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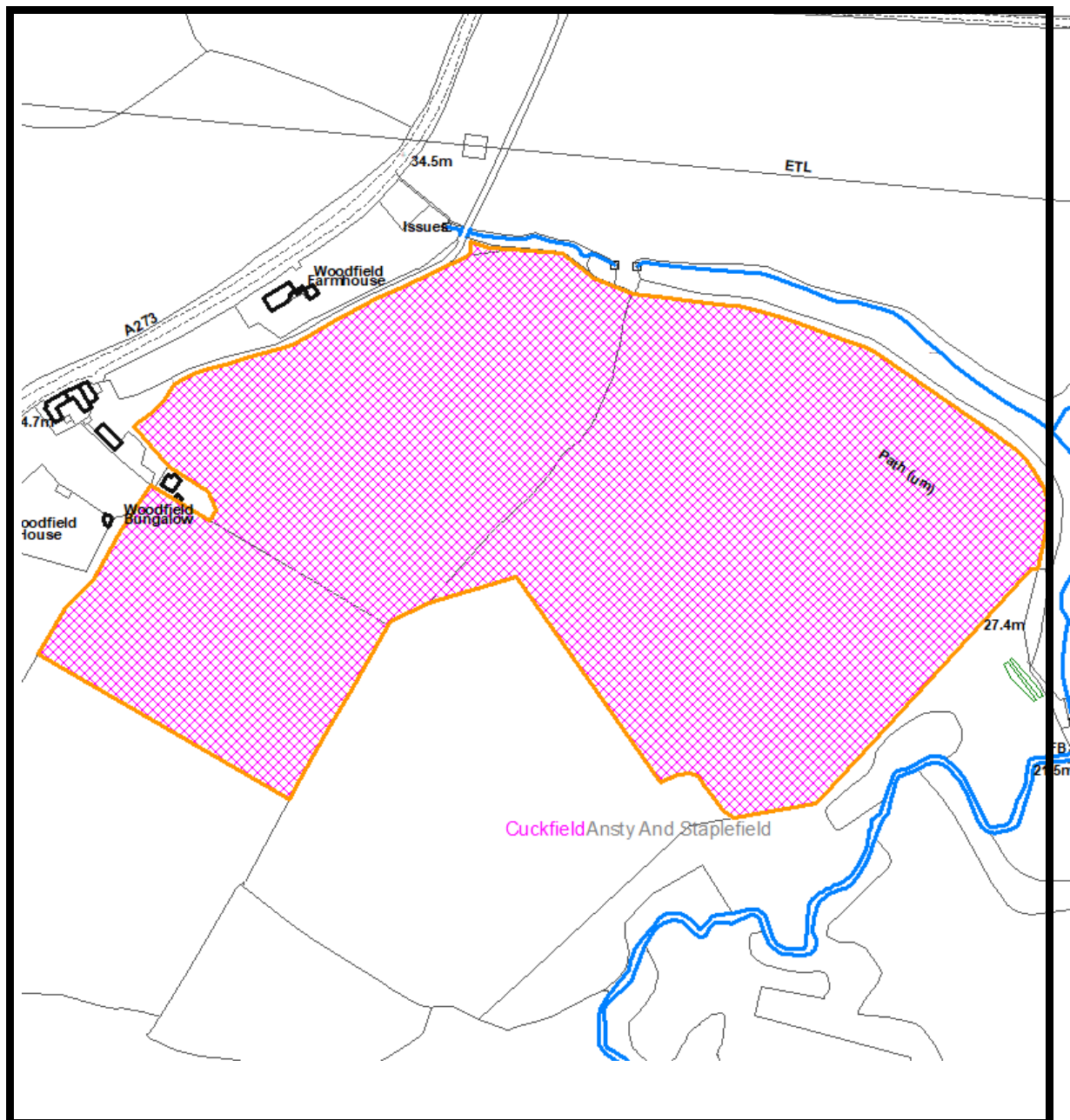
District Wide Committee

15 DEC 2022

RECOMMENDED FOR PERMISSION

Ansty And Staplefield

DM/22/2553



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BURGESS HILL NORTHERN ARC, LAND NORTH AND NORTH WEST OF BURGESS HILL, BETWEEN BEDELANDS NATURE RESERVE IN THE EAST AND, GODDARD'S GREEN WASTE WATER TREATMENT WORKS IN THE WEST

**APPLICATION FOR RESERVED MATTERS, PURSUANT TO OUTLINE APPLICATION DM/18/5114 FOR THE ERECTION OF A SECONDARY SCHOOL, INCLUDING SPECIALIST SUPPORT CENTRE, CAR PARKING (INCLUDING ELECTRIC VEHICLE CHARGING), CYCLE PARKING, DROP OFF AREA, ACCESS, MULTI-USE GAMES AREA, ALL WEATHER PITCH, SUBSTATION, BIN STORAGE, MEANS OF ENCLOSURE AND LIGHTING, WITH ASSOCIATED LANDSCAPING AND INFRASTRUCTURE
WEST SUSSEX COUNTY COUNCIL**

POLICY: Ancient Woodland / Area of Special Control of Adverts / Built Up Areas / Countryside Area of Dev. Restraint / Planning Agreement / Planning Obligation / Planning Agreement / Planning Obligation / Public Right Of Way / Aerodrome Safeguarding (CAA) / Minerals Local Plan Safeguarding (WSCC) / Minerals Local Plan Safeguarding (WSCC) /

ODPM CODE: Smallscale Major Other

8 WEEK DATE: 15th November 2022

WARD MEMBERS: Cllr Robert Salisbury / Cllr Pete Bradbury /

CASE OFFICER: Louise Yandell

PURPOSE OF REPORT

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

EXECUTIVE SUMMARY

This application seeks Reserved Matters consent pursuant to outline application DM/18/5114 for access, appearance, landscaping, layout and scale for the erection or the erection of a Secondary School, including specialist support centre, car parking (including Electric Vehicle charging), cycle parking, drop off area, access, multi-use games area, all weather pitch, substation, bin storage, means of enclosure and lighting, with associated landscaping and infrastructure.

DM/18/5114 granted consent in October 2019 for the following development: Comprehensive, phased, mixed-use development comprising approximately 3,040 dwellings including 60 units of extra care accommodation (Use Class C3) and 13

permanent gypsy and traveller pitches, including a Centre for Community Sport with ancillary facilities (Use Class D2), three local centres (comprising Use Classes A1-A5 and B1, and stand-alone community facilities within Use Class D1), healthcare facilities (Use Class D1), and employment development comprising a 4 hectare dedicated business park (Use Classes B1 and B2), two primary school campuses and a secondary school campus (Use Class D1), public open space, recreation areas, play areas, associated infrastructure including pedestrian and cycle routes, means of access, roads, car parking, bridges, landscaping, surface water attenuation, recycling centre and waste collection infrastructure with associated demolition of existing buildings and structures, earthworks, temporary and permanent utility infrastructure and associated works.

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

The details of the reserved matters of the layout, scale, appearance and landscaping of the site need to be assessed against the relevant policies in the development plan. In making an assessment as to whether the proposal complies with the development plan, the Courts have confirmed that the development plan must be considered as a whole, not simply in relation to any one individual policy. It is therefore not the case that a proposal must accord with each and every policy within the development plan.

The principle of the development has been established through the granting of the outline planning permission DM/18/5114. The site is also part of a strategic allocation in the District Plan and a Masterplan and Infrastructure Delivery Plan have been approved for the site. Great weight should be given to the need to create schools.

The impact of the scheme on the surrounding landscape and the trees is considered acceptable.

The proposal provides high quality sports pitch provision, both for the pupils of the school and the wider community.

No objections are raised to the proposal by the Local Highway Authority. Adequate levels of car and cycle parking are provided.

The proposal demonstrates that the proposal is accessible and there are no concerns in relation to equalities.

The proposal will not result in demonstrable significant harm to neighbouring residential amenity.

There are no technical reasons to object to the scheme in respect of water resources, flood risk and drainage.

The proposal is considered to be highly sustainable and aims to be net zero carbon and passivhaus certified. The proposal accords and goes beyond the Council's sustainability policy requirements.

The effects of the development in respect of the ecological and biodiversity are acceptable.

The proposal is not considered to be entirely in accordance with the Northern Arc Design Guide and Principle SDP9 of the Masterplan. However, no objection is raised to the scheme by the Council's Urban Designer and the identified harm is considered to be outweighed by the above benefits, in particular the ambitious sustainability credentials of the scheme which should be given significant weight.

The application is deemed to comply with policies DP4, DP6, DP7, DP9, DP20, DP21, DP22, DP23, DP26, DP28, DP29, DP30, DP31, DP34, DP37, DP38, DP39, DP41 and DP42 of the Mid Sussex District Plan, the Northern Arc Masterplan (2018) with the exception of Principle SDP9, the Northern Arc Infrastructure Delivery Plan and Phasing Strategy (2018) and the NPPF.

RECOMMENDATION

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

SUMMARY OF REPRESENTATIONS

No representations have been received.

SUMMARY OF CONSULTEES

MSDC's Archaeology Consultant	<p>This office has reviewed the submitted archaeological evaluation report and found it to be of a high standard; it accurately presents the results of the archaeological investigation in a professional and thorough manner.</p> <p>Although the evaluation has shown that the majority of the development site contains little in the way of archaeological remains, the south-east corner contains a small concentration of pits of currently unknown date and purpose.</p> <p>Recommends a small-scale archaeological excavation is undertaken in this area of the site, with the specified aim of determining the date and use of these pits and determining if any further archaeological features are present.</p>
Environmental Health Officer – Contaminated Land	<ul style="list-style-type: none">• The phase 2 Ground Investigation report by 1st Horizon, dated the 19th July 2022, (Ref: BH7250-R12 is acceptable.• The intrusive investigation has not found any contamination above the general assessment criteria for public open space

	<p>use. As such, the conceptual site model has been up-dated with the results from the intrusive investigation, and it has been found that the site is fit for its intended end use, based on current data. However, a watching brief / discovery strategy should still be in place.</p>
Environmental Health Officer – Noise/Light/Air Quality	<ul style="list-style-type: none"> • The reserved matters application raises a number of issues for Environmental Protection. Some are already addressed by existing conditions for the outline permission, while others are still relevant. • Air Quality – The Planning statement indicates that 16 “passive-type” EV charging spaces are proposed. This is not in accordance with our requirements which are for active charging spaces. • Noise and Light – The submitted Technical Note for Acoustics recognises that “The location of the all-weather pitch is not recommended from both an acoustic and light-spill perspective” but advises that an alternative location is not available due to other constraints. In my view, given the circumstances, the all-weather pitch is viable in this location but must accept restrictions if it is to operate without significant adverse effect on residential amenity. The Technical Note agrees, noting that without careful noise control, complaints from local residents may be generated. It lists a number of measures that could be used to control noise and suggests limiting the hours of use of the lighting to between 0700 and 2100 hours. • However, in my view, considering the proximity of the houses and the potential for disturbance on a daily basis, I believe that these lighting hours are too generous. • The Technical Note also recommends a Noise Management Plan to control noise and I agree with this and recommend conditions accordingly: • Conditions: <ul style="list-style-type: none"> ○ Noise from MUGA/Sports Pitches - No use of the MUGA or any sports pitch shall be permitted until a Noise Management Plan (NMP) for that pitch/area has been submitted to and approved in writing by the Local Planning Authority. The Management Plan shall be in accordance with best practise and shall be implemented in full and complied with thereafter unless otherwise agreed in writing by the Local Planning Authority. Reason: To protect the amenity of neighbouring residents and to accord with Policy DP26 of Mid Sussex District Plan. ○ Lighting – The all-weather pitch flood-lighting shall only be used between the hours of 0800 and 2000 on any day, unless otherwise agreed in writing with the LPA. Reason: To protect the amenity of neighbouring residents and to accord with Policy DP26 of Mid Sussex District Plan

	<ul style="list-style-type: none"> • **NOTE** Whilst I have recommended 0800 to 2000 hrs for lighting, it may be that a more tailored approach could be appropriate, for example 0800 to 1800 hrs Sun to Weds, 0800 to 2100 Thurs to Sat. The hours could be negotiated with the applicants and should tie in with the NMP, so will depend on the intended use and controls.
West Sussex Highway Authority	No objection to the application is raised subject to conditions to secure the car and cycle parking in accordance with the submitted plans along with a Construction Environmental Management Plan.
Sport England	<p>Details submitted are satisfactory and raise no objection subject to conditions to secure:</p> <ul style="list-style-type: none"> • Certification that the artificial grass pitch has met FIFA Quality Concept for Football Turf and has been registered on the Football Association's register of Football Turf Pitches • Assessment of ground conditions for natural turf pitches and scheme to ensure they are provided to an adequate quality. • Management and maintenance scheme for the artificial grass pitch. • Community use agreement.
MSDC Ecology Consultant	<p>We have reviewed the Ecological Impact Assessment (EclA) – Burgess Hill Northern Arc Secondary School Rev PL-01 (Atkins, July 2022), External Lighting Report (Cundall, July 2022) and Planning Statement (Strutt & Parker, August 2022) supplied by the applicant, relating to the likely impacts of development on designated sites, protected and Priority species and habitats and identification of proportionate mitigation. We note that the proposal for the secondary school has also been developed having regard to the Parameter Plans and Design Code approved as part of the wider Outline application for the site.</p> <p>We are satisfied that there is sufficient ecological information available for determination of this reserved matters application. This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.</p> <p>We note that the proposed Northern Arc Secondary School site is located on existing agricultural land, consisting primarily of three fields of grassland pasture divided by existing mature hedgerows. We welcome the design that includes:</p> <ul style="list-style-type: none"> • retention of hedgerow habitats; retention and protection of mature trees; retention and avoidance of impacts to tree with bats roosts to comply with conditions 35 & 36 of DM/18/5114 to protect ancient woodland; • sensitive external lighting design in line with ILP guidance note 08/18 and condition 40 of DM/18/5114, to avoid light

	<p>spill onto the tree roost and key bat foraging/commuting corridor adjacent to the northern boundary of the Application Site (along Ten Acre Gill Ancient woodland);</p> <ul style="list-style-type: none"> • habitat creation including planting of native shrubs, trees, grassland meadow strips and flower-abundant lawn areas; provision of bird and bat boxes; • and provision of small gaps in boundary fencing to retain permeability of the Application Site for wildlife, primarily Hazel Dormouse and Hedgehog. <p>We also note that the lighting scheme for the proposed development has been designed with input from an Ecologist, and seeks to minimise any adverse impact on biodiversity. More details are available in the External Lighting Report (Cundall, July 2022).</p> <p>The mitigation measures identified in the Ecological Impact Assessment – Burgess Hill Northern Arc Secondary School (Atkins, July 2022) meet the requirements of condition 20 of DM/18/5114 and should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species particularly Hazel Dormouse, bats and Hedgehog.</p> <p>We also support the proposed reasonable biodiversity enhancements which include the provision of:</p> <ul style="list-style-type: none"> • bird and bat boxes • small gaps in boundary fencing to retain permeability of the Application Site for wildlife, • primarily hazel dormouse and hedgehog. • extensive green (sedum) roof on the cycle store (included in drawings BHNAS-ATK-01- • XX-D-A-011011 Rev P1 and BHNAS-ATK-01-XX-D-A-011012 both Rev P1). <p>These reasonable enhancements have been recommended to secure net gains for biodiversity, as outlined under Paragraph 174d of the National Planning Policy Framework (2021). We recommend that the bird & bat boxes are integrated ones to ensure these features are permanent and full details including locations for the bird and bat boxes and hedgehog friendly fencing should be outlined within a Biodiversity Enhancement Strategy and should be secured by a condition of any consent. This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.</p> <p>Impacts will be minimised such that the proposal is acceptable,</p>
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	<p>subject to the conditions below based on BS42020:2013. We recommend that submission for approval and implementation of the details below should be a condition of any planning consent.</p> <p>1. “All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment – Burgess Hill Northern Arc Secondary School (Atkins, July 2022) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.”</p> <p>Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).</p> <p>2. “A Biodiversity Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:</p> <ul style="list-style-type: none"> a) Purpose and conservation objectives for the proposed enhancement measures; b) detailed designs or product descriptions to achieve stated objectives; c) locations, orientations, and heights of proposed enhancement measures by appropriate maps and plans; d) persons responsible for implementing the enhancement measures; e) details of initial aftercare and long-term maintenance (where relevant). <p>The works shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner thereafter.”</p> <p>Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the NPPF 2021 and s40 of the NERC Act 2006 (Priority habitats & species).</p>
Southern Water	No discharge of foul sewerage from the site shall be discharged into the public system until offsite drainage works to provide sufficient capacity within foul network to cope with additional

	<p>sewerage flows are complete. Southern Water is currently in process of designing and planning delivery of offsite sewerage network reinforcements.</p> <p>Under current legislation, Southern Water can consider the adoption of SuDS if they are to be designed and constructed in line with the Design and Construction Guidance (water.org.uk/sewerage-sector-guidance-approved-documents/). No new soakaways, swales, ponds, watercourses, associated attenuation tanks or any other surface water retaining or conveying features should be located within 5 metres of a public or adoptable gravity sewer, rising main or water main.</p> <p>The Council's technical staff and the relevant authority for land drainage should comment on the adequacy of the proposals to discharge surface water to the local watercourse.</p>
MSDC Drainage Officer	<p>The overall surface water drainage strategy, with attenuation and discharge to a watercourse (via regional drainage), appears largely acceptable. However, I would advise that the discharge rates should be restricted to the Greenfield QBar rate for the area being drained by that discharge point and not the whole site area.</p> <p>The strategy proposes to use tree pits with additional attenuation. I have no objection to this but would advise that Irene looks at this to ensure the principle / proposed approach on size etc is acceptable in terms of trees.</p> <p>I would also point out that the applicant's surface water drainage systems discharge into what they describe as 'masterplan main sewers'. These appear to be the sections of the regional drainage features located between the secondary school's redline site boundary and the watercourse discharge points set out in the Masterplan. I am unsure who is set out to constructed these sections but they will need to either be in place prior to final design (to ensure invert levels work properly) or designed and constructed as part of the school's drainage design.</p> <p>Overall, subject to Irene's comments about tree pits, the flood risk and drainage team are happy for the development to address detailed drainage design at discharge of conditions stage.</p>
MSDC Arboriculturalist	<ul style="list-style-type: none"> • No trees being lost to facilitate the development. • Significant implications for a number of Cat A trees and others including T425, 422, 415, 414, 426, 433 with substantial incursions into RPAs due to level changes to facilitate the footway and sports pitches. A method statement should be submitted detailing how this will work.

	<ul style="list-style-type: none"> • There is an 11m section of hedgerow to be removed and I'm not clear if this will be replaced. • Landscaping plans appear within the ecology documents and plant selections are appropriate. However, a detailed landscaping plan/specification should be submitted.
Street Naming and Numbering Officer	Please can you ensure that the street naming and numbering informative is added to any decision notice granting approval in respect of the planning applications listed below as these applications will require address allocation if approved.

TOWN/PARISH COMMENTS

Ansty and Staplefield Parish Council	Application noted.
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INTRODUCTION

This application seeks Reserved Matters for the approval of the appearance, landscaping, layout and scale of:

- Erection of a Secondary School
- Erection of cycle parking
- Provision of sports pitches
- Provision of lighting
- Landscaping
- Associated infrastructure

RELEVANT PLANNING HISTORY

Relevant history on the application site

Main Northern Arc Outline Permission		
DM/18/5114	Comprehensive, phased, mixed-use development comprising approximately 3,040 dwellings including 60 units of extra care accommodation (Use Class C3) and 13 permanent gypsy and traveller pitches, including a Centre for Community Sport with ancillary facilities (Use Class D2), three local centres (comprising Use Classes A1-A5 and B1, and stand-alone	Approved 04/10/2019

	community facilities within Use Class D1), healthcare facilities (Use Class D1), and employment development comprising a 4 hectare dedicated business park (Use Classes B1 and B2), two primary school campuses and a secondary school campus (Use Class D1), public open space, recreation areas, play areas, associated infrastructure including pedestrian and cycle routes, means of access, roads, car parking, bridges, landscaping, surface water attenuation, recycling centre and waste collection infrastructure with associated demolition of existing buildings and structures, earthworks, temporary and permanent utility infrastructure and associated works.	
DM/21/3279	Application under Section 73 of the Town and Country Planning Act 1990 (as amended) seeking alterations to conditions 5 (approved parameter plans), 6 (accordance with Design Guide) , 7 (requirement for a Design Principles Statement), 11 (archaeological investigation), 22 (sustainable drainage) and 35 (restriction of development within 15m of ancient woodland) on planning permission DM/18/5114 to allow amendments to parameters of road layout, proposed land uses, right of way improvements & drainage outfalls, require general accordance with the Street Design and Adoption Manual and allow phased submission details for archaeology and drainage details.	Currently under consideration.

Relevant history surrounding the site on the Northern Arc/Brookleigh

DM/18/3309	Display of 1 non illuminated advertisement panel on 76 mm posts for new strategic mixed use development	Approved 11/10/18
DM/18/3311 (Northern Arc)	Display of 1 non illuminated advertisement panel on 76 mm posts for new strategic mixed use	Approved 16/10/18

	development	
Freeks Farm: DM/18/0509	Residential development comprising up to 460 dwellings, public open space, recreation areas, play areas, associated infrastructure including roads, surface water attenuation and associated demolition (outline application with all matters reserved except for principal means of access from Maple Drive) at Land to the west of Freeks Lane.	Approved 24/07/2019
DM/19/3845	Approval of reserved Matters pursuant to Condition 1 of DM/18/0509 for the erection of 460 dwellings, including public open space, play areas, associated infrastructure including roads, surface water attenuation and associated demolition.	Approved 19/12/2019
DM/21/3801	Proposed signage.	Currently under consideration
DM/22/1655	Variation of condition 21 relating to planning reference DM/18/0509 to amend the occupation trigger from 130th dwelling to 199th dwelling.	Currently under consideration
DM/22/1881	Non Material Amendment to application DM/19/3845 to add a further condition to the consent which lists the approved plans	Approved 16/06/2022
DM/22/2804	Variation of condition 5 of application DM/19/3845, to allow for the removal of Plot 45 to use area as part of the residential garden associated with Plot 46.	Currently under consideration
Eastern Bridge and Link Road: DM/19/3313 (Northern Arc – east of Isaacs Lane and west of Freeks Farm)	Construction of a single carriageway link road from Isaacs Lane to Freeks Farm comprising a new all-movements junction on A273 Isaac's Lane, highway comprising 6.1 - 6.5m carriageway with separate 4.5m 'Green Superhighway' and 3m	Approved 04/10/2019

	cycle/footway provision on the north side and 2m footway on the south side segregated from the carriageway by landscaped verges, including all-modes bridge across the River Adur, constructed to an adoptable standard, together with, earthworks, surface water and foul drainage infrastructure, utilities corridors, street lighting, landscaping and temporary fencing.	
DM/21/3279	Application under Section 73 of the Town and Country Planning Act 1990 (as amended) seeking alterations to conditions 5 (approved parameter plans), 6 (accordance with Design Guide) , 7 (requirement for a Design Principles Statement), 11 (archaeological investigation), 22 (sustainable drainage) and 35 (restriction of development within 15m of ancient woodland) on planning permission DM/18/5114 to allow amendments to parameters of road layout, proposed land uses, right of way improvements & drainage outfalls, require general accordance with the Street Design and Adoption Manual and allow phased submission details for archaeology and drainage details.	Currently under consideration
Cycle Superhighway and Bridge between the Eastern Bridge and Link Road and Freeks Farm: DM/21/2166	Formation of a section of shared surface pedestrian and cycleway forming part of the Burgess Hill Northern Arc Green Super Highway, including a bridge crossing over the River Adur.	Approved 07/04/2021

<p>Western Link Road:</p> <p>DM/20/0254</p>	<p>Reserved Matters application for DM/18/5114 - the first phase of the Western Link Road, comprising the construction of a new all-movements roundabout on the A273 Jane Murray Way, a single-carriageway 7.3-metre wide highway link with two 3-metre shared footways/cycleways and two 2.75-metre verges, connecting to the A2300 via a new all-movements roundabout, junction to the UKPN electricity substation, junction to future employment uses, zones for two minor junctions, signalised crossing points, earthworks, surface water and foul drainage infrastructure, utilities corridors, lighting, and landscaping. Amended plans and updated supported documents received 17th March 2020 detailing amendments including the extension of the southern boundary of the site to accommodate increased drainage basins and inclusion of bridleway on north side of A2300. (Transport note received 30th April, Amended plans received 12th May showing minor increase in width of application site area either side of the proposed link road corridor and amended biodiversity report, planning statement and additional sections received 29th May).</p>	<p>Approved 10/07/2020</p>
<p>Oak Barn:</p> <p>DM/20/2671</p>	<p>Realignment of existing car park, provision of new access off B2036 Cuckfield Road, demolition of part of the existing driving range building at the Burgess Hill Golf Centre and associated hard and soft landscaping at the Oak Barn Restaurant.</p>	<p>Approved 21/07/2020</p>

Bellway Parcels: DM/21/3870	Reserved Matters Application pursuant to outline application DM/18/5114, to consider access, appearance, landscaping, layout and scale for the erection of 247 dwellings, alterations to Lowlands Farm and its conversion to form 2 dwellings, associated car parking, open space and infrastructure, including an extension to Bedelands Nature Reserve and provision of part of the Green Circle (pedestrian/cycle/equestrian route) for Sub-Phases P1.3, P1.5, P1.6, OS1.5, OS1.6 and part of OS1.1a, OS1.1b and OS1.2N to the east of Isaacs Lane and Lowlands Farm at the Northern Arc development on land north and north-west of Burgess Hill.	Approved 24/05/2022
Eastern Gravity Sewer: DM/22/1734	Installation of a section of gravity foul sewer, including associated manholes and watercourse crossing over the River Adur, to connect to the existing Southern Water Sheddingdean Pumping Station	Currently under consideration

Relevant history surrounding the site that does not form part of the Northern Arc/Brookleigh

Woodfield House: DM/19/3769	Outline planning application for 30 new dwellings, including 30% affordable housing with access via Isaac's Lane, the provision of public open space, associated infrastructure and landscaping (resubmission of application DM/18/3052). All matters reserved except for access.	Approved 11/09/2019
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SITE AND SURROUNDINGS

The site forms part of Brookleigh (formally the Northern Arc). The site is approximately 9.56 hectares and located in the north eastern corner of Brookleigh. The site comprises agricultural land and is interspersed with trees and hedgerow.

The site is surrounded to the north, east and south by the residential and open space parcels which form part of the reserved matters consent approved under reference DM/21/3870 (the Bellway parcels). To the west of the site is Woodfield House. This does not form part of the Brookleigh outline planning consent but a separate outline planning permission has been granted on this site for 30 dwellings.

The site is located off of the Eastern Bridge and Link Road that is currently under construction.

APPLICATION DETAILS

This application seeks Reserved Matters for the approval of the appearance, landscaping, layout and scale of:

- Erection of a Secondary School
- Provision of car parking
- Erection of cycle parking
- Provision of sports pitches
- Provision of lighting
- Landscaping
- Associated infrastructure

The building would be positioned to the north of the Northern Arc avenue with sports pitches to the north and west of the site and car and cycle parking to the east.

The buildings would provide a 6 form entry secondary school which will provide education facilities for 900 pupils and a dedicated Special Support Centre (SSC) which will accommodate an additional 16 Autism Spectrum Disorder (ASD) pupils.

The school is expected to employ approximately 90 staff, with an additional 4-6 staff members working within the SSC.

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 Mid Sussex District Plan, Site Allocations DPD, the West Sussex Joint Minerals Local Plan 2018 Partial Review (2021) and the West Sussex Waste Local Plan (2014).

Mid Sussex District Plan 2014-2031 (2018) (District Plan)

The District Plan was adopted on 28th March 2018. The following relevant policies are considered to be consistent with the NPPF 2021 and should be afforded full weight:

- DP7 General Principles for Strategic Development at Burgess Hill
- DP9 Strategic allocation to the north and northwest of Burgess Hill
- DP20 Securing Infrastructure
- DP21 Transport
- DP22 Rights of Way and other Recreational Routes
- DP23 Communication Infrastructure
- DP24 Leisure and Cultural Facilities and Activities
- DP25 Community Facilities and Local Services
- DP26 Character and Design
- DP28 Accessibility
- DP34 Listed Buildings and Other Heritage Assets
- DP35 Conservation Areas
- DP37 Trees, Woodland and Hedgerows
- DP38 Biodiversity
- DP39 Sustainable Design and Construction
- DP41 Flood Risk and Drainage
- DP42 Water Infrastructure and the Water Environment

The following Policy should be afforded full weight in relation to the noise and light pollution. However, in relation to air pollution, it should be afforded no weight as this has been superseded by Policy SA38 in the Site Allocations DPD.

- DP29 Noise, Air and Light Pollution

Mid Sussex District Plan 2021-2039 Consultation Draft Reg 18

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 2014-2031. 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.

Mid Sussex Site Allocations Development Plan Document (2022) (Site Allocations DPD)

The Site Allocations DPD was adopted on 29th June 2022. The relevant Policy includes:

- oSA38 Air Quality

West Sussex Joint Minerals Local Plan 2018 Partial Review (2021)

The West Sussex Joint Minerals Local Plan was adopted in July 2018 and subsequently reviewed in 2021. The relevant policy is considered to be consistent with the NPPF and should be afforded full weight. The relevant Policy is:

- M9 Safeguarding Minerals

West Sussex Waste Local Plan (2014)

The West Sussex Joint Minerals Local Plan was adopted in April 2014. The relevant policies are considered to be consistent with the NPPF and should be afforded full weight. The relevant Policies are:

- W23 Waste Management within Development

OTHER MATERIAL CONSIDERATIONS

National Planning Policy Framework (NPPF) (July 2021)

The NPPF sets out the government's policy in order to ensure that the planning system contributes to the achievement of sustainable development. Paragraph 8 sets out the three objectives to sustainable development, such that the planning system needs to perform an economic role, a social role and an environmental role. This means ensuring sufficient land of the right type to support growth' providing a supply of housing and creating a high quality environment with accessible local services' and using natural resources prudently. An overall aim of national policy is to 'boost significantly the supply of housing.'

Paragraph 12 of the NPPF states that the NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed

development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. It is highly desirable that local planning authorities should have an up-to-date plan in place.

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

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

National Planning Policy Guidance (NPPG)

National Design Guide

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.

Northern Arc Masterplan (2018)

The Northern Arc Masterplan (Masterplan) was approved at the Mid Sussex District Council Cabinet Meeting on 24th September 2018 as a material consideration for all forthcoming planning applications in relation to the Northern Arc. The Masterplan sets out a vision for the Northern Arc along with the following Strategic Development Principles:

- SDP1 Access and Strategic Movement
- SDP2 Northern Arc Avenue
- SDP3 Strategic Green Connections
- SDP4 Pedestrian and Cycle Links
- SDP5 Centres and Walkable Neighbourhoods
- SDP6 Housing Mix, Density and Capacity
- SDP7 Place-making objectives
- SDP8 Northern Arc Design Guide
- SDP9 Built for Life
- SDP10 Integration with Established Communities
- SDP11 Education
- SDP12 Mixed and Balanced Community
- SDP13 Integrating Employment Opportunities
- SDP14 Landscape and Green Infrastructure
- SDP15 A rich variety of open space

- SDP16 Ancient Woodland and Veteran Trees
- SDP17 Sports Facilities
- SDP18 Topography
- SDP19 Visibility
- SDP20 Existing Utility Infrastructure
- SDP21 Climate resilient development
- SDP22 Low carbon energy
- SDP23 Integrated Water Management
- SDP24 Construction and Material Use

Northern Arc Infrastructure Delivery Plan and Phasing Strategy (2018)

The Northern Arc Infrastructure Delivery Plan (IDP) was approved at the Mid Sussex District Council Cabinet Meeting on 24th September 2018 as a material consideration for all forthcoming planning applications in relation to the Northern Arc. The IDP identifies the infrastructure necessary to facilitate and support the development of Burgess Hill Northern Arc.

Burgess Hill Town Wide Strategy (2011)

The Burgess Hill Town Wide Strategy comprises the Town Council's proposed strategy for Burgess Hill for a 20 year period. The Strategy states that the Town Council was keen to develop a new but realistic and deliverable strategy in order to prevent the town from standing still and potentially going into decline.

The Strategy identifies that in order to deliver the desired projects, then additional housing developments would be required and subsequently identified the requirement of around 4000 homes, including 500 on land east of Kings Way and 3500 on land to the north and north west of the town.

Burgess Hill Public Transport Strategy (2016)

West Sussex Transport Plan 2011-2026 (2011)

West Sussex Walking and Cycling Strategy 2016-2026 (2016)

West Sussex County Council Guidance on Parking at Developments (May 2019)

Listed Building and Conservation Area (LBCA) Act 1990

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017

ASSESSMENT

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

- Principle of development

- Landscape and Trees
- Design and Visual Impact
- Heritage
 - Archaeology
 - Historic Landscape
 - Heritage Conclusion
- Leisure and Recreation
- Residential Amenity
- Accessibility and Equalities
- Transport, Highways and Movement
- Ecology and Biodiversity
- Drainage
- Sustainability
- EIA Regulations
- Other Issues
- Planning Balance and Conclusion

Principle of Development

The principle of the development has been established by the granting of the outline planning application DM/18/5114 which granted planning permission for:

'Comprehensive, phased, mixed-use development comprising approximately 3,040 dwellings including 60 units of extra care accommodation (Use Class C3) and 13 permanent gypsy and traveller pitches, including a Centre for Community Sport with ancillary facilities (Use Class D2), three local centres (comprising Use Classes A1-A5 and B1, and stand-alone community facilities within Use Class D1), healthcare facilities (Use Class D1), and employment development comprising a 4 hectare dedicated business park (Use Classes B1 and B2), two primary school campuses and a secondary school campus (Use Class D1), public open space, recreation areas, play areas, associated infrastructure including pedestrian and cycle routes, means of access, roads, car parking, bridges, landscaping, surface water attenuation, recycling centre and waste collection infrastructure with associated demolition of existing buildings and structures, earthworks, temporary and permanent utility infrastructure and associated works.'

Furthermore, it should be noted that the site is part of a strategic allocation in the District Plan to the north and north west of Burgess Hill. Policy DP9 is the relevant policy which allocates the strategic development of which this application site forms a part of. Policy DP9 states:

'Strategic mixed-use development (which will need to conform to the general principles in Policy DP7: General Principles for Strategic Development at Burgess Hill), as shown on the inset map, is allocated to the north and north-west of Burgess Hill for the phased development of:

- *Approximately 3,500 additional homes and associated new neighbourhood centres, including retail, education, health, employment, leisure, recreation and community uses, sufficient to meet the day to day needs of the whole of*

the development and located as far as possible so at least one new neighbourhood centre is within 10 minutes' walk of most new homes'

- *25 hectares of land for use as a high quality business park south of the A2300 and served by public transport'*
- *Two new primary schools (including co-location of nursery provision and community use facilities as appropriate) and a new secondary school campus, in each case in locations well connected with residential development and neighbourhood centres'*
- *A Centre for Community Sport in the vicinity of the Triangle Leisure Centre and St Paul's Catholic College'*
- *Provision of permanent pitches for settled Gypsies and Travellers to contribute, towards the additional total identified need within the District commensurate with the overall scale of residential development proposed by the strategic development' or the provision of an equivalent financial contribution towards off-site provision of pitches towards the additional total identified need within the District (or part thereof if some on-site provision is made) commensurable with the overall scale of residential development proposed by the strategic development, if it can be demonstrated that a suitable, available and achievable site (or sites) can be provided and made operational within an appropriate timescale' unless alternative requirements are confirmed within any Traveller Sites Allocations Development Plan Document or such other evidence base as is available at the time the allocation-wide masterplan is approved (as appropriate)' and*
- *A new Northern Link Road connecting through the Strategic Allocation Area from the A2300 to the A273 Isaacs Lane. New junctions will be provided on the A2300, B2036 Cuckfield Road and A273 Isaacs Lane. A road link across the river corridor will be required to facilitate a public transport route to Maple Drive.'*

Of particular relevance is the first bullet point, this reserved matters application proposes a secondary school in accordance with Policy DP7. This is a key element in the infrastructure provision at the Northern Arc to serve the new residents.

Policy DP9 further states:

'Strategic mixed-use development in this location will:

- *Progress in accordance with an allocation-wide masterplan, Infrastructure Delivery Strategy, Phasing Strategy and Financial Appraisal which will have been submitted to and approved by the local planning authority. Each planning application to be determined should accord with such approved documents unless otherwise agreed by the local planning authority.'*

An allocation wide Masterplan and Infrastructure Delivery Plan and Phasing Strategy were approved on the 24th September 2018 by Cabinet.

SDP11 of the Masterplan states that, *'The Northern Arc will include a new Secondary School and two Primary Schools. These new schools will be a significant focus for community life, playing a key role in fostering a new community through the development and education of younger people from the Northern Arc and the wider area.*

The provision of the Secondary School is a key element in the delivery of this principle in the Masterplan.

The IDP sets out that a 6 form entry Secondary School including SEN provision is proposed within the Northern Arc Site (site capable of expansion to 8 form entry), completed in Phase 1 to provide school places generated across the site in addition to serving pupils from the wider catchment area, helping to resolve existing capacity shortfalls forecast across the District.

The proposed development is therefore in accordance with this principle.

Paragraph 95 of the NPPF states that *'local planning authorities should give great weight to the need to create, expand or alter schools through ... decisions on applications.'*

Policy DP7 of the District Plan sets out general principles for strategic development at Burgess Hill. The Policy states:

'Strategic development will:

- Be designed in a way that integrates it into the existing town providing connectivity with all relevant services and facilities'*
- Provide additional, high quality employment opportunities including suitably located Business Park developments accessible by public transport'*
- Improve public transport, walking and cycling infrastructure and access to Burgess Hill and Wivelsfield railway stations and Burgess Hill Town Centre, including the provision of, or contributions to enhancing transport interchanges'*
- Provide necessary transport improvements that take account of the wider impact of the development on the surrounding area'*
- Provide highway improvements in and around Burgess Hill including addressing the limitations of the A2300 link road and its junction with the A23 and east-west traffic movements across Burgess Hill and, where necessary, improvements across the highway authority boundary in East Sussex'*
- Provide new and improved community, retail, cultural, educational, health, recreation, play and other facilities to create services and places that help to form strong local communities and encourage healthy lifestyles'*
- Provide new and/or improved and well connected sports, recreation and open space in and around Burgess Hill, including the continuation of the existing 'Green Circle' of linked areas of informal open space around the town along with its associated network of multi-functional paths, the Green Circle network, and links into the town centre'*
- Support the delivery of a multi-functional route between Burgess Hill and Haywards Heath'*
- Provide a Centre for Community Sport in the vicinity of the Triangle Leisure Centre'*
- Provide a range of housing including affordable housing, in accordance with policy DP31: Affordable Housing and housing for older people'*

- *Identify and respond to environmental, landscape and ecological constraints and deliver opportunities to enhance local biodiversity and contribute to the delivery of green infrastructure in and around the town in accordance with policies elsewhere in the Plan including DP38: Biodiversity' Provide an effective telecommunications infrastructure, including provision for broadband' and*
- *Wherever possible, incorporate on-site 'community energy systems', such as Combined Heat and Power or other appropriate low carbon technologies, to meet energy needs and create a sustainable development. The development shall also include appropriate carbon reduction, energy efficiency and water consumption reduction measures to demonstrate high levels of sustainability.'*

The proposal would provide new educational facilities in accordance with DP7. Compliance of the proposed development with the remaining requirements is discussed in the relevant sections of the remainder of the report.

In addition to the granting of the outline permission and the allocation policies, the site is located within the built up area as defined by the Mid Sussex District Plan with the boundary being formally extended upon the adoption of the District Plan in March 2018. Policy DP6 of the Mid Sussex District Plan states in part that:

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

In light of the above points, it is evident that the principle of the proposal is clearly established.

Landscape and Trees

As previously referenced, DP7 of the District Plan requires strategic development at Burgess Hill to identify and respond to environmental, landscape and ecological constraints and deliver opportunities to enhance local biodiversity and contribute to the delivery of green infrastructure in and around the town in accordance with policies elsewhere in the Plan.

DP9 requires land uses and infrastructure delivery to identify and take account of environmental, landscape and ecological constraints appropriately responding to the landscape setting including retention of woodland, hedgerows and other important natural features wherever possible.

Policy DP26, referenced in more detail in the Design section of this report, states in part that development:

'creates a sense of place while addressing the character and scale of the surrounding buildings and landscape'

- *protects open spaces, trees and gardens that contribute to the character of the area.'*

Policy DP37 of the District Plan states:

'The District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected. Development that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or character of an area, and/ or that have landscape, historic or wildlife importance, will not normally be permitted.

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

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

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

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

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

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

SDP14 in the Masterplan seeks to 'preserve the established framework of woodland, trees and hedgerows as part of the commitment to create a high quality and distinctive place. Together with the meandering water courses these will define the character of the new community and frame its development.'

SDP15 of the Masterplan sets out that *'the Northern Arc will provide a rich variety of attractive open spaces. These will support wider biodiversity objectives and promote climate change, pest and disease resilience, as well as meeting community needs for recreation and supporting health and well-being.'*

SDP18 of the Masterplan sets out that *'the development will work with the Northern Arc's undulating topography to respect and build on the existing sense of place, as well as reducing the amount of earthworks and levelling required.'*

SDP21 of the Masterplan sets out that green infrastructure will be designed with species that are tolerant to the prevailing climatic conditions.

The IDP identifies states that the network of woodland and natural open space throughout the site is intended to create strong green corridors.

Paragraph 174 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by, inter alia, *'recognising the intrinsic character and beauty of the countryside.'*

It is clear that with any greenfield development there will be some change at the local level from that of an undeveloped landscape to an urban development. The principle of this change has already been established with the approval of the Masterplan and Outline Planning Application.

The site is visible from public vantage points along the public rights of way which runs adjacent to the northern boundary of the site and will become more visible once the areas surrounding the site are developed in line with the approved permissions.

The site is located towards the northern edge of Brookleigh and is positioned on the northern boundary of the built up area of Burgess Hill. The area to the north of the site is open countryside. The school buildings themselves are located on the southern boundary of the site set away from the landscaped edge. This helps integrate the development into its open surroundings.

One of the sports pitches on the southern boundary of the site will include flood lighting. It is recognised that this lighting will be visible from the darker areas of countryside beyond. However, the timings of this will be restricted by a lighting management plan, which is recommended to be secured by condition. Furthermore, the benefits to the pupils and wider community by allowing the use of this pitch in the dark in winter are considered to outweigh this negative impact.

Within the site, there are a number of trees that are considered to be prominent landscape features of high arboricultural value due to their size and scale. The development of the site has been designed around these trees which are proposed to be retained. Some of the sports pitches/landscaping/fencing will, however encroach into the root protection areas of some of these trees. A method statement is required to ensure that the development within the root areas is acceptable. It is recommended that this detail be secured by condition.

11m of hedgerow is proposed to be lost to facilitate access from the eastern area of the site where the school buildings would be located to the playing fields. The gaps created have been minimised to allow only for the footpath links through

An area of 1,131m² category C trees which are young specimens of low quality will be removed to facilitate the provision of the sports pitches.

The loss of these landscape features is considered to be acceptable in order to facilitate the development. Compensation planting is proposed, including extensive native buffer planting with scattered trees along the site boundaries on an area of 4,500m² and approximately 228 new individual trees. It is recommended that a detailed landscaping tree is secured by condition.

MSDC's Tree Officer has assessed the proposal and has raised no objection, subject to conditions.

On the basis of the above, the proposal is considered to have an acceptable impact on the surrounding landscape and trees. The application is accords with Policies DP7, DP9, DP26 and DP37 of the District Plan and the SDP14, SDP15, and SDP18, SDP21 and principles contained within the Masterplan and the IDP.

Design and Visual Impact

Policy DP26 of the District Plan states:

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

- is of high quality design and layout and includes appropriate landscaping and greenspace'*
- contributes positively to, and clearly defines, public and private realms and should normally be designed with active building frontages facing streets and public open spaces to animate and provide natural surveillance'*
- creates a sense of place while addressing the character and scale of the surrounding buildings and landscape'*
- protects open spaces, trees and gardens that contribute to the character of the area'*
- protects valued townscapes and the separate identity and character of towns and villages'*
- does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP29)'*
- creates a pedestrian-friendly layout that is safe, well connected, legible and accessible'*
- incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed'*
- positively addresses sustainability considerations in the layout and the building design'*

- *take the opportunity to encourage community interaction by creating layouts with a strong neighbourhood focus/centre' larger (300+ unit) schemes will also normally be expected to incorporate a mixed use element'*
- *optimises the potential of the site to accommodate development.'*

The Masterplan sets out the following at SDP2:

- *'The design and character of Northern Arc avenue will be developed to ensure that it strikes the optimum balance between its place-making role at the heart of the community, uniting the various character areas across the Northern Arc, and its role as a supporting through route.'*

The Masterplan sets out the following place-making objectives at SDP7:

- *'Creating walkable neighbourhoods with vibrant centres that are accessible to all'*
- *Co-locating schools, community centres and open spaces with the neighbourhood centres to support vitality and community identity'*
- *Designing streets as places that encourage social interaction as well as walking, cycling and public transport'*
- *Ensuring that streets, public realm and open spaces are well overlooked and designed to feel safe and secure'*
- *Creating a place that is easy to find your way around with a clear hierarchy of streets and spaces, landmark features and views'*
- *Setting development within an interconnected, easily accessible network of attractive streets, green infrastructure, green corridors and open spaces to act as wildlife corridors and sustainable transport links'*
- *Incorporating trees, gardens and green spaces throughout the development to provide shade and cooling during extreme heat events and to increase its ability to adapt to climate change'*
- *Supporting health and well-being through opportunities for active lifestyles and living in close contact with nature'*
- *Providing a variety of different character areas which reflect variations in landscape and topography, as well as the role and function of different parts of the community'*
- *Integrating business and employment uses to diversify day time activities'*
- *Accommodating car parking and servicing in ways that are convenient and safe but also unobtrusive.'*

The Masterplan sets out the following at SDP8:

- *'Design proposals for the Northern Arc will be assessed against the place-making objectives set out in Design Guide (SDP 8) and Building for Life 12'*
- *Maximise integration with the existing communities of Burgess Hill and the established facilities and services of the town and the wider District.'*

SDP9 of the Masterplan states that design proposals will be assessed against the place-making objectives set out in the Design Guide (SDP8) and Building for Life 12.

SDP21 of the Masterplan sets out that green infrastructure will be designed with species that are tolerant to the prevailing climatic conditions.

Paragraph 127 of the NPPF seeks high quality design in new developments.

The Northern Arc Design Guide, states that the building of the secondary school should punctuate the Northern Arc Avenue and create a vista from the centre.

The school is set back from the Northern Arc avenue at an angle and is therefore not as prominent as that originally envisaged in the Northern Arc Design Guide. It does not create a vista from the Eastern Neighbourhood Centre envisaged in the Design Guide. However, the building has high sustainability ambitions which has informed the orientation of the building. The building has a strong front façade, that whilst does not sit parallel to the street, creates a prominent building from the Northern Arc Avenue. Furthermore, the entrance to the building has been positioned to address the strong vertical alignment of the Northern Arc avenue to the south and the entrance threshold has been co-ordinated with the pocket park that was granted reserved matters under application DM/21/3870.

When the building was presented to the Design Review Panel (DRP), they considered that the building had an austere appearance at the front and that it could be more sensitively integrated into the countryside at the rear. At the front the building is punctuated with a series of projecting ribs that provides the main facades with strong underlying order and allows the play of light and shade. Following the DRP, amendments were received that added an additional column of windows in the front façade, reducing the amount of brickwork on the frontage and helping the front elevation to feel more open and inviting.

The rear and side elevations benefit from more varied articulation and fenestration that helps to break up the frontage and give it a more open relationship with its threshold. The building would be visible from the public right of way to the rear of the site, however, views of the building would be from a longer distance and the building would be read in the context of the surrounding developed areas.

The school building forms the secure line to the school along the frontage, avoiding the need for high boundary treatment along a large area of the Northern Arc avenue. This allows an attractive open threshold arrangement with a modest 1.2m high estate rail defining the boundary, with generous tree planting and soft landscaping behind it. The dining area has nevertheless been designed to spill out onto the front threshold requiring a high boundary on this section' however, as it is set-down in the ground at basement level the railings are not significant in height and the fencing itself is set-back from the school boundary behind trees and shrubs. 2.4m high boundary treatment is proposed to the west of the school building itself, and would be visible from the pocket park (granted reserved matters under application DM/21/3870). Landscaping has been secured as part of that scheme that will eventually screen and soften the appearance of the boundary fencing. On the northern and western boundaries of the site, 2.4m high boundary fencing is proposed. These boundaries lie immediately adjacent to the existing public right of way along the north and the proposed Green Circle to the east. Appropriate landscaping will need to be secured along these boundaries to soften the appearance of the fencing that would be secured by condition.

To the east of the school buildings a car park/drop off area is proposed. The DRP suggested that the straight sections of the looped access road could be narrowed to reduce the amount of hardstanding. While this may be desirable from a design perspective, the operational requirements of the school necessitate the access in the proposed form, and the area would be screened by landscaping, ensuring that there is not a significant impact on the public realm from this element of the proposal.

The building has been designed with courtyards to the rear that provide accessible outside space for pupils. The DRP were concerned that these areas may receive limited sunlight/daylight as result of being overshadowed by the building. They suggested this might be addressed by freeing up the building from its rigid grid and allowing the teaching wings to be splayed to provide greater levels of light between the wings and bring the landscape into the space. While this may improve the quality of the external space, it would require a major redesign and reconsideration of the sustainability and functional considerations. These areas are not visible from the public realm and would not impact upon the appearance of the school from the streetscene. Nevertheless, a condition is recommended to ensure appropriate landscaping is integrated into these spaces to help ensure they are of a high quality.

The Council's Urban Design Officer has assessed the proposal and comments that it has been a challenge to resolve the competing requirements of the building's educational and environmental brief on the one hand and the contextual objectives on the other hand. Significant improvements have nevertheless been made, and the design of the school and its landscaped threshold have now been sufficiently resolved. For this reason, he raises no objection to the application but to secure the quality of the design, recommends conditions requiring the following further drawings/information to be submitted for subsequent approval:

- Soft and hard landscaping details including boundary treatment and a section drawing showing the relationship of the external dining area and ELR boundary.
- Details of facing materials.
- Detailed scale section drawing showing the relationship of the solar PV's and front parapet upstand
- Elevation showing the roof top plant.
- Consideration could also be given to including conditions covering:
- Maintenance and management arrangement of the landscaped areas.
- Sustainability measures and environmental performance targets.

There are some concerns with the design of the proposal that have not been resolved through amendments and in particular, the conflicts with the Northern Arc Design Guide. However, the design of the building is considered to be appropriate for its context and the conflicts with the Design Guide are considered to be outweighed by the sustainability benefits of the proposal, as set out below.

As such whilst the proposal would conflict with the Northern Arc Design Guide and therefore Principle SDP9 of the Masterplan, it is considered to be in accordance with Policies DP7, DP9 and DP26 of the District Plan, Principles SDP2, SDP7, SDP8, SDP14, and SDP21 of the Northern Arc Masterplan, the Northern Arc IDP and the NPPF.

Heritage

The LPA is under a duty by virtue of s.66 of the Listed Building and Conservation Area (LBCA) Act 1990 (General duty as respects listed buildings in exercise of planning functions): *'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.*

The LPA is also under a duty by virtue of s.72 of the Listed Building and Conservation Area (LBCA) Act 1990 (General duty as respects conservation areas in exercise of planning functions): *'In the exercise, with respect to any buildings or other land in a conservation area.....special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'.*

Policy DP34 of the District Plan states in relation to Listed Buildings:

'Development will be required to protect listed buildings and their settings. This will be achieved by ensuring that:

- A thorough understanding of the significance of the listed building and its setting has been demonstrated. This will be proportionate to the importance of the building and potential impact of the proposal'*
- ...*
- Special regard is given to protecting the setting of a listed building"*

Policy DP34 of the District Plan states in relation to other heritage assets:

'The Council will seek to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the character and quality of life of the District. Significance can be defined as the special interest of a heritage asset, which may be archaeological, architectural, artistic or historic. Proposals affecting such heritage assets will be considered in accordance with the policies in the National Planning Policy Framework (NPPF) and current Government guidance.'

The supporting text to principle SDP14 (Landscape and Green Infrastructure) in the Masterplan states that the Masterplan will preserve landscape features and wherever possible respect the landscape setting of nearby listed buildings and non-designated heritage assets.

The supporting text to principle SDP14 (Landscape and Green Infrastructure) in the Masterplan states that the Masterplan will preserve landscape features and wherever possible respect the landscape setting of nearby listed buildings and non-designated heritage assets.

Paragraph 190 of the NPPF sets out that *'in determining applications, local planning authorities should take account of:*

- a) *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation'*
- b) *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality' and*
- c) *the desirability of new development making a positive contribution to local character and distinctiveness.'*

Paragraph 199 of the NPPF is also particularly relevant with this stating that '*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*'

Paragraph 203 of the NPPF is also relevant with this stating that '*the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.*'

Listed Buildings

No Listed Buildings are located within the site boundary. The nearest listed buildings the grade II Listed 1 And 2 Hookhouse Farm located in excess of 300m to the north west on Isaacs Lane. Given that these listed buildings are separated from the application site by such distances, coupled with intervening development in between, the proposal does not affect the setting of these listed buildings or any others in the vicinity.

Conservation Areas

There are no Conservation Areas within the site with the nearest part of the St John's Conservation Area being located to the south, over 1 km from the site. Given this distance and the intervening development within Burgess Hill in between, the proposed development will not affect this conservation area or its setting.

Archaeology

Archaeological matters have been addressed through the outline permission with a condition being used to secure a programme of archaeological work being carried out in accordance with details to be approved by the Local Planning Authority. Notwithstanding this, the applicants have submitted a Written Scheme of Investigation for Archaeological Evaluation and an Archaeological Evaluation Report. The Council's Archaeologist has reviewed with the report and agrees with the findings. Although the evaluation has shown that the majority of the development site contains little in the way of archaeological remains, the south-east corner contains a small concentration of pits of currently unknown date and purpose. As such, the archaeologist recommends that a small-scale archaeological excavation is undertaken in this area of the site, with the specified aim of determining

the date and use of these pits and determining if any further archaeological features are present. This is secured through the aforementioned condition on the outline consent.

In light of the above analysis on heritage assets, the development accords with Policies DP34 and DP35 of the District Plan, principle SDP14 of the Masterplan, the NPPF and the Listed Building and Conservation Area (LBCA) Act 1990.

Leisure and Recreation

Policy DP7 of the District Plan requires strategic development at Burgess Hill to provide new and/or improved and well-connected sports, recreation and open space in and around Burgess Hill.

Policy DP9 of the District plan states that the delivery of 3500 homes, across the strategic allocation, need to be supported by leisure and recreation uses sufficient to meet the day to day needs of the whole development.

Policy DP24 of the District Plan states:

'Development that provides new and/or enhanced leisure and cultural activities and facilities, including allotments, in accordance with the strategic aims of the Leisure and Cultural Strategy for Mid Sussex will be supported. The on-site provision of new leisure and cultural facilities, including the provision of play areas and equipment will be required for all new residential developments, where appropriate in scale and impact, including making land available for this purpose. Planning conditions and/or planning obligations will be used to secure such facilities. Details about the provision, including standards, of new leisure and cultural facilities will be set out in a Supplementary Planning Document.'

SDP7 sets out the place-making objectives within the Masterplan and this refers to supporting health and well-being through opportunities for active lifestyles.

SDP15 states that the Northern Arc will provide a rich variety of attractive open spaces. These will support wider biodiversity objectives and promote change, pest and disease resilience, as well as meeting community needs for recreation and supporting health and wellbeing.

SDP11 and SDP17 of the Masterplan states that the proposed Secondary School *'will include on-site sports pitches and facilities and the aspiration is that these should be made available for community use outside of school hours.'*

A condition is attached to the outline permission requiring any outdoor sports pitches provided at the school to be made available for public/community use in accordance with a community use scheme. The proposal includes provision for the following external sports facilities:

- Floodlit Artificial Turf Pitch
- A Multi-Use Games Area (MUGA) for 3no. full size Netball Courts (with overlapping markings for 3no. Basketball courts and 3no. Tennis courts)

- 6 grass pitches for football/hockey/rugby
- Grass athletics track

An indoor sports hall has also been provided.

Access to the sports pitches has been provided to the south of the site from the pocket park immediately in front of the school, enabling access without having to enter the school buildings.

Sports England have assessed the proposal and have raised no objection to the proposal subject to the following conditions:

- Certification that the artificial grass pitch has met FIFA Quality Concept for Football Turf and has been registered on the Football Association's register of Football Turf Pitches
- Assessment of ground conditions for natural turf pitches and scheme to ensure they are provided to an adequate quality.
- Management and maintenance scheme for the artificial grass pitch.
- Community use agreement.

A community use agreement has been secured by condition on the outline scheme and it is not considered necessary to replicate that, the other conditions have been recommended.

The provision of these facilities is considered to meet the aims of Policies DP7, DP9 and DP24 of the District Plan and Masterplan objectives SDP7, SDP11, SDP15 and SDP17.

Residential Amenity

Paragraph 130 of the NPPF requires development to, inter alia, *'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.'*

Policy DP26 of the District Plan states, 'All development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development...does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution.'

The closest residential properties to the west of the application site are those at Woodfield Farm, Woodfield Bungalow, Woodfield Farmhouse and Woodfield House on Isaacs Lane and in particular, the proposed site wraps around the amenity space associated with Woodfield Bungalow.

The buildings themselves are located a significant distance away from these properties and as such there would be no loss of light, outlook or visual intrusion to these properties

There would be some loss of privacy to the amenity spaces associated with these properties adjacent to the site. Boundary treatment is proposed to be a 2.4m chainlink fence along the western boundary. This however could be screened should the occupants of those properties choose to. As such, this arrangement is acceptable.

Outline planning permission (with all matters reserved) has been granted for 30 dwellings at Woodfield House (DM/19/3769). Impact on the dwellings associated with that application will be assessed when the reserved matters are submitted. However, it is considered that an appropriate layout and design could be achieved on that site that could be compatible with the proposal.

A secondary school is likely to generate some level of noise and disturbance, however this would be generally be limited to school hours and times when the sports pitches are in use. Furthermore, this level of activity is generally considered to be compatible with residential properties in a residential area. Conditions are recommended to secure a Noise Management Plan and restrict the hours of lighting to ensure disturbance to surrounding residents is minimised.

It is acknowledged that there will be some degree of disruption during construction work but these would be temporary in nature and are necessary to facilitate the development. The building works will in any event be mitigated as much as possible through working hours restrictions and the Construction Environmental Management Plan that will control various matters such as construction traffic routes, site set up, contractor parking and other mitigation measures. These mitigation issues have already been secured through the conditions attached to the outline planning consent.

The proposal will not cause significant harm to neighbouring residential amenity. The application is therefore considered to be in accordance with Policies DP26 and DP27 of the District Plan and Paragraph 130 of the NPPF.

Accessibility and Equalities

Policy DP28 of the District Plan states:

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

The site is on a sloping site and as such the various wings are positioned at different levels. The building is fully accessible within and accessibility issues are managed externally as the car parking and arrival and drop off from the car park area are on the same level as the lower wing of the building

Transport, Highways and Movement

Policy DP21 of the District Plan states:

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

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

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

- The scheme is sustainably located to minimise the need for travel noting there might be circumstances where development needs to be located in the countryside, such as rural economic uses (see policy DP14: Sustainable Rural Development and the Rural Economy)'*
- Appropriate opportunities to facilitate and promote the increased use of alternative means of transport to the private car, such as the provision of, and access to, safe and convenient routes for walking, cycling and public transport, including suitable facilities for secure and safe cycle parking, have been fully explored and taken up'*
- The scheme is designed to adoptable standards, or other standards as agreed by the Local Planning Authority, including road widths and size of garages'*
- The scheme provides adequate car parking for the proposed development taking into account the accessibility of the development, the type, mix and use of the development and the availability and opportunities for public transport' and with the relevant Neighbourhood Plan where applicable'*
- Development which generates significant amounts of movement is supported by a Transport Assessment/ Statement and a Travel Plan that is effective and demonstrably deliverable including setting out how schemes will be funded'*
- The scheme provides appropriate mitigation to support new development on the local and strategic road network, including the transport network outside of the district, secured where necessary through appropriate legal agreements'*
- The scheme avoids severe additional traffic congestion, individually or cumulatively, taking account of any proposed mitigation'*
- The scheme protects the safety of road users and pedestrians' and*
- The scheme does not harm the special qualities of the South Downs National Park or the High Weald Area of Outstanding Natural Beauty through its transport impacts.*
- o*
- Where practical and viable, developments should be located and designed to incorporate facilities for charging plug-in and other ultra-low emission vehicles.'*

Policy DP22 states:

'Rights of way, Sustrans national cycle routes and recreational routes will be protected by ensuring development does not result in the loss of or does not adversely affect a right of way or other recreational routes unless a new route is provided which is of at least an equivalent value and which does not sever important routes.'

Access to the countryside will be encouraged by:

- *Ensuring that (where appropriate) development provides safe and convenient links to rights of way and other recreational routes'*
- *Supporting the provision of additional routes within and between settlements that contribute to providing a joined up network of routes where possible'*
- *Where appropriate, encouraging making new or existing rights of way multi-functional to allow for benefits for a range of users. (Note: 'multi-functional will generally mean able to be used by walkers, cyclists and horse-riders).'*

Policy DP7 states that strategic development will, inter alia

- *'Improve public transport, walking and cycling infrastructure and access to Burgess Hill and Wivelsfield railway stations and Burgess Hill Town Centre, including the provision of, or contributions to enhancing transport interchanges:*
- *Provide necessary transport improvements that take account of the wider impact of the development on the surrounding area'*
- *Provide highway improvements in and around Burgess Hill including addressing the limitations of the A2300 link road and its junction with the A23 and east-west traffic movements across Burgess Hill and, where necessary, improvements across the highway authority boundary in East Sussex'..*
- *Provide new and/or improved and well connected sports, recreation and open space in and around Burgess Hill, including the continuation of the existing 'Green Circle' of linked areas of informal open space around the town along with its associated network of multi-functional paths, the Green Circle network, and links into the town centre'*
- *Support the delivery of a multi-functional route between Burgess Hill and Haywards Heath'...'.*

Site specifically Policy DP9 requires *'A new Northern Link Road connecting through the Strategic Allocation Area from the A2300 to the A273 Isaacs Lane. New junctions will be provided on the A2300, B2036 Cuckfield Road and A273 Isaacs Lane. A road link across the river corridor will be required to facilitate a public transport route to Maple Drive.'*

The Masterplan sets out the following at SDP1-:

- *'Permeable layout that integrates with the surrounding highway network*
- *Maximise sustainable patterns of movement*
- *Highway design will direct traffic to the A2300 via the A273 and the Northern Arc avenue and minimise movement through the villages to the north of the site*

- *Northern Arc avenue to provide a new through connection between A273 Jane Murray Way and A2300 in the west and A273 and Maple Drive in the east*
- *Priority junctions and traffic signals favoured over roundabouts to support permeability for pedestrians and cyclists*
- *Two strategic pedestrian and cycle links: enhancing the existing Green Circle' and a new Green Super Highway*
- *Network of secondary pedestrian and cycle links will be provided throughout the Northern Arc linking the area to the wider town to provide attractive, convenient and safe routes to facilitate sustainable movement*
- *Three neighbourhood centres, connected to each other by the Northern Arc avenue, located so people can walk to local facilities and services within 5 to 10 minutes of their home, as well as being accessible by cycle, public transport and car.'*

SDP 2 of the Masterplan refers to the Northern Arc avenue and states that:
'In accordance with Local Plan policy, the development of the Northern Arc will include the provision of a link road between the A273 Isaac's Lane and the A2300 as described in SDP 1. This new link will be provided by the Northern Arc Avenue and will serve both as a through route (alongside the A273 Sussex Way/Jane Murray Way) and as a development access road.'

SDP3 of the Masterplan states that the Northern Arc will provide two strategic pedestrian and cycle links - an enhancement of the Green Circle and a Green Super Highway.

SDP4 of the Masterplan requires that, alongside the strategic links of SDP3, a network of pedestrian and cycle links will be provided throughout the Northern Arc linking into the existing town.

SDP10 of the Masterplan states that the Northern Arc will seek to maximise integration with the existing communities of Burgess Hill and the established facilities and services of the town and wider district.

The approved IDP also sets out the intent of the applicant to deliver appropriate infrastructure within the Northern Arc that would include the following:

- On Site Road Network
- Road and Footbridges
- Highway Access Point Works
- Public Transport Projects
- Sustainable Travel Projects
- Walking and Cycling Projects
- Active Mode Main Access Point Works
- Off-site Highway Works

The NPPF states that:

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

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

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

The school would be accessed from the Eastern Bridge and Link Road which was granted planning permission under reference DM/19/3313. The access to the school formed part of that permission. This development is currently under construction and is expected to be completed by spring 2023.

The submitted transport assessment indicates the site would generate a total of 1080 AM peak (8-9am) hour two way trips and 1044 two way School PM peak trips (3-4pm) and 158 two way Network PM peak (5-6pm) trips. A significant proportion of the trips are expected to be generated within the wider northern arc development and be undertaken by sustainable modes. The impact of the development has previously been assessed and accepted within the outline application.

A total of 66 staff car parking are to be provided within a staff car park and four accessible parking spaces are located close to the main entrance. An on-site set down area for 2 taxis/minibuses and 10-12 cars is proposed for student drop off/pick up and could accommodate 4 coaches on occasions such as school trips/sports events. This provision would be provided via a drop-off loop that would be provided from the access road.

As with any school it is not realistic to provide a level of parking on site to accommodate all vehicle trips that may occur, the adjoining development parcels include a level of visitor parking and suitable walking routes that would encourage drop offs and pick-ups around the wider development network. Furthermore, a school travel plan has been provided and seeks to reduce private car use by 10% by implementing a range of sustainable transport measures to both staff and students.

A total of 264 cycle parking spaces are to be provided including four accessible parking spaces. In addition space for a further 150 spaces has been reserved should the demand arise.

The level of parking and cycle parking has been provided based on the sites needs and following assessment of suitable comparator sites and the methodology is considered acceptable.

WSSC have commented on the proposals and have raised no objection subject to conditions to secure the car and cycle parking. WSSC have also recommended a condition to secure a Construction Management Plan, however, there is a condition

on the outline consent to secure this and it is not considered necessary to repeat this.

The proposal would have an acceptable impact on transport and highways issues in accordance with Policies DP7, DP9, DP21 and DP22 of the District Plan, SDP1, SDP2, SDP3, SDP4 and SDP10 of the Masterplan, the IDP and the NPPF.

Ecology

Policy DP7 states in part that strategic development will: *'Identify and respond to environmental, landscape and ecological constraints and deliver opportunities to enhance local biodiversity and contribute to the delivery of green infrastructure in and around the town in accordance with policies elsewhere in the Plan including DP38: Biodiversity'...*

DP9 also makes clear that *'the relevant land uses and infrastructure delivery for each phase: Identify and take account of environmental, landscape and ecological constraints including where possible avoiding or minimising harm to sensitive receptors and appropriately responding to the landscape setting including retention of woodland, hedgerows and other important natural features wherever possible and appropriate landscaping and safe design of balancing ponds and water/drainage features' and deliver opportunities and requirements as set out in Policy DP7: General Principles for Strategic Development at Burgess Hill and DP38: Biodiversity...*

Policy DP38 of the District Plan states:

'Biodiversity will be protected and enhanced by ensuring development:

- Contributes and takes opportunities to improve, enhance, manage and restore biodiversity and green infrastructure, so that there is a net gain in biodiversity, including through creating new designated sites and locally relevant habitats, and incorporating biodiversity features within developments' and*
- Protects existing biodiversity, so that there is no net loss of biodiversity. Appropriate measures should be taken to avoid and reduce disturbance to sensitive habitats and species. Unavoidable damage to biodiversity must be offset through ecological enhancements and mitigation measures (or compensation measures in exceptional circumstances)' and*
- Minimises habitat and species fragmentation and maximises opportunities to enhance and restore ecological corridors to connect natural habitats and increase coherence and resilience' and*
- Promotes the restoration, management and expansion of priority habitats in the District' and*
- Avoids damage to, protects and enhances the special characteristics of internationally designated Special Protection Areas, Special Areas of Conservation' nationally designated Sites of Special Scientific Interest, Areas of Outstanding Natural Beauty' and locally designated Sites of Nature Conservation Importance, Local Nature Reserves and Ancient Woodland or to other areas identified as being of nature conservation or geological interest, including wildlife corridors, aged or veteran trees, Biodiversity Opportunity Areas, and Nature Improvement Areas.*

Designated sites will be given protection and appropriate weight according to their importance and the contribution they make to wider ecological networks.

Valued soils will be protected and enhanced, including the best and most versatile agricultural land, and development should not contribute to unacceptable levels of soil pollution.

Geodiversity will be protected by ensuring development prevents harm to geological conservation interests, and where possible, enhances such interests. Geological conservation interests include Regionally Important Geological and Geomorphological Sites.'

SDP14 (Landscape and Green Infrastructure) of the Masterplan states that: 'The Masterplan will preserve landscape features and wherever possible respect the landscape setting of nearby listed buildings and non-designated heritage assets. It will also deliver a net gain in biodiversity. This will be achieved by delivering ecological enhancements within the green infrastructure areas, such as ecologically valuable SuDS systems, private and shared garden and amenity space, and passive measures elsewhere such as green and brown roofs and the creation of new habitats through measures to support wildlife such as, for example, bat boxes. The development provides an opportunity to increase the diversity and resilience of tree cover, particularly in relation to climate change, pests and disease, as well as delivering a range of amenity benefits.'

SDP15 of the Masterplan sets out that 'the Northern Arc will provide a rich variety of attractive open spaces. These will support wider biodiversity objectives and promote climate change, pest and disease resilience, as well as meeting community needs for recreation and supporting health and well-being.'

SDP16 (Ancient Woodland and Veteran Trees) of the Masterplan sets out that, 'the multiple designated Ancient Woodlands within the Northern Arc, which are an irreplaceable habitat, will be retained and protected through a sensitive design approach. Ancient Woodlands will be incorporated into the framework of green spaces and protected by a buffer zone.'

The IDP identifies that the network of woodland and natural open space throughout the site is intended to create strong green corridors.

At national level, the NPPF states in part at paragraph 170 that:

'Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan)'*
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland'.....*

- c) *minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures'...*

Paragraph 175 is also relevant to the determination of planning applications with this stating that:

'When determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused'*
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest'*
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists' and*
- d) development whose primary objective is to conserve or enhance biodiversity should be supported' while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.'*

The Councils Ecologist has reviewed the application and is satisfied that there is sufficient ecological information available for determination of this reserved matters application in order to provide certainty of the likely impacts on designated sites, protected and Priority species and habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

The proposed Northern Arc Secondary School site is located on existing agricultural land, consisting primarily of three fields of grassland pasture divided by existing mature hedgerows. The design of the proposal includes:

- retention of hedgerow habitats' retention and protection of mature trees' retention and avoidance of impacts to tree with bats roosts'
- sensitive external lighting design in line with ILP guidance note 08/18 and condition 40 of DM/18/5114, to avoid light spill onto the tree roost and key bat foraging/commuting corridor adjacent to the northern boundary of the Application Site (along Ten Acre Gill Ancient woodland)'
- habitat creation including planting of native shrubs, trees, grassland meadow strips and flower-abundant lawn areas' provision of bird and bat boxes'
- provision of small gaps in boundary fencing to retain permeability of the Application Site for wildlife, primarily Hazel Dormouse and Hedgehog.

- lighting scheme for the proposed development has been designed with input from an Ecologist, and seeks to minimise any adverse impact on biodiversity.

The ecologist considers that the mitigation measures identified in the Ecological Impact Assessment - Burgess Hill Northern Arc Secondary School (Atkins, July 2022) meet the requirements of condition 20 of DM/18/5114 and should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species particularly Hazel Dormouse, bats and Hedgehog.

Biodiversity enhancements are also proposed on the site, including the provision of:

- bird and bat boxes
- small gaps in boundary fencing to retain permeability of the Application Site for wildlife, primarily hazel dormouse and hedgehog
- extensive green (sedum) roof on the cycle store

These reasonable enhancements have been recommended to secure net gains for biodiversity, as outlined under Paragraph 174d of the National Planning Policy Framework (2021).

The Councils Ecologist recommend that the bird and bat boxes are integrated ones to ensure these features are permanent and full details including locations for the bird and bat boxes and hedgehog friendly fencing should be outlined within a Biodiversity Enhancement Strategy and should be secured by a condition of any consent to enable the LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

Biodiversity net gain calculations have not been included with the application and will be secured by condition to ensure that the Council have an understanding of how Biodiversity Net Gain is being achieved at the Northern Arc overall.

The Councils Ecologist has recommended conditions to secure the measures contained within the Ecological Impact Assessment and a Biodiversity Enhancement Strategy. Subject to these conditions, the impact of the proposal is considered to be acceptable.

The reserved matters submission is therefore considered to be in accordance with Policies DP7, DP9 and DP38 of the District Plan, Principles SDP14, SDP15 and SDP16 of the Masterplan, the IDP and the NPPF in relation to ecology.

Drainage

Policy DP41 of the District Plan states:

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

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

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

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

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

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

SDP20 of the Masterplan states that green infrastructure will help to reduce flood risk and manage storm water through an extensive network of SuDS.

The IDP identifies that the Northern Arc will deliver potable water, surface water and foul water projects to the development.

Details of Sustainable Drainage has been addressed through the outline permission with a condition being used to secure full details of the drainage.

Notwithstanding this the Council's Drainage Officer has been consulted and has commented that the overall surface water drainage strategy, with attenuation and discharge to a watercourse (via regional drainage), appears largely acceptable. However, the discharge rates should be restricted to the Greenfield QBar rate for the area being drained by that discharge point and not the whole site area.

The proposed drainage relies on drainage features in the Northern Arc drainage masterplan which are outside the reserved matters boundary (but within the Northern Arc boundary). These will need to be designed as part of the schools drainage design and implemented alongside the schools drainage.

In light of the above comments, the proposal is considered to be in accordance with Policies DP9, DP41 and DP42 of the District Plan, Principles SDP20 and SDP23 of the Masterplan, the IDP and the NPPF.

Sustainability

Policy DP39 of the District Plan states:

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

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

SDP21 (Climate Resilient Development) of the Masterplan states that:

'Development within the Northern Arc will seek to make best possible use of passive design approaches to optimise the internal comfort of buildings. Coupled with extensive green infrastructure, these will in turn help to manage external comfort by managing air flows, temperature and shade.

Green infrastructure will also help to reduce flood risk and manage storm water through an extensive network of biodiverse SuDS. Evidence of response to future climate projections (i.e. UKCP18) will be required for all future development.

Green infrastructure will be designed with species that are tolerant to the prevailing climatic conditions of the south east, in order to respond to the hotter, drier summers and the colder winters. Additionally, a wide palette of species will be used to enhance the existing species range on site in order to improve resilience to pests and diseases.'

SDP22 (Low Carbon Energy) of the Masterplan states that:

'Development at the Northern Arc will promote low carbon energy technologies, meeting criterion 1 of Part L of Building Regulations through passive design and embracing the transition to electric vehicles.

Buildings will be oriented for solar gain, alongside fabric efficiency measures. The development will also incorporate low carbon energy generation/distribution to ensure that energy performance delivers a meaningful reduction in carbon emissions from the baseline. This could include the use of emerging technologies, such as waste heat networks and local electricity storage and aggregation.

All properties with off- street parking will include charging points. For properties with on-street parking, there will be sufficient charging points to be ahead of the emerging electric vehicle market. The development will also include rapid charging points for taxis and buses and will provide electric car clubs to help reduce congestion and overall vehicle movement.'

SDP23 (Integrated Water Management) of the Masterplan states that:

'Responding to the challenge of water stress across the South East, the Northern Arc will identify opportunities to reduce potable water demand to below the 110 litres per day required by Part G of the Building Regulations.'

'To deliver this, a non-potable water network will be required, building on the existing commitment to an extensive network of natural SuDS which, as well as mitigating flood risk, will provide an alternative source of water and allow for the potential reuse of waste water.'

SDP24 (Construction and Material Use) of the Masterplan states that:

'The development will take into consideration the whole life cost and embodied carbon of all building materials to encourage innovated and sustainable use of natural resources. This will include the principles of 'Long life/loose fit' - buildings designed for adaptability with a simple floor plate, good daylighting, generous floor to ceiling heights and adequate space for servicing that enables easy reconfiguration of internal space as well as design for disassembly.'

Homes England has an ambition to deliver homes at the Northern Arc at an accelerated pace, including through the use of Modern Methods of Construction (MMC). These comprise use of volumetric systems, panelised systems and systems which use pre-manufactured components.'

Paragraph 150 of the NPPF seeks to ensure new development helps, *'to reduce greenhouse gas emissions, such as through its location, orientation and design.'* Paragraphs 153 expects new development to, *'take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.'*

The proposal aims to achieve a net zero carbon strategy and Passivhaus certification.

The development incorporates the following measures:

- The building design has taken a fabric first approach to optimise the passive design opportunities and minimise the energy demand.
- To achieve the Net Zero Carbon strategy, there will be no natural gas supply to the project. Gas supply to science laboratory will be via bottled gas cylinders. Kitchens, catering, and food technology rooms will be provided by all electrical cooking.
- The main building will be provided with crossflow natural ventilation for fresh air and passive cooling as the default ventilation method.
- The main building will be provided with supply and extract mechanical ventilation with heat recovery.
- The primary energy source for space heating and cooling is to be provided by ground source heat pump, GSHP.
- The ventilation plant will be located within the thermal envelope to minimise the energy loss.
- For majority of the year, the building will operate in mixed-mode ventilation to maintain indoor temperature and indoor air quality.

- To achieve the Passivhaus requirements for good indoor air quality, continuous background ventilation will be provided with variable speed control for summer conditions.
- To achieve the Passivhaus requirements for indoor air temperature, cooling will be provided via a GSHP system operating in reverse cycle.
- A new electrical substation will be located at the perimeter of the school site to provide a power supply to the main building, sports block, electric vehicle charging units.
- Metering will be more granular than a typical building to facilitate energy recording usage and management.
- Lighting will be provided using LED sources internally and externally.
- An automatic lighting control system will have daylight, movement detection and time-zoned to improve energy performance.

The proposals are considered to be highly sustainable and would be secured by condition. The sustainability benefits of the scheme are a benefit of considerable weight, as the sustainability measures in place go significantly beyond the requirements of MSDC Policy.

The proposal is therefore considered to be in accordance with Policy DP39 of the District Plan, Principles SDP21, SDP22, SDP23 and SDP24 of the Masterplan, the IDP and paragraphs 150 and 153 of the NPPF.

EIA Regulations

The proposal is part of a project that is EIA development. The outline planning application, DM/18/5114, was accompanied by an Environmental Statement. This application is considered to be a subsequent application as it is part of the same project.

It is considered that the environmental information already before the Council is adequate to assess the significant effects of the development of the environment. It is considered that the development is in broad accordance with the outline planning permission and as such the conclusions of the Environmental Statement submitted under that application remain relevant.

Planning Balance and Conclusion

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 principle of the development has been established through the granting of the outline planning permission DM/18/5114. The site is also part of a strategic allocation in the District Plan and a Masterplan and Infrastructure Delivery Plan have been approved for the site. Great weight should be given to the need to create schools.

The impact of the scheme on the surrounding landscape and the trees is considered acceptable.

The proposal provides high quality sports pitch provision, both for the pupils of the school and the wider community.

No objections are raised to the proposal by the local highway authority. Adequate levels of car and cycle parking are provided.

The proposal demonstrates that the proposal is accessible and there are no concerns in relation to equalities.

The proposal will not result in demonstrable significant harm to neighbouring residential amenity.

There are no technical reasons to object to the scheme in respect of water resources, flood risk and drainage.

The proposal is considered to be highly sustainable and aims to be net zero carbon and passivhaus certified. The proposal accords and goes beyond the Council's sustainability policy requirements.

The effects of the development in respect of the ecological and biodiversity are acceptable.

The proposal is not considered to be entirely in accordance with the Northern Arc Design Guide and Principle SDP9 of the Masterplan. However, no objection is raised to the scheme by the Council's Urban Designer and the identified harm is considered to be outweighed by the above benefits, in particular the ambitious sustainability credentials of the scheme.

The application is deemed to comply with policies DP4, DP6, DP7, DP9, DP20, DP21, DP22, DP23, DP26, DP28, DP29, DP30, DP31, DP34, DP37, DP38, DP39, DP41 and DP42 of the Mid Sussex District Plan, the Northern Arc Masterplan (2018) with the exception of Principle SDP9, the Northern Arc Infrastructure Delivery Plan and Phasing Strategy (2018) and the NPPF.

APPENDIX A – RECOMMENDED CONDITIONS

1. Unless otherwise agreed in writing the development shall be carried out in accordance with the following plans:

BHNAS-ATK-01-ZZ-D-A-021001 Rev P01, BHNAS-ATK-01-ZZ-D-A-021002 Rev P01, BHNAS-ATK-01-ZZ-D-A-021003 Rev P02, BHNAS-ATK-01-ZZ-D-A-012001 Rev P01, BHNAS-ATK-01-ZZ-D-A-012002 Rev P02, BHNAS-ATK-01-ZZ-D-A-012003 Rev P01, BHNAS-ATK-01-ZZ-D-A-012010 Rev P01, BHNAS-ATK-01-ZZ-D-A-012011 Rev P01, BHNAS-ATK-01-ZZ-D-A-012012 Rev P01, BHNAS-ATK-01-ZZ-D-A-012013 Rev P01, BHNAS-ATK-01-ZZ-D-A-012014 Rev P01, BHNAS-ATK-

01-ZZ-D-A-012015 Rev P01, BHNAS-ATK-01-ZZ-D-A-013001 Rev P01, BHNAS-ATK-01-ZZ-D-A-013002 Rev P01, BHNAS-ATK-01-G1-D-A-011001 Rev P01, BHNAS-ATK-01-G2-D-A-011002 Rev P01, BHNAS-ATK-01-01-D-A-011003 Rev P01, BHNAS-ATK-01-RF-D-A-011004 Rev P01, BHNAS-ATK-01-XX-D-A-011010 Rev P01, BHNAS-ATK-01-XX-D-A-011011 Rev P01, BHNAS-ATK-01-XX-D-A-011012 Rev P01, BHNAS-ATK-01-XX-D-A-011013 Rev P01, BHNAS-ATK-01-XX-D-A-011014 Rev P01, BHNAS-ATK-01-XX-D-A-011015 Rev P01, BHNAS-ATK-0101-G1-D-A-011020 Rev P01, BHNAS-ATK-01-G1-D-A-0120100 Rev P01, BHNAS-ATK-01-XX-D-A-017010 Rev P01, BHNAS-ATK-01-XX-D-A-017011 Rev P01, BHNAS-ATK-01-XX-D-A-017012 Rev P02, BHNAS-ATK-01-XX-D-A-017013 Rev P01, BHNAS-ATK-01-XX-D-A-017014 Rev P01, BHNAS-ATK-01-XX-D-A-034009 Rev P01, BHNAS-ATK-01-ZZ-D-A-017015 Rev P02, BHNAS-ATK-XX-XX-D-L-401001 Rev P10, BHNAS-ATK-XX-XX-D-L-401201 Rev P06, BHNAS-ATK-XX-XX-D-L-411001 Rev P08, 50Y001-ATK-XX-XX-D-L-461001 Rev P06.

Reason: To ensure an acceptable development in accordance with Policy DP9 of the District Plan.

2. Prior to the commencement of development, the following shall be submitted to and approved by the Local Planning Authority:
 - a) Details and samples of the external facing materials for all buildings.
 - b) Details of the solar PV's and a detailed section showing their relationship with the proposed roof parapet
 - c) Details and elevations of the roof top plant

The development shall be carried out in accordance with the approved details prior to the occupation of the development.

Reason: In the interests of visual amenity in accordance with DP9, DP26 of the District Plan.

3. Prior to the commencement of the development, full hard and soft landscaping details shall be submitted and approved by the Local Planning Authority. These shall include details of:
 - a) Details of all existing trees and hedgerows to be retained on the site, and a method statement detailing measures for the protection of the trees and hedgerows during the course of the development.
 - b) New planting
 - c) Hard surfacing
 - d) Boundary treatments
 - e) Section drawing showing the relationship of the external dining area and the highway
 - f) Landscape management plan
 - g) Timescales for implementation

The development shall be carried out in accordance with the approved details in accordance with the timescales agreed under part g of this condition. 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 to ensure an acceptable impact on retained trees in accordance with DP9, DP26 and DP37 of the District Plan.

4.
 - a) Prior to the commencement of development a Passivhaus concept stage design verification report shall be submitted to and approved by the Local Planning Authority.
 - b) Prior to the commencement of development, an updated Passivhaus Design Verification Report shall be submitted to and approved by the Local Planning Authority.
 - c) Prior to the occupation of the development, a site verification report and Passivhaus certificate demonstrating compliance with parts a and b of this condition shall be submitted to and approved by the Local Planning Authority.

Reason: In the interests of visual amenity and to ensure an acceptable impact on retained trees in accordance with DP9, DP26 and DP37 of the District Plan.

5. All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment - Burgess Hill Northern Arc Secondary School (Atkins, July 2022) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and Policy DP38 of the District Plan.

6. Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:
 - a) Purpose and conservation objectives for the proposed enhancement measures;
 - b) detailed designs or product descriptions to achieve stated objectives;
 - c) locations, orientations, and heights of proposed enhancement measures by appropriate maps and plans;
 - d) persons responsible for implementing the enhancement measures;
 - e) details of initial aftercare and long-term maintenance (where relevant).
 - f) details of timescales for implementation

The works shall be implemented in accordance with the approved details and in accordance with the timescales agreed in part f of this condition and shall be retained in that manner thereafter.

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the NPPF 2021 and s40 of the NERC Act 2006 (Priority habitats & species) and Policy DP38 of the District Plan.

7. Prior to commencement of development, a Biodiversity Net Gain Design Stage Report, in line with Table 2 of CIEEM Biodiversity Net Gain report and audit templates (July 2021), shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Net Gain report should include the following:

- Baseline data collection and assessment of current conditions on site,
- A commitment to measures in line with the Mitigation Hierarchy and evidence of how BNG Principles have been applied to maximise benefits to biodiversity,
- Provision of the full BNG calculations, with plans for pre and post development and detailed justifications for the choice of habitat types, distinctiveness and condition, connectivity and ecological functionality,
- Details of the implementation measures and management of proposals,
- Details of the monitoring and auditing measures.

Any proposed enhancement measures shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

Reasons: In order to demonstrate measurable net gains and allow the LPA to discharge its duties under the NPPF (2021) and Policy DP38 of the District Plan.

8. Use of the Artificial Grass Pitch shall not commence until:

- a) certification that the Artificial Grass Pitch hereby permitted has met FIFA Quality Concept for Football Turf - FIFA Quality or equivalent International Artificial Turf Standard (IMS) and
- b) confirmation that the facility has been registered on the Football Association's Register of Football Turf Pitches have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is fit for purpose and sustainable, provides sporting benefits and to accord with Policy DP24 of the District Plan.

9. No development shall take place unless and until:

- a) A detailed assessment of ground conditions of the land proposed for the new natural turf playing pitches shall be undertaken (including drainage and topography) to identify constraints which could affect playing field quality, and
- b) Based on the results of this assessment to be carried out pursuant to (a) above of this condition, a detailed scheme to ensure that the playing fields will be provided to an acceptable quality (including appropriate drainage where necessary) shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England.
- c) Timescales for implementation

The works shall be carried out in accordance with the timescales agreed in part c of this condition.

Reason: To ensure that site surveys are undertaken for new playing fields and that any ground condition constraints can be and are mitigated to ensure provision of an adequate quality playing field and to accord with Policy DP24 of the District Plan.

10. Prior to the bringing into use of the Artificial Grass Pitch a Management and Maintenance Scheme for the facility including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The approved Management and Maintenance scheme shall include measures to ensure the replacement of the artificial surface within a specified period) The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the Artificial Grass Pitch.

Reason: To ensure that new facility is capable of being managed and maintained to deliver an Artificial Grass Pitch which is fit for purpose and sustainable to accord with Policy DP24 of the District Plan.

11. No use of the MUGA or any sports pitch shall be permitted until a Noise Management Plan (NMP) for that pitch/area has been submitted to and approved in writing by the Local Planning Authority. The Management Plan shall be in accordance with best practise and shall be implemented in full and complied with thereafter unless otherwise agreed in writing by the Local Planning Authority.

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

12. The all-weather pitch flood-lighting shall only be used between the hours of 0800 and 2000 on any day, unless otherwise agreed in writing with the LPA.

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

13. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide alternative travel options to the use of the car in accordance with Policy DP21 of the District Plan.

14. No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use in accordance with Policy DP21 of the District Plan.

15. Prior to the occupation of the development, Electric Vehicle Charging Points shall be installed in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure an acceptable level of EV charging points in accordance with Policy DP21 of the District Plan.

INFORMATIVES

1. The proposed development will require formal address allocation. You are advised to contact the Council's Street Naming and Numbering Officer before work starts on site. Details of fees and advice for developers can be found at www.midsussex.gov.uk/streetnaming or by phone on 01444 477175.
2. The applicant is advised that pitches to be used for Step 1 and Step 2 level football matches should be built in accordance with FIFA Quality Concept for Football Turf - FIFA Quality Pro and Steps 3 to 6 should be built in accordance with FIFA Quality as a minimum and tested annually as per and tested annually as per league rules.
3. Sport England recommend that the drainage assessment and improvement/management scheme required by condition 9 is undertaken by a specialist turf consultant.
4. It is recommended that Sport England's model template is used to prepare the Community use Agreement required by condition 61 of the Outline Planning Permission (DM/18/5114). The agreement shall apply to the Artificial Grass Pitch, natural turf pitches, MUGA and sports hall, change and toilet facilities and car parking and include details of pricing policy, hours of use, access by non-school users, management responsibilities and a mechanism for review.
5. The applicant is advised that the erection of temporary directional signage should be agreed with the Local Traffic Engineer prior to any signage being installed. The applicant should be aware that a charge will be applied for this service.

APPENDIX B – CONSULTATIONS

Archaeologist

This office has reviewed the submitted archaeological evaluation report and found it to be of a high standard' it accurately presents the results of the archaeological investigation in a professional and thorough manner.

Although the evaluation has shown that the majority of the development site contains little in the way of archaeological remains, the south-east corner contains a small concentration of pits of currently unknown date and purpose.

This office recommends a small-scale archaeological excavation is undertaken in this area of the site, with the specified aim of determining the date and use of these pits and determining if any further archaeological features are present.

Accordingly, the following condition is therefore recommended, in accordance with the National Planning Policy Framework, paragraph 205:

RECOMMENDATION: Archaeological Excavation

(i) No development or preliminary groundworks of any kind shall take place until a mitigation strategy, detailing a programme of archaeological excavation, alongside a Written Scheme of Investigation, has been submitted by the applicant and approved in writing by the local planning authority.

(ii) No development or preliminary groundworks can commence on the approved excavation areas until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been approved in writing by the local planning authority.

(iii) The applicant will submit to the local planning authority a post excavation assessment (to be submitted within six months of the completion of the fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

This office is happy to discuss with the applicant, or their archaeological consultant, the location and extent of proposed excavation areas and the mitigation strategy.

If you have any further questions please do not hesitate to contact me.

Tree Officer

Whilst I note no trees are being removed to facilitate the development, there are significant implications for a number of Cat A trees and others including T425, 422, 415, 414, 426, 433 with substantial incursions into RPAs due to level changes to facilitate the footway and sports pitches.

A method statement should be submitted detailing how this will work.

There is an 11m section of hedgerow to be removed and I'm not clear if this will be replaced. Landscaping plans appear within the ecology documents and plant selections are appropriate. However, a detailed landscaping plan/specification should be submitted.

Environmental Health Officer

I have read the phase 2 Ground Investigation report by 1st Horizon, dated the 19th July 2022, (Ref: BH7250-R12), and this will be acceptable.

The intrusive investigation has not found any contamination above the general assessment criteria for public open space use.

As such, the conceptual site model has been up-dated with the results from the intrusive investigation, and it has been found that the site is fit for its intended end use, based on current data. However, a watching brief / discovery strategy should still be in place.

Thank you for consulting Place Services on the above reserved matters application.

We have reviewed the Ecological Impact Assessment (EclA) - Burgess Hill Northern Arc Secondary School Rev PL-01 (Atkins, July 2022), External Lighting Report (Cundall, July 2022) and Planning Statement (Strutt and Parker, August 2022) supplied by the applicant, relating to the likely impacts of development on designated sites, protected and Priority species and habitats

and identification of proportionate mitigation. We note that the proposal for the secondary school has also been developed having regard to the Parameter Plans and Design Code approved as part of the wider Outline application for the site.

We are satisfied that there is sufficient ecological information available for determination of this reserved matters application.

This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species and habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

We note that the proposed Northern Arc Secondary School site is located on existing agricultural land, consisting primarily of three fields of grassland pasture divided by existing mature hedgerows. We welcome the design that includes:

- retention of hedgerow habitats' retention and protection of mature trees' retention and avoidance of impacts to tree with bats roosts to comply with conditions 35 and 36 of DM/18/5114 to protect ancient woodland '
- sensitive external lighting design in line with ILP guidance note 08/18 and condition 40 of DM/18/5114, to avoid light spill onto the tree roost and key bat foraging/commuting corridor adjacent to the northern boundary of the Application Site (along Ten Acre Gill Ancient woodland)'
- habitat creation including planting of native shrubs, trees, grassland meadow strips and flower-abundant lawn areas' provision of bird and bat boxes'
- and provision of small gaps in boundary fencing to retain permeability of the Application Site for wildlife, primarily Hazel Dormouse and Hedgehog.

We also note that the lighting scheme for the proposed development has been designed with input from an Ecologist, and seeks to minimise any adverse impact on biodiversity. More details are available in the External Lighting Report(Cundall, July 2022).

The mitigation measures identified in the Ecological Impact Assessment - Burgess Hill Northern Arc Secondary School (Atkins, July 2022) are meet the requirements of condition 20 of DM/18/5114 and should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species particularly Hazel Dormouse, bats and Hedgehog.

We also support the proposed reasonable biodiversity enhancements which include the provision of:

- bird and bat boxes
- small gaps in boundary fencing to retain permeability of the Application Site for wildlife, primarily hazel dormouse and hedgehog.
- extensive green (sedum) roof on the cycle store (included in drawings BHNAS-ATK-01-XX-D-A-011011 Rev P1 and BHNAS-ATK-01-XX-D-A-011012 both Rev P1),

These reasonable enhancements have been recommended to secure net gains for biodiversity, as outlined under Paragraph 174d of the National Planning Policy Framework (2021). We recommend that the bird and bat boxes are integrated ones to ensure these features are permanent and full details including locations for the bird and bat boxes and hedgehog friendly fencing should be outlined within a Biodiversity Enhancement Strategy and should be secured by a condition of any consent.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006. Impacts will be minimised such that the proposal is acceptable, subject to the conditions below based on BS42020:2013.

We recommend that submission for approval and implementation of the details below should be a condition of any planning consent.

Recommended conditions

1. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

'All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment - Burgess Hill Northern Arc Secondary School (Atkins, July 2022) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.'

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats and species).

2. PRIOR TO ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT STRATEGY

'A Biodiversity Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures'
- b) detailed designs or product descriptions to achieve stated objectives'
- c) locations, orientations, and heights of proposed enhancement measures by appropriate maps and plans'
- d) persons responsible for implementing the enhancement measures'
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner thereafter.'

Reason: To enhance protected and Priority species and habitats and allow the LPA to discharge its duties under the NPPF 2021 and s40 of the NERC Act 2006 (Priority habitats and species).

WSCC Highway Authority

The application is for the reserved matters, pursuant to outline application DM/18/5114 for the erection of a Secondary School at the Burgess Hill Northern Arc development.

The applicant has engaged in pre application discussions between March and June 2022.

The development proposes a 6 form entry secondary school with an expected enlement of 900 pupils and a dedicated Special Support Centre (SSC) which will accommodate an additional 16 Autism Spectrum Disorder (ASD) pupils. The school is expected to employ c.90 staff, with an additional 4-6 staff members working within the SSC

Access and Highway Works

The site access and offsite highway works outside the redline boundary of this application have previously been secured and approved by the outline planning application DM/18/5114 and planning applications for the eastern link road ref DM/19/3313.

Parking

A total of 66 staff car parking are to be provided within a staff car park and four accessible parking spaces are located close to the main entrance.

A on site set down area for 2 taxis/minibuses and 10-12 cars is proposed for student drop off/pick up and could accommodate 4 coaches on occasions such as school trips/sports events. As with any school it is not realistic to provide a level of parking on site to accommodate all vehicle trips that may occur, the adjoining development parcels include a level of visitor parking and suitable walking routes that would encourage drop offs and pick-ups around the wider development network.

Cycle Parking

A total of 264 cycle parking spaces are to be provided including four accessible parking spaces. In addition space for a further 150 spaces has been reserved should the demand arise.

The level of parking and cycle parking has been provided based on the sites needs and following assessment of suitable comparator sites.

Layout

A drop off loop is provided from the site access and will be utilised by school buses and private vehicles as well as providing access to the school car park.

Vehicle Tracking

Swept path analysis has been undertaken to determine the suitability of the site access junction for large vehicles. For a 15m long coach, there is significant over-run onto the opposite side of the road for movements into the junction and slight over-sail onto the footway. For movements out of the junction, there is significant over-sail onto the opposite side of the road however it is noted that these issues relate to the highway works already approved and are outside the redline boundary.

Internal of the site.

Vehicle tracking for a refuse vehicle within the site has been provided, the vehicle does over run of the centreline of the site access however relates to highway works already approved and movements are likely to be outside the peak hours.

Trip Generation

The submitted transport assessment indicates the site would generate a total of 1080 AM peak (8-9) hour two way trips and 1044 two way School PM peak trips (3-4) and 158 two way Network PM peak (5-6) trips. A significant proportion of the trips are expected to be generated within the wider norther arc development and be undertaken by sustainable modes.

The impact of the development has previously been assessed within the outline application.

School Travel Plan

A school travel plan has been provided and seeks to reduce private car use by 10percent by implementing a range of sustainable transport measures to both staff and students.

Conclusion

No objection to the application is raised subject to the following conditions

Car parking space (details approved)

No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use

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 site plan. These spaces shall thereafter be retained at all times for their designated purpose.

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

Construction Management Plan

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

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

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

Informative

Temporary Developer Signage

The applicant is advised that the erection of temporary directional signage should be agreed with the Local Traffic Engineer prior to any signage being installed. The applicant should be aware that a charge will be applied for this service.

Southern Water

Thank you for your letter dated 19/08/2022.

No discharge of foul sewerage from the site shall be discharged into the public system until offsite drainage works to provide sufficient capacity within foul network to cope with additional sewerage flows are complete. Southern Water is currently in process of designing and planning delivery of offsite sewerage network reinforcements.

Under current legislation, Southern Water can consider the adoption of SuDS if they are to be designed and constructed in line with the Design and Construction Guidance (water.org.uk/sewerage-sector-guidance-approved-documents/). No new soakaways,

swales, ponds, watercourses, associated attenuation tanks or any other surface water retaining or conveying features should be located within 5 metres of a public or adoptable gravity sewer, rising main or water main.

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

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

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

Drainage

I've reviewed the drainage strategy submitted in support of the above reserve matters application and can provide the following comments.

The overall surface water drainage strategy, with attenuation and discharge to a watercourse (via regional drainage), appears largely acceptable. However, I would advise that the discharge rates should be restricted to the Greenfield QBar rate for the area being drained by that discharge point and not the whole site area.

The strategy proposes to use tree pits with additional attenuation. I have no objection to this but would advise that Irene looks at this to ensure the principle / proposed approach on size etc is acceptable in terms of trees.

I would also point out that the applicant's surface water drainage systems discharge into what they describe as 'masterplan main sewers'. These appear to be the sections of the regional drainage features located between the secondary school's redline site boundary and the watercourse discharge points set out in the Masterplan. I am unsure who is set out to construct these sections but they will need to either be in place prior to final design (to ensure invert levels work properly) or designed and constructed as part of the school's drainage design.

Overall, subject to Irene's comments about tree pits, the flood risk and drainage team are happy for the development to address detailed drainage design at discharge of conditions stage.

Environmental Health Officer

The reserved matters application raises a number of issues for Environmental Protection. Some are already addressed by existing conditions for the outline permission, while others are still relevant.

Air Quality - The Planning statement indicates that 16 'passive-type' EV charging spaces are proposed. This is not in accordance with our requirements which are for active charging spaces.

Noise and Light - The submitted Technical Note for Acoustics recognises that 'The location of the all-weather pitch is not recommended from both an acoustic and light-spill perspective' but advises that an alternative location is not available due to other constraints. In my view, given the circumstances, the all-weather pitch is viable in this location but must accept restrictions if it is to operate without significant adverse effect on residential amenity. The Technical Note agrees, noting that without careful noise control, complaints from local residents may be generated. It lists a number of measures that could be used to control noise and suggests limiting the hours of use of the lighting to between 0700 and 2100 hours.

However, in my view, considering the proximity of the houses and the potential for disturbance on a daily basis, I believe that these lighting hours are too generous. The Technical Note also recommends a Noise Management Plan to control noise and I agree with this and recommend conditions accordingly:

Conditions:

Noise from MUGA/Sports Pitches - No use of the MUGA or any sports pitch shall be permitted until a Noise Management Plan (NMP) for that pitch/area has been submitted to and approved in writing by the Local Planning Authority. The Management Plan shall be in accordance with best practice and shall be implemented in full and complied with thereafter unless otherwise agreed in writing by the Local Planning Authority.

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

Lighting - The all-weather pitch flood-lighting shall only be used between the hours of 0800 and 2000 on any day, unless otherwise agreed in writing with the LPA.

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

****NOTE**** Whilst I have recommended 0800 to 2000 hrs for lighting, it may be that a more tailored approach could be appropriate, for example 0800 to 1800 hrs Sun to Weds, 0800 to 2100 Thurs to Sat. The hours could be negotiated with the applicants and should tie in with the NMP, so will depend on the intended use and controls.

Please contact me if you or the applicants wish to discuss further.

Sport England

Thank you for consulting Sport England in respect of the reserved matters relating to the secondary school pursuant to outline planning permission reference DM/18/5114 Sport England previously commented on the outline planning application at which time we raised concerns that the sports content of the scheme was not clearly identified and secured. We therefore welcome the pitches and facilities now proposed at the school in addition to those that are planned for the Centre for Outdoor Sport community sports hub at the southern end of the Northern Arc.

With regard to the submitted reserved matters, Sport England would like to make the following representations:

Recommendation:

Sport England considers the details submitted to be satisfactory and raise no objection to this application. We recommend that the following conditions are attached if Reserved Matters approval is granted.

Condition 1:

Use of the Artificial Grass Pitch shall not commence until:

- a) certification that the Artificial Grass Pitch hereby permitted has met FIFA Quality Concept for Football Turf - FIFA Quality or equivalent International Artificial Turf Standard (IMS) and
- b) confirmation that the facility has been registered on the Football Association's Register of Football Turf Pitches have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is fit for purpose and sustainable, provides sporting benefits and to accord with Development Plan Policy **.

Informative (artificial grass pitches for Steps 1 to 6 of the FA's National League System) - The applicant is advised that pitches to be used for Step 1 and Step 2 level football matches should be built in accordance with FIFA Quality Concept for Football Turf - FIFA Quality Pro and Steps 3 to 6 should be built in accordance with FIFA Quality as a minimum and tested annually as per league rules.

Condition 2:

No development shall take place unless and until:

- a) A detailed assessment of ground conditions of the land proposed for the new natural turf playing pitches shall be undertaken (including drainage and topography) to identify constraints which could affect playing field quality' and
- b) Based on the results of this assessment to be carried out pursuant to (a) above of this condition, a detailed scheme to ensure that the playing fields will be provided to an You don't often get email from jo.edwards@sportengland.org. Learn why this is important 2 acceptable quality (including appropriate drainage where necessary) shall be submitted to
- c) and approved in writing by the Local Planning Authority after consultation with Sport England.

The works shall be carried out in accordance with the approved scheme within a timescale to be first approved in writing by the Local Planning Authority.

Reason: To ensure that site surveys are undertaken for new playing fields and that any ground condition constraints can be and are mitigated to ensure provision of an adequate quality playing field and to accord with LP Policy **

Informative: Sport England recommend that the drainage assessment and improvement/management scheme is undertaken by a specialist turf consultant.

Condition 3:

Prior to the bringing into use of the Artificial Grass Pitch a Management and Maintenance Scheme for the facility including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The approved Management and Maintenance scheme shall include measures to ensure the replacement of the artificial

surface within a specified period) The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the Artificial Grass Pitch.

Reason: To ensure that new facility is capable of being managed and maintained to deliver an Artificial Grass Pitch which is fit for purpose and sustainable to accord with LP Policy **

Condition 4:

Although condition 61 attached to the outline planning permission requires a Community Use Agreement for the pitches to be submitted to the LPA for approval, it provides no detail of what should be included. Sport England would recommend that our model template is used in preparing the CUA and the LPA may also wish to attach our model condition to the Reserved Matters approval if granted.

Use of the development shall not commence [or no development shall commence or such other timescale] until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the Artificial Grass Pitch, natural turf pitches, MUGA and sports hall, change and toilet facilities and car parking and include details of pricing policy, hours of use, access by non-school users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.'

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy **.

Informative: Guidance on preparing Community Use Agreements is available from Sport England at <http://www.sportengland.org/planningapplications> The absence of an objection to this application, in the context of the Town and Country Planning Act, cannot be taken as formal support or consent from Sport England or any National Governing Body of Sport to any related funding application, or as may be required by virtue of any pre-existing funding agreement.

If you would like any further information or advice please contact me.