of the site, providing access to further afield.

West Sussex County Council Highways Authority have been consulted on the application and raise no objection to the proposal. The application site is located on Hophurst Lane, a C-classified road subject to a speed restriction of 30mph. The current application is a re-submission of application DM/19/2671, in which no highways objection was raised, and the Highways Authority refer to their previous comments which are still considered valid.

The WSCC Highways Authority therefore considers that the proposal would not have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is no contrary to the NPPF (paragraph 111), and that there are no transport grounds to resist the proposal.

The proposals are thus considered to accord with policies DP21 and CDNP10.

Drainage

Policy DP41 of the Mid Sussex District Plan states:

'Proposals for development will need to follow a sequential risk-based approach, ensure development is safe across its lifetime and not increase the risk of flooding elsewhere. The District Council's Strategic Flood Risk Assessment (SFRA) should be used to identify areas at present and future flood risk from a range of sources including fluvial (rivers and streams), surface water (pluvial), groundwater, infrastructure and reservoirs.

Particular attention will be paid to those areas of the District that have experienced flooding in the past and proposals for development should seek to reduce the risk of flooding by achieving a reduction from existing run-off rates.

Sustainable Drainage Systems (SuDS) should be implemented in all new developments of 10 dwellings or more, or equivalent non-residential or mixed development unless demonstrated to be inappropriate, to avoid any increase in flood risk and protect surface and ground water quality. Arrangements for the long term maintenance and management of SuDS should also be identified.

For the redevelopment of brownfield sites, any surface water draining to the foul sewer must be disconnected and managed through SuDS following the remediation of any previously contaminated land.

SuDS should be sensitively designed and located to promote improved biodiversity, an enhanced landscape and good quality spaces that improve public amenities in the area, where possible.

The preferred hierarchy of managing surface water drainage from any development is:

- 1. Infiltration Measures*
- 2. Attenuation and discharge to watercourse, and if these cannot be met,*
- 3. Discharge to surface water only sewers.*

Land that is considered to be required for current and future flood management will be safeguarded from development and proposals will have regard to relevant flood risk plans and strategies.'

Policy CDNP06 of the Neighbourhood Plan states:

'Development proposals will be expected to demonstrate that they include sustainable drainage systems designed to manage the risk of surface water flooding within their boundaries, and that they will not increase flood risk elsewhere in the Parish. Examples of sustainable drainage systems include permeable driveways and parking areas, water harvesting and storage features (rain/grey), green roofs and soakaways. The preferred hierarchy of managing surface water drainage from any development is:

- 1) infiltration measures*
- 2) attenuation and discharge to watercourses*
- 3) discharge to surface water only sewers.*

Such measures should protect the amenity and security of other properties and should not adversely affect the water table and associated aquifers or ancient woodland. Arrangements for the maintenance of drainage systems shall be required as a condition of planning permissions and these arrangements shall include details of who will manage and fund the maintenance for the lifetime of the development.'

The proposed development is within flood zone 1 and is deemed as low fluvial flood risk. The site is also at a very low surface water flood risk. There are not any historic records of flooding occurring on this site and in this area. The Council's Drainage Engineer has been consulted on the scheme, and following the submission of additional information, they raise no objection to the proposal subject to a condition.

Overall, it is considered that the proposal would not cause an unacceptable risk to flooding. The proposal is thereby considered to comply with policy DP41 of the District Plan.

Sustainability

Policy DP39 of the Mid Sussex 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.'*

Paragraph 152 of the NPPF states:

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

Paragraph 157 states:

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

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

The applicant has provided a Sustainability Statement that sets out the following measures which will be incorporated into the development:

- High efficiency insulation
- Energy efficient light bulbs fitted throughout
- Rainwater harvesting to be employed to mitigate water waste
- Locality sourced materials
- Heating provided air source heat pump

The site is located within the built-up area of Crawley Down in walking and cycle distance from residential properties within the village, as well as bus routes. These measures are considered acceptable and can be secured by condition to ensure compliance with Policies DP26 and DP39 of the Mid Sussex District Plan and paragraphs 152 and 157 of the NPPF.

Impact on Trees

Mid Sussex District Plan policy DP37 states:

'The District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected.'

Development that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or

character of an area, and/ or that have landscape, historic or wildlife importance, will not normally be permitted.

Proposals for new trees, woodland and hedgerows should be of suitable species, usually native, and where required for visual, noise or light screening purposes, trees, woodland and hedgerows should be of a size and species that will achieve this purpose.

Trees, woodland and hedgerows will be protected and enhanced by ensuring development:

- *incorporates existing important trees, woodland and hedgerows into the design of new development and its landscape scheme, and*
- *prevents damage to root systems and takes account of expected future growth, and*
- *where possible, incorporates retained trees, woodland and hedgerows within public open space rather than private space to safeguard their long-term management, and*
- *has appropriate protection measures throughout the development process, and*
- *takes opportunities to plant new trees, woodland and hedgerows within the new development to enhance on-site green infrastructure and increase resilience to the effects of climate change, and*
- *does not sever ecological corridors created by these assets.*

Proposals for works to trees will be considered taking into account:

- *the condition and health of the trees, and*
- *the contribution of the trees to the character and visual amenity of the local area, and*
- *the amenity and nature conservation value of the trees, and*
- *the extent and impact of the works, and*
- *any replanting proposals.*

The felling of protected trees will only be permitted if there is no appropriate alternative. Where a protected tree or group of trees is felled, a replacement tree or group of trees, on a minimum of a 1:1 basis and of an appropriate size and type, will normally be required. The replanting should take place as close to the felled tree or trees as possible having regard to the proximity of adjacent properties.

Development should be positioned as far as possible from ancient woodland with a minimum buffer of 15 metres maintained between ancient woodland and the development boundary.'

The proposal would result in the loss of 5 trees from the site (2 x Hornbeams, 2 x Beech and 1 x Oak).

The Council's Tree Officer has objected to the proposal, although none of the trees are subject to Preservation Orders and could be removed at time. The loss of the trees was also a consideration during the previous approval however, it was not considered that the loss of the trees would outweigh the benefits of the scheme as a whole. It is considered that given the previous approval on the site and that the direct impacts are mitigated as far as possible, along with a condition to provide replacement trees on site, the proposal would comply with Policy DP37 of the Mid Sussex District Plan.

Impact on Ashdown Forest

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

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

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

Recreational disturbance

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

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

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

Atmospheric pollution

Increased traffic emissions as a consequence of new development may result in additional atmospheric pollution on Ashdown Forest. The main pollutant effects of

interest are acid deposition and eutrophication by nitrogen deposition. High levels of nitrogen may detrimentally affect the composition of an ecosystem and lead to loss of species.

The potential effects of the proposed development are incorporated into the overall results of the transport model prepared for the Site Allocations DPD, which indicates there would not be an overall impact on Ashdown Forest. This means that there is not considered to be a significant in combination effect on the Ashdown Forest SAC by this development proposal.

Conclusion of the Habitats Regulations Assessment screening report

The screening assessment concludes that there would be no likely significant effects, alone or in combination, on the Ashdown Forest SPA and SAC from the proposed development.

No mitigation is required in relation to the Ashdown Forest SPA or SAC.

A full HRA (that is, the appropriate assessment stage that ascertains the effect on integrity of the European site) of the proposed development is not required.

Accessibility

Policy DP28 of the Mid Sussex District Plan states (in part):

"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.'

It is considered that the resultant accommodation would provide a high standard of accessibility for the occupiers and will be required to meet current building regulation standards.

Planning Balance and Conclusions

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

The site lies within the defined built-up area of the village where the principle of development is acceptable under policy DP6 of the District Plan. It is considered that the proposal is necessary to provide a new and improved facility for the village and therefore this is a significant benefit which accords with policy DP25 of the

District Plan. It is of an appropriate design and scale and in a sustainably located. There are no highway safety concerns from the Highways Authority, and drainage and sustainability matters can be handled by condition. Impact on neighbouring residents in terms of noise and disturbance during construction and once the use comes into being can also be controlled using conditions.

The loss of trees on this site is regrettable but replacement planting can be carried out on site to mitigate this impact.

There will be no likely significant effect on the Ashdown Forest SPA and SAC.

For the above reasons, the proposal is deemed to comply with Policies DP6, DP13, DP17, DP21, DP25, DP26, DP28, DP29, DP37, DP39 and DP41 of the Mid Sussex District Plan, Policies CDNP06, CDNP08 and CDNP10 of the Crawley Down Neighbourhood Plan and the objectives of the National Planning Policy Framework. Planning permission should therefore be granted.

APPENDIX A – RECOMMENDED CONDITIONS

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

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

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

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

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

4. No development shall commence unless and until there has been submitted to and approved in writing by the Local Planning Authority full details of both hard and soft landscaping, which 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, plus details of replacement tree planting (size, species, maintenance and aftercare (planting, support and feeding)), and 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 with the Local Planning Authority. Any trees or plants which, within a period of 5 years from the completion of the 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.

5. 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. The building shall not be occupied until all the approved drainage works have been carried out in accordance with the agreed details.

Reason: To ensure that the proposal is satisfactorily drained and to accord with the NPPF requirements and Policy DP41 of the Mid Sussex District Plan and Policy CDNP06 of the Crawley Down Neighbourhood Plan.

6. No development shall take place until details of the existing and proposed site levels have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Reason: For the avoidance of doubt and to ensure that the development does not prejudice the amenities of adjacent residents or the appearance of the locality and to accord with Policy DP26 of the Mid Sussex District Plan.

7. Prior to the commencement of the development a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include amongst other matters details of:

- measures to control noise affecting nearby residents (in accordance with BS5228:2014 Code of practice for noise and vibration control on construction and open sites - with particular regard to the noisiest activities, typically piling, earthmoving, concreting, vibrational rollers and concrete breaking),
- dust management plan.
- site contact details in case of complaints.

The construction works shall thereafter be carried out at all times in accordance with the approved Construction Management Plan, unless any variations are otherwise first submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenity of local residents from noise and dust emissions during construction and to accord with Policies DP26 and DP29 of the Mid Sussex District Plan.

8. No work for the implementation of the development hereby permitted shall be undertaken on the site on Sundays or Bank/Public Holidays or at any time other than between the hours 8am and 6pm on Mondays to Fridays and between 9am and 1pm Saturdays.

Reason: To safeguard the amenities of nearby residents and to accord with Policies DP26 and DP29 of the Mid Sussex District Plan.

9. Deliveries or collection of plant, equipment or materials for use during the construction phase shall be limited to the following times:

Monday to Friday: 08:00 - 18:00 hrs,
Saturday: 09:00 - 13:00 hrs
Sunday and Public/Bank holidays: None permitted

Reason: To protect the amenity of local residents and to accord with Policies DP26 and DP29 of the Mid Sussex District Plan.

10. The development hereby permitted shall not be brought into use until a scheme for the installation of equipment to control the emission of fumes and odour from the premises has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such. The submitted odour control scheme shall be in accordance with best practice, and shall include a risk assessment for odour, as well as maintenance and monitoring schedules for the odour control system, to ensure adequate control of odours, to align with the manufacturer's instructions.

Reason: to protect the amenity of neighbouring residents and to accord with Policies DP26 and DP29 of the Mid Sussex District Plan.

11. The lighting scheme installation shall comply with the recommendations of the Institution of Lighting Professionals (ILP) 'Guidance Notes for the Reduction of Obtrusive Light' (GN01:2011) for zone E2. Thereafter the approved installation shall be maintained and operated in accordance with zone E2 requirements unless the Local Planning Authority gives its written consent to a variation.

Reason: To protect the amenity of local residents and to comply with Policy DP26 of the Mid Sussex District Plan.

12. The development hereby permitted shall not be brought into use until a scheme for the installation of equipment to ventilate the premises has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in strict accordance with the approved details prior to the operation of the development and shall thereafter be retained as such.

Reason: to protect the amenity of neighbouring residents and to comply with Policy DP26 of the Mid Sussex District Plan.

13. No operational use of any plant and machinery shall commence until measures have been implemented in accordance with a scheme first submitted to, and approved in writing by, the Local Planning Authority, to prevent air-borne noise from the operational activities of the plant and machinery from adversely affecting neighbouring residents. The applicant shall submit evidence, in writing, agreed by the Local Planning Authority before operational use commences, that the plant and machinery will obtain a sound level of 5 dB below the existing background sound level (LA90) during the operation of the plant and machinery, as measured one metre from the boundary of any nearby residential dwellings. All measurements shall be defined and derived in accordance with BS4142: 2014.

Reason: to protect the amenity of neighbouring residents and to comply with Policy DP26 of the Mid Sussex District Plan.

14. Prior to the development hereby permitted being occupied and used, a Noise Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Noise Management Plan shall then be implemented as approved.

Reason: to safeguard the amenity of neighbouring residents and to comply with Policy DP26 of the Mid Sussex District Plan.

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

Reason: To provide adequate on-site car parking and turning space for the development and to comply with Policy DP21 of the Mid Sussex District Plan and CDNP10 of the Crawley Down Neighbourhood Plan.

16. The development shall be carried out in accordance with the Sustainability Statement submitted as part of the application. On completion of the development, an independent final report shall be prepared and submitted to the Local Planning Authority to demonstrate that the proposals in the Statement have been implemented.

Reason: To ensure that measures to make the development sustainable and efficient in the use of energy, water and materials are included in the development, in accordance with the NPPF requirements, Policies DP26 and DP39 of the Mid Sussex District Plan.

17. No part of the development hereby permitted shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the approved plans. These facilities shall thereafter be retained for their designated use.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies and to comply with Policy DP21 of the Mid Sussex District Plan.

18. Use of the commercial unit shall be limited to the following times:

Monday to Sunday 8.30hrs to 22:30hrs

Reason: to protect the amenity of local residents and to comply with Policy DP26 of the Mid Sussex District Plan.

19. No commercial goods or commercial waste shall be loaded or unloaded onto or from a delivery or collection vehicle except between the hours of:

Monday to Friday 08:00 - 18:00 Hours

Saturdays 09:00 - 13:00 Hours

Sundays and Bank holidays, none permitted.

Reason: to protect the amenity of local residents and to comply with Policy DP26 of the Mid Sussex District Plan.

INFORMATIVES

1. In accordance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. You are advised that this planning permission requires compliance with a planning condition(s) before development commences. You are therefore advised to contact the case officer as soon as possible, or you can obtain further information from: <https://www.gov.uk/guidance/use-of-planning-conditions#discharging-and-modifying-conditions> (Fee of £116 will be payable per request). If you carry out works prior to a pre-development condition being discharged then a lawful start will not have been made and you will be liable to enforcement action.
3. Your attention is drawn to the requirements of the Environmental Protection Act 1990 with regard to your duty of care not to cause the neighbours of the site a nuisance. Accordingly, you are requested that:

- No burning of materials shall take place on site at any time.

If you require any further information on these issues, please contact Environmental Protection on 01444 477292.

4. Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. Gatwick Airport requires a minimum of four weeks notice. For crane queries/applications please email gal.safeguarding@gatwickairport.com The crane process is explained further in Advice Note 4, 'Cranes and Other Construction Issues', (available from <http://www.aoa.org.uk/policy-campaigns/operations-safety/>)

APPENDIX B – CONSULTATIONS

Parish Consultation

Defer to the opinion of the officer.

Flood Risk And Drainage Team

Environmental Protection

Environmental Protection comments sent to Planning Officer 09/09/22.

Trees And Landscape

WSCC Highways

Gatwick Airport Safeguarding

Tree Officer

I have previously commented on this development under application DM/19/2671. I note the tree reports submitted with the original application appear to be the same as those submitted with the current application.

My comments remain unchanged as follows:

- The development would result in the loss of one category A hornbeam (T2) and five category B trees comprising of one ash (T4) two beech (T7, T8), one English oak (T9), and one other hornbeam (T10). Removal of moderate/ high quality native trees (category B or above) is a significant loss and not recommended. If permission is granted I would request replacement native trees should be planted on a minimum one for one basis.
- The area as a 'whole' is of high amenity value, being visible from the street and surrounding recreation areas, and clearly is of great value as wildlife habitat.
- It appears inevitable that there will be future pressure on the retained trees. There needs to be allowance and space for future growth and maintenance, alongside consideration to shading, direct damage and seasonal nuisance from the trees, although the AMS has given some consideration to this point particularly with reference to leaves and gutters.

As a result I continue to object to the development based purely on arboricultural grounds, however I understand there needs to be a balance between the impact of the loss of the trees with the benefits to the community. Should permission be granted I would ask that my request for replacement trees is conditioned and that the AMS is strictly adhered to throughout the development.

MSDC Drainage Engineer
(27/09/2022)

I've reviewed the information submitted and can find no information other than the Application Form regarding drainage.

Due to the proposed site layout, potential constraints on drainage design and the new climate change guidance we will require the applicant to provide a drainage strategy for the development which shows, in principle, drainage can be provided for the development. This should include a drainage strategy plan, showing all site constraints (such as root protection zones). The latest climate change guidance can be found online at <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>.

Following receipt of the above information the flood risk and drainage team will be in a position to review the application fully.

(30/09/2022)
**FLOOD RISK
INFORMATION**

The Planning Practice Guidance for Flood Risk and Coastal Change requires all sources of flood risk to be considered consistently with how fluvial and tidal flood risk is considered within the National Planning Policy Framework. This means that surface water flood risk extents should be considered equivalent to flood zones when assessing a development's vulnerability to flooding and the need for a site-specific flood risk assessment.

For clarity Mid Sussex District Council's Flood Risk and Drainage Team (in line with advice from West Sussex Lead Local Flood Authority) utilise the below table when considering flood risk.

Annual exceedance	Flood Zone	Surface Water Flood Risk
Greater than 3.3% (>1:30-year)	3b	High
Between 1% and 3.3% (1:100-year and 1:30-year)	3a	Medium
Between 0.1% and 1% (1:1,000-year and 1:100-year)	2	Low
Less than 0.1% (<1:1,000-year)	1	Very Low

APPLICATION SPECIFIC COMMENT

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

Mid Sussex District Council's records show the site has not experienced flooding in the past. Our records also show the area immediately surrounding the site has not experienced flooding in the past.

Mid Sussex District Council's records are not complete, and flooding may have occurred which is not recorded. A site having never flooded in the past does not mean it won't flood in the future.

SEWERS ON SITE

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

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

SURFACE WATER DRAINAGE

INFORMATION

Surface water drainage will ultimately need to be designed to meet the latest national and local drainage policies. The drainage system will need to consider climate change, the allowances for which should be based on the latest climate change guidance from the Environment Agency.

APPLICATION SPECIFIC COMMENT

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

It is proposed that the development will utilise soakaways, located beneath the carpark and soft landscaping areas of the proposed development. This approach is considered acceptable in principle.

Information into our general requirements for detailed surface water drainage design is included within the 'General Drainage Requirement Guidance' section.

FOUL WATER DRAINAGE

It is proposed that the development will discharge foul water drainage to the main foul sewer. This approach is considered acceptable in principle.

Information into our general requirements for detailed foul water drainage design is included within the 'General Drainage Requirement Guidance' section.

CONDITION RECOMMENDATION

FOUL AND SURFACE WATER DRAINAGE

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 areas of the development shall be brought into use until all the approved drainage works have been carried out in accordance with the approved details. The details shall include a timetable for its implementation and a management and maintenance plan for the lifetime of the development which shall include arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. Maintenance and management during the lifetime of the development should be in accordance with the approved details.

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

GENERAL DRAINAGE REQUIREMENT GUIDANCE

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

SURFACE WATER DRAINAGE

Finalised detailed surface water drainage design is required to be submitted and approved prior to construction starting on site. The design should be based on the Environment Agency's latest climate change allowances and follow the latest West Sussex Lead Local Flood Authority Policy for the Management of Surface Water.

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

The locating of attenuation, detention, or infiltration devices (including permeable surfacing) within flood extents is not acceptable, this includes areas of increased surface water flood risk.

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

FOUL WATER DRAINAGE

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

The use of non-mains foul drainage should consider the latest Environment Agency's General Binding Rules.

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

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

Table 1: Detailed drainage design requirements – surface water

Requirement	Information	Location of information / drawing number
<i>For all designs</i>		
Greenfield runoff rate details for the area to be drained (using FEH or a similar approved method)		
On-site infiltration test results		
Plans / details of areas to be drained based on finalised development plans		
Calculations showing the system has been designed to cater for the 1 in 30 with climate change and 1 in 100 with climate change storm events		
Detailed drainage plans, including invert levels and pipe diameters, showing entire drainage system		
Maintenance and management plan ¹		
<i>For soakaways</i>		
Sizing calculations (to cater for 6-hour, 1 in 100-year plus climate change event)		
Half drain time (<24 hours)		
Construction details		
<i>For discharge to watercourse</i>		
Discharge rate (1 in 1 or QBar Greenfield rate for drained area) ²		
Outfall location and construction details		

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

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

Attenuation sizing calculations (to cater for 1 in 100-year plus climate change event ³)		
<i>For discharge to sewer</i>		
Discharge rates (restricted to 1 in 1 or QBar Greenfield rate for drained area unless otherwise agreed with sewerage provider)		
Discharge location and manhole number		
Outline approval from sewerage provider in relation to connection, discharge rate and connection location ⁴		
Attenuation sizing calculations (to cater for 1 in 100-year plus climate change event ⁵)		

³ If system does not attenuate up to the 1 in 100-year with climate change event, then evidence that the system shall not increase flood risk on or off site shall be required.

⁴ Formal approval via S106 etc is not required.

⁵ If system does not attenuate up to the 1 in 100 year with climate change event, then evidence that the system shall not increase flood risk on or off site

Table 2: Detailed drainage design requirements – foul water

Requirement	Summary	Location of information / drawing number
<i>For all designs</i>		
Plans showing entire drainage system, including invert levels, pipe diameters, falls and outfall/connection location		
Foul flow calculations and confirmation proposed system is sized appropriately		
<i>For connection to main foul sewer</i>		
Discharge location and manhole number		
Evidence of communication with Water Authority regarding connection ⁶		
<i>For non-mains system with drainage field</i>		
Evidence of permeability (infiltration) test results specific to treated effluent drainage fields		
Evidence that either: <ul style="list-style-type: none"> a) The system meets latest General Binding Rules, or b) An Environmental Permit application is to be submitted 		
<i>For non-mains system with discharge to open water</i>		
Evidence that either: <ul style="list-style-type: none"> a) The system meets latest General Binding Rules, or b) An Environmental Permit application is to be submitted 		
Outfall location and construction details		

¹ Formal approval via S106 etc is not require

Contaminated Land Office

Works with asbestos are dealt with under the Control of Asbestos Regulations 2012 and are enforced by the Health and Safety Executive.

As there is already law that deals with works with asbestos we would not normally attach conditions, but would remind that applicant that failure to remove asbestos safely, and in compliance with the asbestos regulations, could lead to localised land contamination.

The only time we would attach conditions in relation to asbestos is where a commercial business was being converted to residential, in that we will require all asbestos to be removed. While asbestos can be managed in a commercial property under the Control of

Asbestos Regulations 2012, this is not always appropriate for residential, as occupiers can't be expected to keep track of asbestos locations or integrity.

Worth Parish Council

Defer to the opinion of the officer

WSCC Highways Authority

This proposal is for the erection of a replacement Village Hall. The site is located on Hophurst Lane, a C-classified road subject to a speed restriction of 30 mph.

This application is a resubmission of application DM/19/2671, of which WSCC in its role as Local Highway Authority (LHA) provided consultation advice for, raising no highway safety concerns. A site visit was also undertaken by the LHA at the time for application DM/19/2671. The Local Planning Authority (LPA) permitted the application.

For the current application, from inspection of the submitted application documents, the proposals appear identical to what was permitted under application DM/19/2671. As mentioned above, the LHA raised no highway safety concerns for this application. Therefore, the LPA are advised to refer to the LHAs consultation response for application DM/19/2671, dated 28/08/2019, for relevant highway specific comments - as these comments are still valid and can be applied to the current application.

In conclusion, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 111), and that there are no transport grounds to resist the proposal.

If the LPA are minded to approve the application, the following conditions should be applied:

Vehicle parking and turning

No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

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

Cycle parking

No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the approved plan.

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

Gatwick Aerodrome Safeguarding Officer

The proposed development has been examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria. We therefore have no objection to this proposal.

We would, however, make the following observation:

Cranes

Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. Gatwick Airport requires a minimum of four weeks notice. For crane queries/applications please visit Crane Permits (gatwickairport.com) or email cranes@gatwickairport.com

Environmental Health Officer

Comments sent regarding DM/19/2671 still stand.