

MID SUSSEX DISTRICT COUNCIL

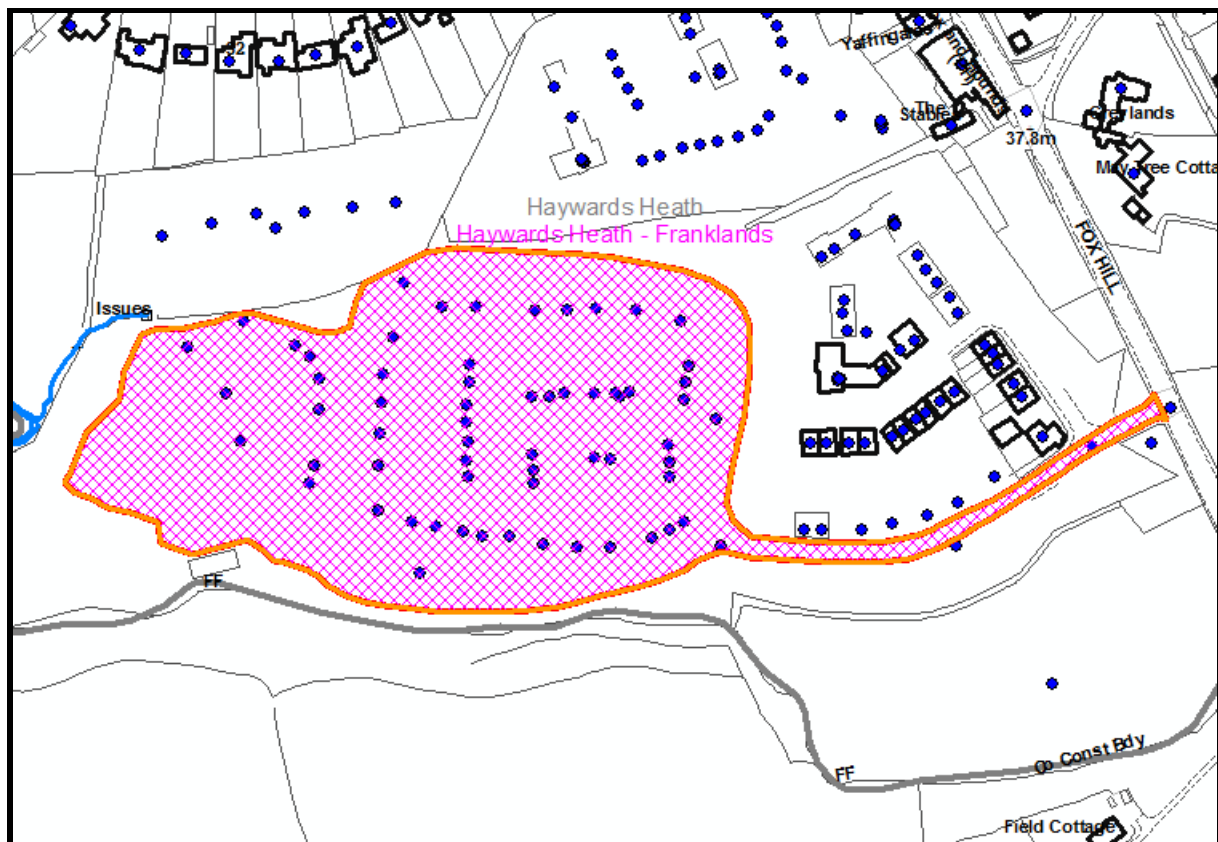
District Wide Committee

17 DEC 2019

RECOMMENDED FOR PERMISSION

Haywards Heath

DM/19/2764



© Crown Copyright and database rights 2019 Ordnance Survey 100021794

**GAMBLEMEAD FOX HILL HAYWARDS HEATH WEST SUSSEX
FULL PLANNING APPLICATION TO REVISE THE APPROVED AND
IMPLEMENTED PERMISSION (DM/17/0331) AT LAND AT GAMBLEMEAD
FOX HILL TO PROVIDE FOR 19 ADDITIONAL DWELLINGS INCLUDING 6
AFFORDABLE UNITS WITH ASSOCIATED LANDSCAPING, ROAD
LAYOUT, ACCESS AND PARKING. AMENDED PLANS RECEIVED 20
SEPTEMBER SHOWING REVISED DESIGNS TO PROPOSED
DWELLINGS.
LINDEN HOMES LTD**

POLICY: Ancient Woodland / Areas of Special Control for Adverts / Built Up Areas / Countryside Area of Dev. Restraint / Classified Roads - 20m buffer / Planning Agreement / Planning Obligation / Road Improvement Act Agreement / Aerodrome Safeguarding (CAA) / Sewer Line (Southern Water) / Highways Agreement (WSCC) /

ODPM CODE: Smallscale Major Dwellings

13 WEEK DATE: 18th December 2019

WARD MEMBERS: Cllr Rod Clarke / Cllr Michael Pulfer /

CASE OFFICER: Steven King

PURPOSE OF REPORT

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

EXECUTIVE SUMMARY

This application seeks full planning permission to revise the approved and implemented permission (reference DM/17/0331) on land at Gamblemead, Fox Hill to provide an additional 19 dwellings, including 6 affordable units with associated landscaping, road layout, access and parking.

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.'

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.

In this part of Mid Sussex the development plan comprises the District Plan (DP) and the Haywards Heath Neighbourhood Plan (HHNP).

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 development on this site has been established by virtue of the consented scheme for 151 dwellings on the site, which is being implemented. In addition, the site of the application is now within the built up area of Haywards Heath as defined in the District Plan. Therefore the principle of further development within the site accords with policy DP6 of the DP.

The additional 19 units sought by this application have been achieved by replacing larger 4 bedroom units with smaller 2 and 3 bedroom units. The external elevations of the dwellings will follow the same design approach as the previously approved units on the site so that they will fit in seamlessly with the already constructed units at the eastern end of the site. The basic layout of the site will remain the same as the consented scheme, which is a perimeter block arrangement with houses facing out onto the street and rear gardens backing on to one another. The provision of smaller units will optimise the use of the site, which is sought by policy DP26 in the DP and the National Planning Policy Framework (NPPF).

The access to the site remains unchanged from the consented scheme. This was satisfactory to serve 151 dwellings and will be satisfactory to serve the additional 19 units that this scheme would produce. There would be no severe cumulative impact on the local highway network from the additional 19 units proposed.

It is acknowledged that the site is some distance from the centre of Haywards Heath and this may mean that cycling to the town centre is only attractive to confident cyclists. This situation has not changed since the original consent to develop this site for housing was granted in 2017.

The Councils Environmental Health Officer (EHO) does not consider that the proposal would result in unacceptable levels of air pollution. As such there would be no breach of policy DP29 in the DP.

The Councils Drainage Engineer considers that surface water can be satisfactorily drained from the site and Southern Water has no objections relating to foul water disposal. As such the scheme would comply with policy DP41 of the DP

The scheme would provide additional smaller units of accommodation within an area that has the benefit of an extant planning permission for residential development. Of the additional 19 units provided, 6 would be affordable units. This would comply with policies DP30 and DP31 in relation to housing mix and affordable housing.

The scheme would generate a need for infrastructure payments to mitigate the impact of the additional 19 units. This can be secured by a legal agreement, thereby

complying with policy DP20 of the DP.

There would be no adverse neighbour amenity impacts from the development as the scheme involves re-planning the central and western areas within the site. As such there is no conflict with policy DP26 of the DP.

The Habitats Regulations Assessment for this application concludes that the proposed development would not have an adverse effect on the integrity of the Ashdown Forest Special Protection Area (SPA) and would not have a likely significant effect, alone or in combination, on the Ashdown Forest Special Area of Conservation (SAC).

The re-planned area of this application is within the centre and western parts of the site. As such there is no adverse impact on the listed building of Cleavewaters to the east and therefore no conflict with policy DP34 of the DP.

Taking all of the above into account, it is considered that this proposal would optimise the use of the site by providing smaller units of accommodation, including 6 more affordable units. This should attract significant positive weight in the planning balance. There are no technical objections to the application relating to transport, drainage or air quality matters. The scheme would not cause any adverse impact to the amenities of the neighbouring properties around the site.

It is therefore felt that the proposal complies with the development plan when read as whole, which is the proper basis for decision making. It is therefore recommended that planning permission be granted for this development subject to the conditions set out in the appendix.

Recommendation

Recommendation A

It is recommended that permission be granted, subject to the completion of a section 106 planning agreement to secure the necessary infrastructure contributions and affordable housing and the conditions listed at Appendix A.

Recommendation B

It is recommended that if a satisfactory legal agreement has not been entered into by 11 March then the application be refused at the discretion of the Divisional Leader, Planning and Economy for the following reason:

The proposal fails to provide the necessary infrastructure to serve the development and fails to provide the required affordable housing. The scheme therefore conflicts with policies DP20 and DP31 of the Mid Sussex District Plan 2014-2031.

SUMMARY OF REPRESENTATIONS

10 letters of objection (4 from same person):

- road tankers are being deployed to deal with the excess of effluent and rainfall arising from developments in Rocky Lane and at Gamblemead and this is unacceptable
- adequate means of disposing of foul sewerage from the site needs to be found
- level of car parking is not sufficient
- proposal will have an adverse impact on air quality in the locality
- site is not sustainable and not conducive for cycling
- traffic surveys are out of date and traffic has increased since the previous application was approved
- buffer zones to woodland are inadequate
- building firm is using sneaky tactics to increase the density of an already overpopulated build
- extra houses will put further pressure on already over stretched infrastructure
- developer has treated residents with complete disrespect
- boundary planting has not been achieved

SUMMARY OF CONSULTEES (full comments in appendices)

County Planning Officer

Requires infrastructure contributions towards primary and secondary education and libraries.

Highway Authority

The amended scheme seeks to make relatively few changes to the approved internal highway layout. The only changes are to accommodate further dropped kerbs for the parking spaces for the individual properties. There are no particular issues in these respects.

The development is not expected to give rise to any additional traffic that could be considered severe.

WSCC Lead Local Flood Authority

Southern Water

Our initial investigations indicate that Southern Water can provide foul sewage disposal at manhole TQ33214703 to service the proposed development. Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer.

Sussex Police

The development in the main has outward facing dwellings with back to back gardens which has created good active frontage with the streets and the public areas being overlooked, this design has all but eliminated the need for vulnerable rear garden pathways.

Community Facilities Project Officer

Requests contributions to infrastructure provision.

Housing Officer

The application proposes 19 additional dwellings on a development which is currently being built. It includes the provision of a further 6 affordable homes which maintains the policy compliant 30% affordable housing obligation.

The affordable dwellings are 3 x 2 bed houses and 2 x 3 bed houses for Affordable Rent and 1 x 2 bed house for Shared Ownership.

The tenure mix, size and type of affordable homes proposed, when taken across the site as a whole, are in accordance with our requirements. The sizes of the properties meet National Space Standards and are located in three distinct areas which allows for integration with the market housing.

The properties will provide family sized accommodation meeting an element of the known housing need in the district.

Environmental Protection Officer

Requests a condition regarding air quality

Drainage Engineer

TBR

Urban Designer

This revised scheme has increased the number of dwellings with smaller houses within ostensibly the same layout as the approved scheme including the positive relationship of the building frontages with the surrounding trees and spaces. This is therefore an acceptable approach as it also optimises the site.

Improvements have been made both at pre-application and application stages which have sufficiently addressed my concerns in respect of the quality of the elevations and the accommodation of the larger number parking spaces that are needed. Consequently I raise no objections to the scheme, but as the façade treatment is still half-heartedly applied on plots 132-3, 160-2, 166-67; I recommend a condition that requires further approval of this. Also the planting plan needs to be updated to reflect

the revised layout, so I would like a landscape condition included, as well as one to cover the overall facing materials specification.

HAYWARDS HEATH TOWN COUNCIL

The Town Council has NO OBJECTION to this application, as the principle of development had already been approved, by the planning authority, for the site prior to the adoption of Haywards Heath Neighbourhood Plan. The application is therefore in line with policy H8 of the Neighbourhood Plan as a Brownfield site being used to support the best use of already developed land. However, the Town Council still has concerns relating to the site being an unsustainable edge of Town development. The site remains cut off from the Town with poor transport linkages for cycling and for travel by bus. Furthermore, the need for traffic lights in the area is exacerbated by the increase in housing. The Town Council would also ask that an appropriate amount of car parking provision is made to support the uplift in housing.

With regards to the section 106 Local Community Infrastructure contributions the Town Council is unclear if the contribution generated from the additional 19 dwellings will be added to the original allocation or sit as a separate allocation of monies. This is on the grounds that the Town Council recognises pooling restrictions for the collection of monies for the development of a Country Park, Allotments and Cemetery off Hurstwood Lane. The Town Council asks to be informed on how the money is being allocated before confirming its requirement for the allocation of the monies so not to allocate to already fully pooled funded projects.

Additional comments

Further to our comments supporting an additional 19 units on the Gamblemead site, Councillors have received direct complaints from residents in Cape Road, detailing serious flooding issues in, or proximate to, the restricted build area. The flooding has necessitated emergency removal of surface water. These actions have been required to prevent wider contamination of the nearby water course with foul/raw sewage. Considering this ongoing problem, the Town Council now requests that any decision to approve this additional build is deferred, pending a full drainage report detailing how this ongoing problem will be rectified. Currently, residents suffer noise from site gate opening and closing every few minutes during the night and the noise and disturbance from tankers entering and leaving the site. The antisocial noise emanating from this unwanted activity is reducing residents' enjoyment of their homes, and disturbing their sleep, so may constitute a further environmental health issue.

INTRODUCTION

This application seeks full planning permission to revise the approved and implemented permission (reference DM/17/0331) on land at Gamblemead, Fox Hill to provide an additional 19 dwellings, including 6 affordable units with associated landscaping, road layout, access and parking.

RELEVANT PLANNING HISTORY

Outline planning permission for the demolition of Gamblemead and the erection of 99 dwellings on the site was granted on under reference DM/15/3448. A subsequent application (reference DM/17/0331) granted full planning permission for the demolition of Gamblemead and the erection of 151 dwellings on the site on 8 September 2017. This planning permission for 151 dwellings is being implemented and the dwellings on the eastern side of the site are now completed and many are occupied.

SITE AND SURROUNDINGS

The site of the planning application is positioned to the west of Fox Hill and to the south of Fox Hill Village. There is a fall in levels through the site from north to south. There is also a fall from east to west with a fairly substantial drop in levels at the far western end of the site.

Works are well underway to implement the planning permission that was granted for 151 dwellings on the site. The eastern side of the site is nearing completion and a number of the dwellings on this side of the site are now occupied. The estate road around the northern and southern part of the site is in place. The centre of the site is cleared. The contractors compound and parking area is at the western side of the site.

The boundary to the detached houses on Fox Hill Village to the north is well screened by trees. These houses are at a higher level than the application site.

There is a strong tree screen along the western boundary of the site. There is a small footbridge for the public right of way (PROW) over the watercourse that flows to the west of the site.

There is a strong tree screen along the southern boundary of the site. Beyond this there are open fields.

In terms of planning policy the site lies within the built up area as defined in the District Plan.

Some 30m to the southeast of the vehicular access to Gamblemead there is a grade two listed house at Cleavewater.

APPLICATION DETAILS

This application seeks full planning permission to revise the approved and implemented permission (reference DM/17/0331) on land at Gamblemead, Fox Hill to provide an additional 19 dwellings, including 6 affordable units with associated landscaping, road layout, access and parking. The submitted plans show that the central area of the site would be amended to provide the additional 19 units. The red line that had been drawn around the site includes 53 dwellings. The reorganisation of the scheme and the additional 19 dwellings has essentially been provided by replacing larger units with smaller residential units.

The schedule of accommodation for the originally approved scheme is set out below.

| House Type | Open Market | Affordable | Total |
|-------------------|--------------------|-------------------|--------------|
| 1 Bed flats | 0 | 12 | 12 |
| 2 Bed flats | 0 | 21 | 21 |
| 2 Bed | 7 | 9 | 16 |
| 3 Bed | 62 | 3 | 65 |
| 4 bed | 27 | 0 | 27 |
| 5 bed | 10 | 0 | 10 |
| Total | 106 | 45 | 151 |

A total of 34 residential units were to be situated within the area proposed to be revised by this current planning application (none of which are affordable units). The proposal will therefore provide an uplift of 19 dwellings compared to what already has permission. The schedule of accommodation provided in the area the subject of this application is set out below.

| Housing Mix | Open Market | Affordable | Total |
|--------------------|--------------------|-------------------|--------------|
| 1 bedroom units | 0 | 0 | 0 |
| 2 bedroom units | 21 | 3 | 24 |
| 3 bedroom units | 26 | 3 | 29 |
| 4 bedroom units | 0 | 0 | 0 |
| 5 bedroom units | 0 | 0 | 0 |
| Total | 47 | 6 | 53 |

The revised plans follow the same road layout as the consented scheme. As such the perimeter block layout of the approved scheme is retained. The extra units have been achieved by replacing a number of detached houses with semi-detached and terraced houses. The external elevations of the proposed dwellings would feature the same approach as the consented development.

At the western end of the site there would be a slight change to the road layout from the approved scheme, with an area of car parking being provided adjacent to the highway. The far western end of the site would feature semi-detached and terraced units instead of the detached units on the consented scheme.

The northern part of the site adjacent to Fox Hill is outside this planning application and remains unchanged from the consented scheme (the north-eastern part of the site has been built out). The eastern part of the site has also been built put.

LIST OF POLICIES

Mid Sussex District Plan

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

DP6 Settlement Hierarchy
DP17 Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC)
DP20 Securing Infrastructure
DP21 Transport
DP26 Character and Design
DP30 Housing Mix

DP31 Affordable Housing
DP34 Listed buildings and other Heritage Assets
DP41 Flood Risk and Drainage

Neighbourhood Plan

Haywards Heath Neighbourhood Plan

Made plan with full weight.

E6 - Retain links between green infrastructure
E7 - Sustainable Urban Drainage
E8 - Energy efficient and sustainable development
E9 - Local character and quality
E11 - Visual connections with the countryside
E13 - Outdoor space
T1 - Development and public transport links
T2 - Improve cycle and pedestrian strategy
H8 - Windfall sites

ASSESSMENT

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

- The principle of development;
- Design/layout
- Access and Transport
- Air Quality
- Drainage
- Housing Mix and Affordable Housing
- Infrastructure
- Neighbour amenity
- Ashdown Forest
- Impact on heritage assets
- Planning Balance and Conclusion

Principle of Development

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

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.'

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.

In this part of Mid Sussex the development plan comprises the District Plan (DP) and the Haywards Heath Neighbourhood Plan (HHNP).

The site lies within the built up area of Haywards Heath, a category 1 settlement as defined in the District Plan. As such the principle of additional development within the site complies with policy DP6 and is acceptable.

Design/layout

Policy DP26 in the DP seeks a high standard of design in new development. This is reflected in the NPPF and the Governments National Design Guidance which was published on 1st October 2019.

The road layout of the proposal remains virtually unchanged from the consented scheme (DM/17/0331). The additional houses have been incorporated into the same site layout through the substitution of larger units for smaller dwellings. There is a slight change to the road layout at the far western end of the site to accommodate the additional dwellings.

In terms of their elevations, the proposed houses would follow the same design approach as the consented scheme that has been part implemented. All of the dwellings would be two storey in height. External materials would feature brick, weatherboarding, tile hanging and tiled roofs.

The Council's Urban Designer states:

'This revised scheme has increased the number of dwellings with smaller houses within ostensibly the same layout as the approved scheme including the positive relationship of the building frontages with the surrounding trees and spaces. This is therefore an acceptable approach as it also optimises the site.'

Improvements have been made both at pre-application and application stages which have sufficiently addressed my concerns in respect of the quality of the elevations and the accommodation of the larger number parking spaces that are needed. Consequently I raise no objections to the scheme, but as the façade treatment is still half-heartedly applied on plots 132-3, 160-2, 166-67; I recommend a condition that requires further approval of this. Also the planting plan needs to be updated to reflect

the revised layout, so I would like a landscape condition included, as well as one to cover the overall facing materials specification.'

Your officer concurs with his overall assessment of the scheme. It is considered that the revised proposal will fit in appropriately to the consented development. Once completed it would not be possible to tell that the central area of the site had been revised; the proposed changes would fit in seamlessly.

Overall the proposal optimises the use of the site and results in the good quality design that is sought by policy DP26 of the DP and the NPPF. By utilising the same design approach as the consented scheme the proposal would protect and reinforce the local character within the locality of the site as required by policy E9 in HHNP.

With regards to policy E11 in the HHNP, it is considered that the proposed changes will not make a noticeable difference in terms of wider views into and out of the site.

The dwellings would meet with the National dwelling space standards and thereby comply with policy DP27 of the DP.

Sustainable design

The applicants have provided a Sustainability Statement with their application. In summary it advises that Linden will be using a fabric first approach to increase the energy efficiency of their development 8.43% beyond Building Regulations Part L1A 2013. The fabric first approach has been supported by the development industry and government because it stressed the importance of prioritising energy demand as a key factor in delivering resilient low energy homes. It is therefore felt the applicants have had regard to policy DP39 in the DP and policy E8 in the HHNP.

Access and Transport

Policy DP21 in the District Plan states:

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

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

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

- *The scheme is sustainably located to minimise the need for travel noting there might be circumstances where development needs to be located in the countryside, such as rural economic uses (see policy DP14: Sustainable Rural Development and the Rural Economy);*

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

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

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

The reference to development not causing a severe cumulative impact reflects the advice in paragraph 109 of the NPPF, which states:

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

This is an unusual case in that the access from the site onto the main road (Fox Hill) has already been approved under the consented scheme for 151 dwellings at the site. This access has been constructed and the eastern part of the site is now built and occupied.

In light of the above an assessment is required as to whether there is a severe cumulative impact on the local highway network from the additional 19 dwellings. The Highway Authority has no objection to the application. Given the volume of traffic using Fox Hill, the addition of 19 dwellings to the consented scheme will make no material difference to the volume of traffic on the road network. The Highway Authority state:

'the additional 19 dwellings are anticipated to result in a further 11 two way vehicle movements in the AM network peak hour and 9 two way vehicle movements in the PM network peak hour. On the basis of this trip generation, there would be no requirement for any additional highway capacity network assessments. The development is not expected to give rise to any additional traffic that could be considered severe.'

There are no reasons to come to a different view to the Highway Authority on this matter.

In relation to car parking provision, the proposals would provide for 110 spaces across the 53 units the subject of this application, of which 101 would be allocated and 9 would be for visitors. This aligns with the car parking provision on the originally consented scheme. Using the recently adopted WSCC car parking demand calculator, based on 101 allocated spaces (of which 58 are assumed to be for the 3 bed units and 43 for the 2 bed units) the scheme would be 9 visitor spaces below what the calculator predicts. There is always a balance to be struck between providing sufficient car parking and not having a scheme that is overly dominated by hard standing for car parking. In this case it is your officer's view that the level of car parking provision will not result in a level of on street car parking that would result in a highway safety hazard within the development.

In relation to sustainability and accessibility, by definition, the LPA has found that this site is acceptable because it has granted consent for 151 dwellings to be constructed. The accessibility of the site to Haywards Heath will be the same for the additional units as for the consented dwellings. In addition, it should be noted that the originally approved scheme provided for a widening of the footway on Fox Hill, repainting of road markings, an unmanned pedestrian crossing with tactile paving, installation of a double sided vehicle activated sign to lower vehicle speeds, installation of real time information screens at existing bus stops in the section 106 legal agreement. The section 106 agreement also includes the payment of a contribution of £7,300 towards a traffic regulation order to be used towards a reduction of the speed limit on Fox Hill to 30mph. The section 106 agreement on the consented scheme also provided for the payment of £374,400 as a transport contribution to the County Council.

Policy T1 in the HHNP seeks to provide good pedestrian and cycle connections on major developments. The consented scheme has provided some improvements to pedestrian infrastructure as listed above. Given the fact that this proposal is for a net increase of 19 dwellings on the site, it is not considered that it would be justifiable to seek further significant changes to the pedestrian footways beyond what was secured on the consented scheme for 151 dwellings. With respect to cycling, it is considered that the TRO monies that have been secured to go towards a reduction in the speed limit on Fox Hill would assist in making cycling into the town centre more attractive although it is acknowledged that it will mainly be confident cyclists who would bike from the site into Haywards Heath along Fox Hill.

Policy T2 in the HHNP seeks infrastructure contributions towards the funding of cycle routes to Haywards Heath railway station and the town centre. There will be a

requirement for infrastructure contributions for this development. It would be possible for the local community infrastructure contribution to go towards cycle route projects.

It should also be noted that sustainability is not limited solely to access matters and the proximity of the site to the centre of Haywards Heath. It is considered that by replacing larger units within the envelope of the consented development and replacing them with smaller units, the land within the site is being used more efficiently. This is an aim set out in policy DP26 of the DP and also in paragraph 122 of the NPPF. By providing 19 additional units within a site that already has planning permission, this will contribute to the delivery of the Councils housing requirements and will mean that these 19 units will not have to be provided elsewhere, for example, on a green field site elsewhere in the District.

Air Quality

In relation to air pollution policy DP29 in the District Plan states:

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

- *It does not cause unacceptable levels of air pollution;*
- *Development on land adjacent to an existing use which generates air pollution or odour would not cause any adverse effects on the proposed development or can be mitigated to reduce exposure to poor air quality to recognised and acceptable levels;*
- *Development proposals (where appropriate) are consistent with Air Quality Management Plans.*

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

Paragraph 181 of the NPPF states:

'Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.'

The PPG states:

'Whether or not air quality is relevant to a planning decision will depend on the proposed development and its location. Concerns could arise if the development is likely to generate air quality impact in an area where air quality is known to be poor. They could also arise where the development is likely to adversely impact upon the implementation of air quality strategies and action plans and/or, in particular, lead to a breach of EU legislation (including that applicable to wildlife).'

The site of the planning application is not within or near to an air quality management area (AQMA). The only AQMA in Mid Sussex district is at Stonepound Crossroads, Hassocks. The pollutant of concern is NO₂ related to traffic fumes. Measured levels at Stonepound have remained above the Air Quality Objective level is a maximum of 40 ug/m³.

The Council's EHO has considered the evidence available from existing measurements of air quality at a measuring point at the Fox Hill/Rocky Lane roundabout to the north of the site together with road traffic data on the surrounding roads (Fox Hill, Rocky Lane, Wivelsfield Road, A272, Hurstwood Lane, Lewes Road). At the monitoring point the annual mean for NO₂ concentration in 2018 was 24.7ug/m³.

The EHO has advised that based on the measured data and the available data in respect of vehicular movements on the surrounding roads that this proposed development is not likely to generate an air quality impact that would result in NO₂ levels exceeding the target level of 40ug/m³ at any relevant receptors. It is therefore considered that there is no evidence that this proposal would cause unacceptable levels of air pollution. As such there would be no breach of policy DP29 in the DP.

The re-plan area the subject of this application as approved was for 34 units and the effect of the proposal is to amend this to provide for 53 new units (or 19 additional units). Notwithstanding the conclusion of the EHO that this planning application will not cause unacceptable levels of air pollution, the applicants are prepared to offer a EV charging points in-line with WSCC standards for the 19 new units, in addition to further provision relating to the 34 approved units (none of which previously would have provided any EV charging points). This is a positive proposal that can be secured by a planning condition.

Drainage

Policy DP41 in the District Plan seeks to ensure development is safe across its lifetime and not increase the risk of flooding elsewhere. It states:

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

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

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

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

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

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

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

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

Paragraph 163 of the NPPF states:

'When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;*
- b) the development is appropriately flood resistant and resilient;*
- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;*
- d) any residual risk can be safely managed; and*
- e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.'*

The applicants have provided a Flood Risk Assessment (FRA) Addendum. The purpose of this report is to update the FRA by including the additional plots which will discharge into the existing watercourse and ensure there is no additional risk of flooding to these properties. The FRA notes that there would be a 0.027ha increase

in hardstanding as a result of this proposal. The revised layout has been input into the existing detailed drainage model in order to establish whether the existing system is capable of receiving the amendment in flows within the network due to the layout changes and in addition to the increase in hardstanding without causing unmanageable flooding. The applicants FRA concludes that the change to the consented development does not increase the risk of flooding to the proposed or existing dwellings.

The Council's Drainage Engineer has considered the application and has raised no objection to the proposed means of surface water drainage. In light of the above, whilst there would be 19 additional units on the site, there is no evidence that this would cause a risk of flooding either on or off site. As such there are no grounds to resist the application based on surface water disposal.

Concerns have been raised about the adequacy of the Southern Water pumping station that is located to the southwest of the site. Complaints were received in November about tankers being used to take water away from this pumping station, resulting in a noise nuisance to existing residents on the Gamblemead development.

Southern Water were contacted about this issue and have advised the District Council that Foxhill pumping station has been suffering with an influx of flows over the last month or so and as a result to reduce the risk of polluting to the environment and to help the pumping station, they had to put 2 tankers on site, 24/7. Investigations carried out by Southern Water found that flows going into the site were high but this was not from the Linden Homes development. Southern Water advised that the manhole on the main road, which is for the gravity sewer, had a high rate and it looks like being mainly surface water with foul. Southern Water considers the issue is actually the outlet and further up the network and they are undertaking investigations into the rising main. Southern Water also advised the District Council that they were satisfied with Linden Homes new network and connection to the rising main and Linden Homes pumping station.

In summary therefore Southern Water does not consider that the issues that they have experienced with their pumping station at Foxhill have been caused by the Linden Homes development at Gamblemead.

In their consultation response on this application, Southern Water have stated that they can provide foul sewerage disposal and have requested an informative be added to the planning permission advising the applicants a formal application for connection to the public sewerage system is required in order to service this development.

In light of all the above there are no grounds to resist this application based on foul water disposal.

In their consultation comments Southern Water have referred to the developer diverting Southern Water's access to the existing Southern Water pumping station. Further clarification is being sought from Southern Water on these comments because the red line around the application site does not go around this pumping station and the planning application solely relates to amendments to the central and

western area of the site to provide a net increase of 19 dwellings compared to what has been previously approved.

Southern Water has also referred to a potential odour nuisance from a waste water treatment works. Again, clarification is being sought from Southern Water because this proposal is not moving housing beyond the previously approved confines of the site. Updates on these points will be provided to Members at the committee.

To summarise on drainage matters, it is considered that both surface and foul water can be satisfactorily drained from the site, thereby complying with policy DP41 of the DP and policy E7 of the HHNP.

Housing Mix and Affordable Housing

Policy DP30 in the DP seeks to provide a mix of dwelling types and sizes to reflect current and future housing needs. Policy DP31 of the DP seeks to provide 30% affordable housing on sites such as this.

It is considered that the proposed mix of units in this application is acceptable. The scheme provides 28 x 3 bed units and 25 x 2 bed units in the re-planned area.

The District Councils Housing and Economic Development Needs Assessment (HEDNA) (February 2015) which formed part of the evidence base for the District Plan examination is attached as appendix 2. The HEDNA states on page 75:

'Table 31 indicates that over the plan period, there will be a significant need for smaller dwelling types, with the majority of new households being 1 or 2 person households with a very high proportion of need arising for elderly persons (75+) with the majority of such households being 1 or 2 person households. A significant proportion of future household growth will also be for family sized homes at around 30% of total growth, with 15% of total household growth requiring smaller family sized homes of 2-3 bedrooms and 15% requiring larger family sized homes of 3+ bedrooms.'

It is therefore clear that the available evidence indicates that there is a requirement for smaller dwellings within the District and that this application would go towards meeting this need, thereby complying with policy DP30 of the DP.

With regards to affordable housing, the affordable dwellings are 3 x 2 bed houses and 2 x 3 bed houses for Affordable Rent and 1 x 2 bed house for Shared Ownership.

The tenure mix, size and type of affordable homes proposed, when taken across the site as a whole, are in accordance with the District Councils requirements. The sizes of the properties meet National Space Standards and are located in three distinct areas which allows for integration with the market housing. The properties will provide family sized accommodation meeting an element of the known housing need in the district.

In light of this the application complies with policy DP31 of the DP.

Infrastructure

Policy DP20 of the District Plan seeks to ensure that development is accompanied by the necessary infrastructure. This includes securing affordable housing which is dealt with under Policy 31 of the District Plan. Policy DP20 sets out that infrastructure will be secured through the use of planning obligations.

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

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

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

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

and:

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

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

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

The following infrastructure requests have been made for the development:

County Council

Primary Education - £29,241 (to be spent on a new primary school at Hurst Farm)

Secondary Education - £31,471 (to be spent on the creation of new secondary places at Warden Park School)

Libraries - £3,338 (to be spent on redeveloping the library to increase space, replace shelving and make internal improvements to maximise use of space at Haywards Heath Library.)

District Council

FORMAL SPORT

In the case of this development, a financial contribution of £23,147 is required toward pavilion improvements at Haywards Heath Recreation Ground.

COMMUNITY BUILDINGS

The provision of community facilities is an essential part of the infrastructure required to service new developments to ensure that sustainable communities are created. In the case of this development, a financial contribution of £13,276 is required to make improvements to Ashenground Community Centre.

LOCAL COMMUNITY INFRASTRUCTURE: £15,045

The details of the infrastructure to be provided with this development will be secured by a section 106 legal agreement.

The additional population from this development will impose additional burdens on existing infrastructure and the monies identified above will mitigate these impacts. As Members will know developers are not required to address any existing deficiencies in infrastructure; it is only lawful for contributions to be sought to mitigate the additional impacts of a particular development.

It is considered that the above infrastructure obligations would meet policy requirements and statutory tests contained in the CIL Regulations.

Neighbour amenity

Policy DP26 in the DP seeks to ensure that development does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution.

The site of this application relates to the group of dwellings which are positioned within the centre of the site and the group of dwellings at the far western end of the site.

The revised dwellings would be some 55m from the northern boundary of the site and there would be separated from the existing dwellings at Fox Hill Village by the already consented dwellings within the site. It is therefore considered that the proposed additional dwellings within the centre of the site would have no adverse impact on the residential amenities of existing properties at Fox Hill Village. It is also considered that the revised layout to provide these additional units will have no adverse impact on the amenities of the existing dwellings within the site that have already been constructed.

The revised layout of the dwellings at the far western end of the site would have no adverse impact on consented dwellings to the north and west.

In light of the above there would be no conflict with policy DP26 in the DP in relation to neighbouring amenity.

Impact on Ashdown Forest

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

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

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

Recreational Disturbance

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

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

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

Atmospheric Pollution

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

The proposed development has been assessed through the Mid Sussex Transport Study (Updated Transport Analysis) as **windfall development**, such that its potential

effects are incorporated into the overall results of the transport model which indicates there would not be an overall impact on Ashdown Forest. Sufficient windfall capacity exists within the development area. This means that there is not considered to be a significant in combination effect on the Ashdown Forest SAC by this development proposal.

Conclusion of the Habitats Regulations Assessment screening report

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

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

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

Impact on heritage assets

To the south east of the site, on the opposite side of Fox Hill road lies Cleavewater, a 16th century or earlier Wealden hall house which is Grade II listed. The setting of a listed building is defined as the surroundings in which it is experienced. The site at Gamblemead is considered to lie within the setting of Cleavewater by reason of its proximity and its contribution to the historically rural context of the building. Development on the site has a potential impact not just on views from Cleavewater of the surrounding countryside but also on the context in which the listed building is experienced from outside its immediate curtilage, in particular by those travelling along Fox Hill.

As the application affects a listed building, the statutory requirement to have special regard to the desirability of preserving the building, its setting and any features of special interest (ss.16, 62, Planning (Listed Buildings and Conservation Areas) Act 1990) must be taken into account when making any decision. In addition, in enacting section 66(1) of the Listed Buildings Act, the desirability of preserving the settings of listed buildings should be given 'considerable importance and weight' when the decision taker carries out the balancing exercise, thus properly reflecting the statutory presumption that preservation is desirable. This requirement is reflected in policy DP34 of the DP.

In this case, the impact on the setting of the listed building has already been considered as a result of the planning permission that was granted for 151 dwellings at the site. As this proposal is to amend the mix of dwellings within the site, it is not considered that there would be any impact on the setting of Cleavewater from this proposal. As such policy DP34 of the DP would be met.

Planning Balance and Conclusion

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.

To summarise, the principle of development on this site has been established by virtue of the consented scheme for 151 dwellings on the site, which is being implemented. In addition, the site of the application is now within the built up area of Haywards Heath as defined in the District Plan. Therefore the principle of further development within the site accords with policy DP6 of the DP.

The additional 19 units sought by this application have been achieved by replacing larger 4 bedroom units with smaller 2 and 3 bedroom units. The external elevations of the dwellings will follow the same design approach as the previously approved units on the site so that they will fit in seamlessly with the already constructed units at the eastern end of the site. The basic layout of the site will remain the same as the consented scheme, which is a perimeter block arrangement with houses facing out onto the street and rear gardens backing on to one another. The provision of smaller units will optimise the use of the site, which is sought by policy DP26 in the DP and the NPPF.

The access to the site remains unchanged from the consented scheme. This was satisfactory to serve 151 dwellings and will be satisfactory to serve the additional 19 units that this scheme would produce. There would be no severe cumulative impact on the local highway network from the additional 19 units proposed.

It is acknowledged that the site is some distance from the centre of Haywards Heath and this may mean that cycling to the town centre is only attractive to confident cyclists. This situation has not changed since the original consent to develop this site for housing was granted in 2017.

The Council's EHO does not consider that the proposal would result in unacceptable levels of air pollution. As such there would be no breach of policy DP29 in the DP.

The Council's Drainage Engineer considers that surface water can be satisfactorily drained from the site and Southern Water has no objections relating to foul water disposal. As such the scheme would comply with policy DP41 of the DP.

The scheme would provide additional smaller units of accommodation within an area that has the benefit of an extant planning permission for residential development. Of the additional 19 units provided, 6 would be affordable units. This would comply with policies DP30 and DP31 in relation to housing mix and affordable housing.

The scheme would generate a need for infrastructure payments to mitigate the impact of the additional 19 units. This can be secured by a legal agreement, thereby complying with policy DP20 of the DP.

There would be no adverse neighbour amenity impacts from the development as the scheme involves re-planning the central and western areas within the site. As such there is no conflict with policy DP26 of the DP.

The Habitats Regulations Assessment for this application concludes that the proposed development would not have an adverse effect on the integrity of the Ashdown Forest SPA and would not have a likely significant effect, alone or in combination, on the Ashdown Forest SAC.

The re-planned area of this application is within the centre and western parts of the site. As such there is no adverse impact on the listed building of Cleavewater to the east and therefore no conflict with policy DP34 of the DP.

Taking all of the above into account, it is considered that this proposal would optimise the use of the site by providing smaller units of accommodation, including 6 more affordable units. This should attract significant positive weight in the planning balance. There are no technical objections to the application relating to transport, drainage or air quality matters. The scheme would not cause any adverse impact to the amenities of the neighbouring properties around the site.

It is therefore felt that the proposal complies with the development plan when read as whole, which is the proper basis for decision making. It is therefore recommended that planning permission be granted for this development subject to the conditions set out in the appendix.

APPENDIX A – RECOMMENDED CONDITIONS

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

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

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

Reason: For the avoidance of doubt and to ensure that the development does not prejudice the appearance of the locality / amenities of adjacent residents and to accord with Policy DP26 of the District Plan 2014 - 2031 and Policy E9 of the Neighbourhood Plan.

3. No development above slab level of the dwellings hereby permitted shall be carried out unless and until samples/a schedule of materials and finishes to be used for external walls / roofs / fenestration of the proposed buildings have been submitted to and approved by the Local Planning Authority. The works shall be carried out in accordance with the approved details unless otherwise agreed with the Local Planning Authority in writing. The submitted details shall include the façade treatment on plots 132-3, 160-2, 166-67.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031 and Policy E9 of the Neighbourhood Plan.

4. The development shall be implemented in accordance with the Construction Management Plan that was approved under condition 2 of planning permission reference DM/17/0331 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To allow the LPA to control in detail the implementation of the permission and to safeguard the safety and amenities of nearby residents and surrounding highways and to accord with Policy DP21 of the Mid Sussex District Plan 2014 - 2031 and Policy T1 of the Neighbourhood Plan.

5. The development shall be implemented in accordance with the archaeological details that were approved under condition 11 of planning permission reference DM/17/0331 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To identify and to secure the appropriate level of work that is necessary before commencement of the development, and also what may be required after commencement and in some cases after the development has been completed, and to accord with Policy DP34 of the Mid Sussex District Plan 2014 - 2031.

6. The development shall be implemented in accordance with the ecological details that were approved under condition 14 of planning permission reference DM/17/0331 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposals avoid adverse impacts on protected and priority species and contribute to a net gain in biodiversity, in accordance with 109 and 118 of the NPPF and to comply with Policy DP38 of the Mid Sussex District Plan 2014 - 2031.

7. The development shall be implemented in accordance with the requirements of condition 16 of planning permission reference DM/17/0331 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and to comply with the requirements of the NPPF.

8. No development shall not be occupied unless and until there has been submitted to and approved in writing by the Local Planning Authority full details of both hard and soft landscaping, which shall include the relationship of the right-angle threshold parking and the proposed tree-planting; a detailed strategy for the removal of the low shrubs below the tree belts that criss-cross the site and raising the tree canopies, indications of all existing trees and hedgerows on the land, and details of those to be retained, together with measures for their protection in the course of development and these works shall be carried out as approved.

Reason: In the interests of visual amenity and of the environment of the development and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031 and Policy E9 of the Neighbourhood Plan.

9. Hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion

of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity and of the environment of the development and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031 and Policy E9 of the Neighbourhood Plan.

10. The development shall not be occupied until details of proposed screen walls/fences and/or hedges have been submitted to and approved by the Local Planning Authority and no dwellings/buildings shall be occupied until such screen walls/fences or hedges associated with them have been erected.

Reason: In order to protect the appearance of the area and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031 and Policy E9 of the Neighbourhood Plan.

11. The buildings shall not be occupied until the parking spaces/turning facilities/and garages shown on the submitted plans have been provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the parking/turning/and garaging of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways and to accord with Policy DP21 of the Mid Sussex District Plan 2014 - 2031 and Policy T1 of the Neighbourhood Plan.

12. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies and to accord with and Policy DP21 of the Mid Sussex District Plan 2014 - 2031 and Policy T1 of the Neighbourhood Plan.

13. No part of the development shall be first occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.

Reason: To encourage and promote sustainable transport and to accord with Policy DP21 of the Mid Sussex District Plan 2014 - 2031 and Policy T1 of the Neighbourhood Plan.

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

Reason: To safeguard the amenities of nearby residents and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

15. The development hereby permitted shall not be occupied until details of electric vehicle charging points have been submitted to and approved in writing by the Local

Planning Authority. The scheme shall be implemented in accordance with the approved details.

Reason: In the interests of promoting a sustainable development and to accord with Policy DP21 of the District Plan 2014 - 2031.

Approved Plans

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

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

INFORMATIVES

1. In accordance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Plans Referred to in Consideration of this Application

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

| Plan Type | Reference | Version | Submitted Date |
|------------------------------------|------------------|----------------|-----------------------|
| Proposed Floor and Elevations Plan | 1866-1270 | | 20.09.2019 |
| Location Plan | 1866-1000 | A | 09.07.2019 |
| Planning Layout | 1866-1100 | E | 20.09.2019 |
| Proposed Site Plan | 1866-1111 | C | 20.09.2019 |
| Levels | 1866-1112 | B | 20.09.2019 |
| Site Waste Management Plan | 1866-1113 | B | 20.09.2019 |
| Means of Enclosure | 1866-1114 | C | 27.11.2019 |
| Planning Layout | 1866-1115 | B | 20.09.2019 |
| Parking Layout | 1866-1116 | B | 20.09.2019 |
| Planning Layout | 1866-1117 | B | 20.09.2019 |
| Affordable Housing Statement | 1866-1118 | C | 20.09.2019 |
| Proposed Sections | 1866-1150 | A | 20.09.2019 |
| Street Scene | 1866-1177 | A | 20.09.2019 |
| Landscaping | 1937-A2-01 | A | 09.07.2019 |
| Landscaping | 1937-A2-02 | A | 09.07.2019 |
| Landscaping | 1937-A2-03 | A | 09.07.2019 |
| Means of Enclosure | 1866-1602 | | 27.11.2019 |
| Proposed Elevations | 1866-1271 | | 29.10.2019 |

APPENDIX B – CONSULTATIONS

Parish Consultation

The Town Council has NO OBJECTION to this application, as the principle of development had already been approved, by the planning authority, for the site prior to the adoption of Haywards Heath Neighbourhood Plan. The application is therefore in line with policy H8 of the Neighbourhood Plan as a Brownfield site being used to support the best use of already developed land. However, the Town Council still has concerns relating to the site being an unsustainable edge of Town development. The site remains cut off from the Town with poor transport linkages for cycling and for travel by bus. Furthermore, the need for traffic lights in the area is exacerbated by the increase in housing. The Town Council would also ask that an appropriate amount of car parking provision is made to support the uplift in housing.

With regards to the section 106 Local Community Infrastructure contributions the Town Council is unclear if the contribution generated from the additional 19 dwellings will be added to the original allocation or sit as a separate allocation of monies. This is on the grounds that the Town Council recognises pooling restrictions for the collection of monies for the development of a Country Park, Allotments and Cemetery off Hurstwood Lane. The Town Council asks to be informed on how the money is being allocated before confirming its requirement for the allocation of the monies so not to allocate to already fully pooled funded projects.

Parish Consultation

The Town Council notes the submission of amended plans (received by Mid Sussex District Council on 20/09/2019) and reiterates the comments made when this application was first considered in early August 2019. These are as follows:

'The Town Council has NO OBJECTION to this application, as the principle of development had already been approved, by the planning authority, for the site prior to the adoption of Haywards Heath Neighbourhood Plan. The application is therefore in line with policy H8 of the Neighbourhood Plan as a Brownfield site being used to support the best use of already developed land. However, the Town Council still has concerns relating to the site being an unsustainable edge of Town development. The site remains cut off from the Town with poor transport linkages for cycling and for travel by bus. Furthermore, the need for traffic lights in the area is exacerbated by the increase in housing. The Town Council would also ask that an appropriate amount of car parking provision is made to support the uplift in housing.

With regards to the section 106 Local Community Infrastructure contributions the Town Council is unclear if the contribution generated from the additional 19 dwellings will be added to the original allocation or sit as a separate allocation of monies. This is on the grounds that the Town Council recognises pooling restrictions for the collection of monies for the development of a Country Park, Allotments and Cemetery off Hurstwood Lane. The Town Council asks to be informed on how the money is being allocated before confirming its requirement for the allocation of the monies so not to allocate to already fully pooled funded projects.'

In view of a change in Government guidance regarding Section 106 planning obligations, the Town Council requests that funds for Local Community Infrastructure are allocated towards pump-priming road safety improvements, i.e. the installation of traffic lights, at the junction of Hurstwood Lane with Fox Hill.

Environmental Protection

This application looks to make alterations to a development which has already been

Approved in principle, by the planning authority, under DM/17/0331.

Under the DM/17/0331 Environmental Protection have already applied conditions relating to contaminated land and the impacts from construction.

As these matters have already been dealt with under DM/17/0331, and the proposed alterations make no impact to compliance with these conditions, we have no comments with regards to the proposed alterations.

Recommendation

No Comment.

County Planning Officer

Thanks for the additional information on the housing mix. I've calculated the difference between the two total site mixes and we are using the difference as the additional contribution. I've attached the two S106 calculator spreadsheets so that you can see how the two different mixes were calculated.

The contributions due as a result of the additional dwellings are:

- Primary Education - £29,241 (to be spent on a new primary school at Hurst Farm)
- Secondary Education - £31,471 (to be spent on the creation of new secondary places at Warden Park School)
- Libraries - £3,338 (to be spent on redeveloping the library to increase space, replace shelving and make internal improvements to maximise use of space at Haywards Heath Library.)
- Highway works will be done in lieu of a TAD contribution here

Highway Authority

The amended scheme seeks to make relatively few changes to the approved internal highway layout. The only changes are to accommodate further dropped kerbs for the parking spaces for the individual properties. There are no particular issues in these respects.

Although not strictly a planning matter, the DAS refers to parts of the internal road being offered for adoption. Given that parts of the development are occupied and the associated roads constructed, WSCC have no pending applications or agreements covering the potential future adoption of any roads within the development. The assumption therefore is that these will all be remaining under private maintenance. For the purposes of the current planning application, the road layout is considered acceptable and complies with the guidance within Manual for Streets.

With respects to parking, the Design and Access Statement refers to the Mid Sussex DC parking standards. These are noted however to have been rescinded/struck-through within the relevant Supplementary Planning Document. On this basis, these are presumed to no longer being applicable. It is suggested that parking provision be considered against the WSCC Parking Demand Calculator.

The Transport Technical Note submitted with the application makes reference to the vehicle trip generation data accepted and used for the permitted development. This data remains valid for the purposes of the current proposal.

Based on this, the additional 19 dwellings are anticipated to result in a further 11 two way vehicle movements in the AM network peak hour and 9 two way vehicle movements in the PM network peak hour. On the basis of this trip generation, there would be no requirement for any additional highway capacity network assessments. The development is not expected to give rise to any additional traffic that could be considered severe.

The accessibility of the site by sustainable modes of transport has been considered as part of the previously approved planning applications on this site. WSCC Highways has previously acknowledged that the walking distances from the site to some day to day services exceeds thresholds in relevant current guidance. The nature of the B2112 is also such that this would be a barrier for some cyclists. The permitted development on this site has included various requirements to improve existing footways and nearby bus stops. It would seem that these works have been undertaken. As such facilities have been improved that would benefit the occupiers of the new dwellings.

For the purposes of this application, the National Planning Policy Framework is quite clear in requiring appropriate opportunities to promote sustainable transport modes to be taken up given the type and location of the development. In these respects, the NPPF acknowledges that it will not always be possible to site development in locations that are highly accessible. In light of the improvement works already delivered, the development is considered to have reasonably taken up those opportunities to promote sustainable transport. No further works are considered justified given the relatively minimal impacts that would result. It is still recommended that any contributions to transport improvements are proportionately increased in line with the increase in the number of dwellings.

In summary, the only matter that would require the applicant's attention is a further assessment of car parking against the WSCC Parking Demand Calculator.

WSCC Lead Local Flood Authority

Recommendation: No Objection

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

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

Flood Risk Summary

| | |
|---|----------|
| Current surface water flood risk based on 30year and 100year events | Low risk |
| <p>Comments: Current surface water mapping shows that the majority of the proposed site is at low risk from surface water flooding although some small areas within the proposed site may be susceptible to flooding.</p> <p>This risk is based on modelled data only and should not be taken as meaning that the site will/will not definitely flood in these events.</p> <p>Any existing surface water flow paths across the site should be maintained and mitigation measures proposed for areas at high risk.</p> <p>Reason: NPPF paragraph 163 states – 'When determining any planning application, local planning authorities should ensure flood risk is not increased elsewhere.'</p> | |

| | |
|---|----------|
| Modelled groundwater flood hazard classification | Low risk |
| <p>Comments: The area of the proposed development is shown to be at low risk from groundwater flooding based on current mapping. This risk is based on modelled data only and should not be taken as meaning that the site will/will not suffer groundwater flooding.</p> <p>Ground water contamination and Source Protection Zones.</p> <p>The potential for ground water contamination within a source protection zone has not been considered by the LLFA. The LPA should consult with the EA if this is considered as risk.</p> | |

| | |
|--|-----|
| Ordinary Watercourses nearby? | Yes |
| <p>Comments: Current Ordnance Survey mapping shows ordinary watercourses in close proximity to the site.</p> <p>Local or field boundary ditches, not shown on Ordnance Survey mapping, may exist around or across the site. If present these should be maintained and highlighted on future plans.</p> <p>Works affecting the flow of an ordinary watercourse will require ordinary watercourse consent and an appropriate development-free buffer zone should be incorporated into the design of the development.</p> | |

| | |
|--|----|
| Records of any historic flooding within the site? | No |
| <p>Comments: We do not have any records of historic surface flooding within the confines of the proposed site. This should not be taken that this site has never suffered from flooding, only that it has never been reported to the LLFA.</p> | |

Future development - Sustainable Drainage Systems (SuDS)

The FRA included with this application proposes that the previously agreed methods for the overall development would be used to control the run off from the development.

It is recommended that this application be reviewed by the District Council Drainage Engineer to identify site specific land use considerations that may affect surface water management and for a technical review of the drainage systems proposed.

Development should not commence until finalised detailed surface water drainage designs and calculations for the site, based on sustainable drainage principles, for the development have been submitted to and approved in writing by the Local Planning Authority. The drainage designs should demonstrate that the surface water runoff generated up to and including the 100 year, plus climate change, critical storm will not exceed the run-off from the current site following the corresponding rainfall event.

Development shall not commence until full details of the maintenance and management of the SuDS system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved designs.

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

Southern Water Services (Sussex)

Thank you for your letter dated 08/11/2019.

Our initial investigations indicate that Southern Water can provide foul sewage disposal at manhole TQ33214703 to service the proposed development. Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer.

We request that should this application receive planning approval, the following informative is attached to the consent:

“A formal application for connection to the public sewerage system is required in order to service this development. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructure-charges>”

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

Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long-term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation of the SUDS scheme.
- Specify a timetable for implementation.
- Provide a management and maintenance plan for the lifetime of the development.

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

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

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

The proposed plans show that the developer is diverting the Southern Water's access to the existing Southern Water's pumping station and Foxhill Haywards Heath WWTW which is not acceptable as this may cause problems to operations and in the event of emergency. The developer should consult with the Southern Water's Legal and Land Property department. Southern Water requires the existing access arrangements to the pumping station and waste water treatment works to be maintained with regards to unhindered 24 hours/7 days a week access.

In determining the application, we ask that the Planning Authority take into account the provisions of National Planning Policy Framework (NPPF) regarding the encroachment of development towards existing potentially polluting uses.

The proposed development is located approximately 70 metres of the Foxhill Haywards Heath Wastewater Treatment Works. A precautionary buffer zone distance of 500 metres from the perimeter fence of the WWTW has been used for the purposes of this planning consultation response.

Due to the potential odour nuisance from a Waste Water Treatment Works, no habitable development should be located within the 1.5 OdU odour contour of the WWTW. An Odour survey will need to be carried out to a specification agreed with Southern Water to identify and agree the 1.5 OdU contour.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

We request that should this application receive planning approval, the following condition is attached to the consent: "Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water."

This initial assessment does not prejudice any future assessment or commit to any adoption agreements under Section 104 of the Water Industry Act 1991. Please note that non-compliance with Sewers for Adoption standards will preclude future adoption of the foul and surface water sewerage network on site. The design of drainage should ensure that no groundwater or land drainage is to enter public sewers.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119), www.southernwater.co.uk or by email at developerservices@southernwater.co.uk

Sussex Police

Thank you for your correspondence of 21st October 2019, advising me of a full planning application to revise the approved and implemented permission (DM/17/0331) at land at Gamblemead Fox Hill to provide for 19 additional dwellings including 6 affordable units with associated landscaping, road layout, access and parking. Amended plans received 20 September showing revised designs to proposed dwellings at the above location, for which you seek advice from a crime prevention viewpoint.

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

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

The amendment mentioned above, is seeking permission to increase the previously permitted development of 151 dwellings, to 170 dwellings.

The development in the main has outward facing dwellings with back to back gardens which has created good active frontage with the streets and the public areas being overlooked, this design has all but eliminated the need for vulnerable rear garden pathways. Parking has been provided with on-curtilage, car barn parking overlooked, rear parking courts and a number of on-street parking bays, this should leave the street layout free and unobstructed. Where communal parking occurs it is important that they must be within view of an active room within the property. An active room is where there is direct and visual connection between the room and the street or the car parking area. Such visual connections can be expected from rooms such as kitchens and living rooms, but not from bedrooms and bathrooms. Gable ended windows can assist in providing observation over an otherwise unobserved area.

Where there are footpaths to the rear gardens they must be protected by gates. The gates must be placed at the entrance to the footpath, as near to the front building line as possible so that attempts to climb them will be in full view of the street and they are to be the same height as the adjoining fence. Where possible the street lighting scheme should be designed to ensure that the gates are well illuminated. Gates must be capable of being locked (operable by key from both sides of the gate). The gates must not be easy to climb or remove from their hinges

Vulnerable areas, such as exposed side and rear gardens, need robust defensive barriers by using walls or fencing to a minimum height of 1.8m. There may be circumstances where more open fencing is required to allow for greater surveillance as in rear garden pathways and gardens that overlook rear parking courts. Here trellis (300mm) topped 1.5 metre high fencing can be useful in such circumstances. This solution provides surveillance into an otherwise unobserved area and a security height of 1.8 metres.

Areas of play should be situated in an environment that is stimulating and safe for all children, be overlooked with good natural surveillance to ensure the safety of users and the protection of equipment, which can be vulnerable to misuse. They should be designed to allow natural surveillance from nearby dwellings with safe and accessible routes for users to come and go. Boundaries between public and private space should be clearly defined and open spaces must have features which prevent unauthorised vehicular access. Ground planting should not be higher than 1 metre with tree canopies no lower than 2 metres. This arrangement provides a window of observation throughout the area. I would ask that consideration is given to the eventual location in that it is surrounded with railings with self-closing gates to provide a dog free environment.

I thank you for allowing me the opportunity to comment.

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

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

Community Facilities Project Officer

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

CHILDRENS PLAYING SPACE

Equipped play will be provided on site as part of the wider development (ref: DM/17/0331).

FORMAL SPORT

In the case of this development, a financial contribution of £23,147 is required toward pavilion improvements at Haywards Heath Recreation Ground.

COMMUNITY BUILDINGS

The provision of community facilities is an essential part of the infrastructure required to service new developments to ensure that sustainable communities are created. In the case of this development, a financial contribution of £13,276 is required to make improvements to Ashenground Community Centre.

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

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

Housing Officer

The application proposes 19 additional dwellings on a development which is currently being built. It includes the provision of a further 6 affordable homes which maintains the policy compliant 30% affordable housing obligation.

The affordable dwellings are 3 x 2 bed houses and 2 x 3 bed houses for Affordable Rent and 1 x 2 bed house for Shared Ownership.

The tenure mix, size and type of affordable homes proposed, when taken across the site as a whole, are in accordance with our requirements. The sizes of the properties meet National Space Standards and are located in three distinct areas which allows for integration with the market housing.

The properties will provide family sized accommodation meeting an element of the known housing need in the district.

Environmental Protection Officer

Main Comments:

This application is to amend the mix of dwellings originally consented. Air quality has an increased profile in terms of public awareness and the Sussex Air Quality Partnership, of which Mid Sussex District Council is a member, has released new guidance for developers in addressing pollution issues relating to new development.

The concern regarding air quality is health based; it is the additional health damage we are seeking to address. There is now evidence from both WHO and COMEAP that NO₂ may be harmful even at levels below 40 ug/m³. There is also the issue of cumulative effect, where each development causes a relatively small increase in pollution levels but when looked at altogether a number of developments have a much greater effect.

Accordingly, the applicants should complete a damage mitigation assessment in accordance with the Air quality and emissions mitigation guidance for Sussex (2019) (available at <http://www.sussex-air.net/ImprovingAQ/GuidancePlanning.aspx>) and submit a scheme of measures to this value, to be agreed by the LPA. Our usual preferred measures are EV charge points, cycle storage, cycle paths, travel vouchers, low NO_x boilers etc for developments and we would be happy to discuss the mitigation measures in more detail with the developers.

Air Quality: Prior to the occupation of any residential part of the development hereby permitted, the details of a scheme of mitigation measures to improve air quality in relation to the development shall be submitted and approved in writing by the Local Planning Authority. The scheme shall include EV charging infrastructure and shall be of a value determined by a damage mitigation assessment carried out in accordance with the Air quality and emissions mitigation guidance for Sussex (2019). All works which form part of the approved scheme shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

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

Contaminated Land Officer

This application looks to make alterations to a development which has already been Approved in principle, by the planning authority, under DM/17/0331.

Under the DM/17/0331 Environmental Protection have already applied conditions relating to contaminated land and the impacts from construction.

As these matters have already been dealt with under DM/17/0331, and the proposed alterations make no impact to compliance with these conditions, we have no comments with regards to the proposed alterations.

Recommendation: No Comment

Drainage Engineer

TBR

Architect/Urban Designer – Will Dorman

Summary and Overall Assessment

This revised scheme has increased the number of dwellings with smaller houses within ostensibly the same layout as the approved scheme including the positive relationship of the building frontages with the surrounding trees and spaces. This is therefore an acceptable approach as it also optimises the site.

Improvements have been made both at pre-application and application stages which have sufficiently addressed my concerns in respect of the quality of the elevations and the accommodation of the larger number parking spaces that are needed. Consequently I raise no objections to the scheme, but as the façade treatment is still half-heartedly applied on plots 132-3, 160-2, 166-67; I recommend a condition that requires further approval of this. Also the planting plan needs to be updated to reflect the revised layout, so I would like a landscape condition included, as well as one to cover the overall facing materials specification.

Layout / Parking

The impact of the additional parking upon the public realm has been reduced by the inclusion of three additional rear court areas. These work most successfully behind plots 137 and 155 where the FOG's (flats over garages) provide direct overlooking while also screening the parking from the road. The latter also helps deliver a more continuous building frontage facing the main perimeter road.

The parking at the rear of plots 125-128 is less satisfactory as there is no direct natural surveillance; this is a matter for the Crime Prevention Design Adviser to assess but consideration could be given to either gating-off this area at the front or, opening it up from the rear; the latter would also need to be combined with a planting strategy to avoid this area looking too hard-edged.

Elsewhere the parking has mostly been successfully accommodated at the side of dwellings; and helped by covered car ports employed on plots 121 to 132 and 160 to 162.

The parking serving 144/5 and 152 extends an area (in front of plots 104-110 outside this application boundary) that is already unfortunately dominated by parking. The impact has been softened by the incorporation of pergola type structure over the front parking areas, and an additional tree (that needs including on the planting plan).

Elevations

The scheme has been significantly improved since the pre-application stage with less dead frontage as well as better-articulated and ordered facades that is a suitable replacement for the originally approved scheme. The series of centrally positioned gables in the semi-detached and run of terraced houses helps especially in this respect with care taken to position the rainwater downpipes so they articulate the individual terraced houses that contributes to consistent vertical articulation / rhythm.

The corner buildings at junctions benefit from being fully fenestrated on both street returns. Elsewhere exposed building flanks incorporate windows that avoid them being dead facades.

While the facing materials have been more comprehensively applied in the revised drawings, there are still some houses where they incongruously peel away at the side, this includes plots 132-3, 160-2, 166-67. As the rear and/or side of these houses are visible from the street, I feel the façade treatment needs extending around these buildings.