

MID SUSSEX DISTRICT COUNCIL

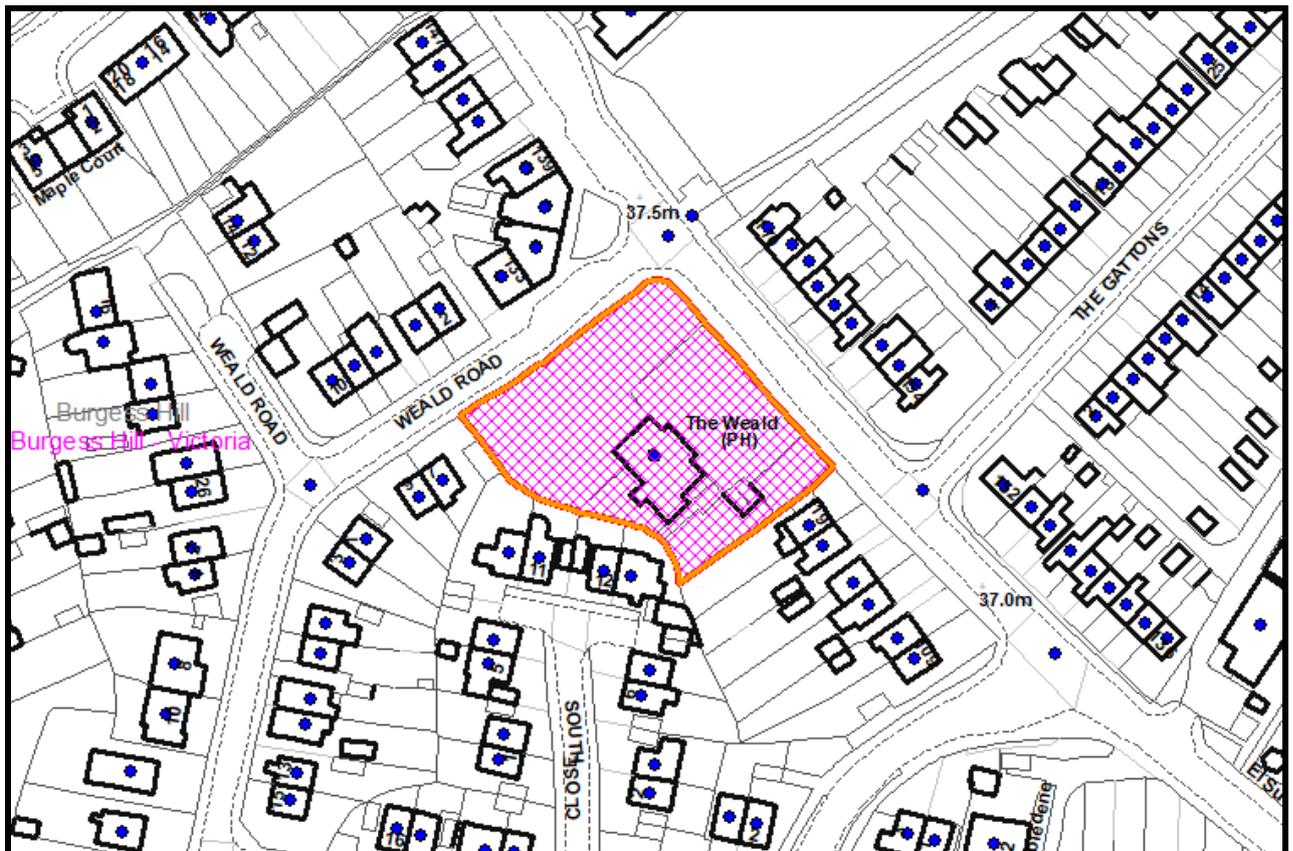
Planning Committee

12 NOV 2020

RECOMMENDED FOR PERMISSION

Burgess Hill

DM/20/2381



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THE WEALD INN ROYAL GEORGE ROAD BURGESS HILL WEST SUSSEX

DEMOLITION OF EXISTING PUBLIC HOUSE AND REDEVELOPMENT OF THE SITE TO PROVIDE 10 DWELLINGS WITH ASSOCIATED ACCESS, PARKING, AND LANDSCAPING. REVISED PLANS SUBMITTED 3/9/2020 SHOWING REVISIONS TO PLOTS 8-10, REVISIONS TO CAR PARKING LAYOUT TO INCLUDE A DISABLED PARKING BAY AND SOFT LANDSCAPING.

MR JASON VINCE

POLICY: Built Up Areas / Classified Roads - 20m buffer / Housing Grant / Aerodrome Safeguarding (CAA) / Radon Gas Safeguarding Zone / Sewer Line (Southern Water)

ODPM CODE: Smallscale Major Dwellings

13 WEEK DATE: 10th December 2020

WARD MEMBERS: Cllr Peter Chapman / Cllr Lee Gibbs /

CASE OFFICER: Joanne Fisher

PURPOSE OF REPORT

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

EXECUTIVE SUMMARY

Planning permission is sought for the demolition of the existing public house and redevelopment of the site to provide 10 dwellings with associated access, parking, and landscaping at The Weald Inn, Royal George Road, Burgess Hill.

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

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

The application site lies in the built up area of Burgess Hill and results in the formation of a net increase in 9 additional residential units. Burgess Hill is classified as a Settlement 1 Category in the District Plan and is therefore considered to be a suitable and sustainable location for residential development. The redevelopment for a total of 10 residential units with off road parking is considered to be sensitive in design and scale to the character of the area and will not detract from the street scene. No significant harm would be caused to the amenities of the surrounding residential occupiers through overlooking or a loss of light. Moreover, the proposal is not considered to cause harm in terms of parking or highway safety.

The proposal will deliver positive social and economic benefits through the delivery of housing which reflects one of the key objectives of the NPPF. In the short term the

proposal would also deliver a number of construction jobs and as a result of additional spending within the economy once occupied. Because, however, of the small scale of the development proposed these benefits would be limited. The Council would also receive a new homes bonus. This is a minor material consideration with very limited weight.

Weighed against this is that the proposal would result in the loss of a community facility of the public house. Whilst the loss of the community facility is regrettable, it has been demonstrated that the use as a pub is no longer viable and that there are a number of duplicate facilities in the locality which can accommodate the loss of the pub. As such the proposal meets the criteria of Policy DP25 and its loss is therefore considered acceptable.

There will be a neutral impact in respect of the impact on the Ashdown Forest, space standards and landscaping.

The application is thereby considered to comply with policies DP4, DP6, DP20, DP21, DP26, DP27, DP39 and DP41 of the District Plan and therefore complies with the development plan and paragraphs 8, 108, 110, 117, 124, 127, 148 and 175 of the NPPF. Accordingly, the application is recommended for approval.

RECOMMENDATION

Recommendation A

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

Recommendation B

It is recommended that if the applicants have not submitted a satisfactory signed S106 Legal Agreement securing the necessary infrastructure contributions by the 12th February 2021, then permission be refused at the discretion of the Divisional Lead for Planning and Economy, for the following reasons:

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

SUMMARY OF REPRESENTATIONS

6 letters of OBJECTION concerning the following points:

- Weald Inn has been a successful pub throughout its history;
- Pub should be reinstated;
- Concerns on use of Weald Road for access;
- Parking along Weald Road is difficult, and creation of new access would result in parking problems;
- Roads already busy without additional cars;

- Increase vehicle movements on Weald Road which is a busy road and would result in a safety issue;
- Request a traffic survey;
- Car parking cause disturbance and flooding;
- Loss of trees result in loss of privacy;
- Impact on outlook to properties;
- No further housing required as have Northern Arc development.

SUMMARY OF CONSULTEES

WSCC Highways Authority

No objection subject to conditions.

WSCC County Planning Officer

S106 Contributions:

Education - Primary: £33,875
 Education - Secondary: £36,456
 Education - 6th Form: £8,541
 Libraries: £3,446
 TAD: £21,521

WSCC Flood Risk Management Team

Advice - No objection.

WSCC Minerals and Waste

No objection.

Southern Water

Comments and suggested condition.

MSDC Urban Designer

No objections to the scheme but to secure the quality of the design I would recommend conditions.

MSDC Leisure

S106 Contributions:

CHILDRENS PLAYING SPACE - £18,092
 FORMAL SPORT - £11,621
 COMMUNITY BUILDINGS - £6,458

MSDC Drainage

No objection subject to conditions.

MSDC Contaminated Land Officer

No comments.

MSDC Street Name & Numbering

Informative.

BURGESS HILL TOWN COUNCIL

Amended

The Committee reiterated their previous comments and regretted the loss of a parking space from the previous plans. The Committee encourage the use of renewable energies.

Original

Recommend Approval.

The Committee noted concerns over the access.

The Committee support the possibility of solar photovoltaics and solar thermal energy being used.

INFRASTRUCTURE REQUIREMENTS: - Mid Sussex District Council welcome specific recommendations with regard to Section 106 needs associated with this development. The recommendations of the Planning Committee are as follows:

Any Community Building and/or Community Infrastructure monies go towards The Beehive Centre.

INTRODUCTION

Planning permission is sought for the demolition of the existing public house and redevelopment of the site to provide 10 dwellings with associated access, parking, and landscaping at The Weald Inn, Royal George Road, Burgess Hill.

RELEVANT PLANNING HISTORY

There is no relevant planning history.

SITE AND SURROUNDINGS

The site is on the southern side of Royal George Road, and occupies a corner plot at the junction of Royal George Road and Weald Road.

The site is currently occupied by a detached, two storey public house which is set back from the frontage with Royal George Road close to the rear boundary with dwellings on South Close. The building is vacant and has been since February. To the front of the building is a large area of hardstanding and a vehicle access onto Royal George Road with a low brick wall along the boundary with the highway.

There are a number of conifer trees on the north-western (side) boundary with Weald Road and also with the south-western (rear) boundary with properties on South Close. On the south-eastern (side) boundary with the residential property 119 Royal George Road is boundary fencing.

The site is characterised by two storey residential properties of semi-detached and terraced properties of varying design. To the north-west of the site is a parade of shop and commercial units with flats above.

In terms of planning policy the site falls within the built up area as defined by the Mid Sussex Local Plan and the Burgess Hill Neighbourhood Plan.

APPLICATION DETAILS

The application proposes the demolition of the existing public house and the redevelopment of the site to provide 10 new homes (resulting in a net increase of 9 dwellings).

The development would comprise of two pairs of semi-detached dwellings, with a building turning the corner of the site with Royal George Road and Weald Road forming 2 flats and 1 dwelling, with a terrace of three dwellings on Weald Road. There would be soft landscaping to the front of the site with two dwellings on Royal George Road and one dwelling on Weald Road benefitting from parking to the side of the dwelling. On Weald Road a new vehicular access would be created forming a rear parking court. There would be a path from the rear of the site leading to Royal George Road providing pedestrian access from the parking area to the front of the dwellings. The dwellings would have rear garden areas.

The development would be two storeys in height constructed in brick with slate roofs. There would be pitched elements to the front and rear of the units with gable roofs.

The proposed development would result in the following housing mix:

- 2 x 2-bed flats;
- 1 x 2-bed house and
- 7 x 3-bed houses.

The proposal includes the provision of 20 car parking spaces which are to be provided in the form of a rear court parking element and parking to the side of 3no dwellings. The existing conifer trees on the boundaries of the site are to be removed as part of the scheme.

LIST OF POLICIES

Mid Sussex District Plan - 2014 - 2031

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

Relevant policies:

- DP4 - Housing
- DP6 - Settlement Hierarchy
- DP20 - Securing Infrastructure
- DP21 - Transport
- DP25 - Community Facilities and Local Services
- DP26 - Character and Design
- DP27 - Dwelling Space Standards
- DP29 - Noise, Air and Light Pollution
- DP37 - Trees, Woodland and Hedgerows
- DP39 - Sustainable Design and Construction
- DP41 - Flood Risk and Drainage

Burgess Hill Neighbourhood Plan

The Neighbourhood Plan for Burgess Hill was 'made' in January 2016. It forms part of the development plan with full weight.

Relevant policy:

S4 - Parking standards for new developments

Supplementary Planning Documents

Mid Sussex Development Infrastructure and Contributions

Mid Sussex Affordable Housing

Mid Sussex Design Guide Supplementary Planning Document (SPD)

The Council is currently in the process of adopting a 'Mid Sussex Design Guide' SPD that aims to help deliver high quality development across the district that responds appropriately to its context and is inclusive and sustainable. The Design Guide has been through public consultation and the Scrutiny Committee for Housing, Planning and Economic Growth have recommended to Council its adoption as an SPD for use in the consideration and determination of planning applications. While not yet adopted, it is considered that this document carries weight and is a material consideration in the determination of the application.

National Policy

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

National Design Guide

Technical Housing Standards: Nationally Described Space Standard (Mar 2015)

ASSESSMENT

The main issues for consideration are:

- the principle of the development;
- loss of pub;
- design and the impact to the character of the area;
- the impact to the amenities of surrounding occupiers,
- access and parking;
- sustainability;
- dwelling space standards;
- impact to trees;
- infrastructure;
- 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) Any 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.

Using this as the starting point, the development plan in this part of Mid Sussex consists of the District Plan and the Burgess Hill Neighbourhood Plan (2016).

The District Plan has been adopted and the Council can demonstrate a 5 year supply of deliverable housing land.

As the proposed development is within the built up area of Burgess Hill, the principle of additional windfall housing development is acceptable under Policy DP6 of the District Plan which states in part:

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

The proposal falls within the built up area of Burgess Hill where windfall development is considered appropriate. In addition, Burgess Hill is classed as a category 1 settlement in the settlement hierarchy listed under MSDP policy DP6. As such, the application site can be considered to be a sustainable location for residential development.

There are therefore no objections to the principle of the re-development of this site as proposed, subject to compliance with policy DP25 as outlined below.

Loss of pub

Policy DP25 of the District Plan relates to community facilities and local services which includes pubs. This policy states:

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

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

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

The on-site provision of new community facilities will be required on larger developments, where practicable and viable, including making land available for this purpose. Planning conditions and/or planning obligations will be used to secure on-

site facilities. Further information about the provision, including standards, of community facilities will be set out in a Supplementary Planning Document.

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

The proposal would result in the loss of the pub and community use of the site. Supporting information has been provided with the application in respect of the loss of this community facility. It submits that the pub ceased trading in February 2020 and has been vacant since then. A business appraisal has also been submitted as part of the application. Within the Executive Summary of this report it concludes under financial viability that the pub is *'no longer viable and that has become defunct for the following reasons:-*

- *Before allowing for a living-wage the business was consistently loss-making over a period of time;*
- *Current trends suggest that the property is not of interest to corporate or individual pub operators as a going concern;*
- *The property is not configured or in a suitable location to provide an adequate food offer;*
- *Local competition is strong and there are other pubs nearby;*
- *On-sale wet volumes continue to decline nationally and have now been overtaken by off-licence sales.'*

In addition, an appraisal has been provided in relation to duplicate facilities in the locality. The Planning Statement identifies that there are 6 alternative pubs within 1 mile of The Weald Inn and 11 within 1.5 miles. Three of the alternative pubs are within walking distance of the application site, namely The Woolpack, The Cricketers and The Brewers Arms which provide alternatives without the need to drive .

In light of the above information provided as part of the application, whilst the loss of the community facility is regrettable, it has been demonstrated within the submitted Business Appraisal that the use as a pub is no longer viable. In addition supporting information has been provided to identify that there are a number of duplicate facilities in the locality which can accommodate the loss of the facility.

As such it is considered that the proposal complies with Policy DP25 and the redevelopment of the site for housing is acceptable.

Design and Impact on Character and Appearance of Area

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

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

- *is of high quality design and layout and includes appropriate landscaping and greenspace;*

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

Para 127 of the NPPF relates to design and states:

'Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁶; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'*

On the 1st October 2019 the Government published the National Design Guide which addresses the question of how well-designed places are recognised, by outlining and illustrating the Government's priorities for well-designed places in the

form of ten characteristics. The underlying purpose for design quality and the quality of new development at all scales is to create well-designed and well-built places that benefit people and communities.

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

While not yet adopted, the Council's draft Design Guide carries weight and is a material consideration in the determination of the application. This document seeks to inform and guide the quality of design for all development across Mid Sussex District. It sets out a number of design principles to deliver high quality, new development that responds appropriately to its context and is inclusive and sustainable. Design principle DG13 seeks new developments to provide positive frontages to streets with established building lines followed and corners of blocks emphasised. Principle DG18 seeks to integrate parking so that it does not dominate the streetscape, and DG19 supports rear court parking areas within higher density areas within new developments and prevents off street parking to the front of houses. Within the Design Guide there is support for architectural integrity and a sense of place within DG38 where the facade and elevational treatment, roofscape fenestration and materials used in existing buildings within the locality should be a starting point for the consideration of architectural design of new buildings. In addition, design principle DG39 requires the scale of new buildings to relate to their context and DG40 advises that developments should be designed with open, active frontages that engage with and provide a public face onto the street and spaces.

The Council's Urban Designer has considered the proposal and raises no objection to the scheme. Whilst he acknowledges that the loss of the open space breaks up the otherwise hard edged streetscape and relieves the run of ubiquitous-looking houses along this part of Royal George Road and Weald Road, he considers that:

'The proposal can nevertheless be commended for avoiding front threshold parking (that is a regrettable feature of nearby properties) especially along the more prominent Royal George Road (and at the corner). Instead of hard surfacing these areas are shown grassed over and featuring trees (the division of the public/private realm is nevertheless unclear and needs clarifying with the submission of detailed landscape drawings; in particular the trees would be better located in the public realm and maintained by a management company along with the other communal elements). The parking is discreetly accommodated at the side of the houses and at the rear in a parking court which is softened by some trees and planting areas.

The scheme benefits from well-defined frontages generated by consistent building lines employed on both road frontages. The alternate gable and pitch roof arrangement provides rhythm and vertical articulation (a consistent arrangement has been achieved even though plots 5-6 are organised internally as flats rather than houses).

The buildings feature contemporary-designed frontages with generously proportioned windows and suggest crisp detailing such as the clipped eaves and decorative projecting brickwork on the ground floor that adds elevational interest and should help avoid the frontages appearing bland. The inset front doors provide some further depth / relief (although unfortunately they are not featured on plots 5-6). Nevertheless, a more detailed elevation and section drawing is recommended that show these features and the overall composition more clearly.'

In respect of plots 8-10 he considers that the *'symmetry achieved by this provides harmony in its own terms but also continues the gable/pitch/gable arrangement established along Royal George Rd. It also articulates the southern return with a pitched roof return (avoiding a large bland brick gabled flank); the revised drawings include a stairwell window that provides some animation of an otherwise blank façade.'*

Officers agree with the comments of the Urban Designer and consider that the design of the development is considered to form a sensitive feature within the street scene providing architectural integrity and a sense of place relating well to the context of the area. In addition, the provision of the parking to the side of the dwellings and the rear parking court results in the car parking not dominating the street scene allowing landscaping to the front of the site to soften the development. As such the design of the proposal is considered to contribute positively to the character of the area and the street scene and its scale and detailing is appropriate to the wider street scene. The Urban Designer has made a comment in respect of the provision of detailed landscape drawings and the division of the public and private realm. The submitted block plan shows the front gardens onto the highway to be open with soft landscaping including tree planting. To the rear are clearly defined private gardens with the parking court for the occupiers of the development with landscaped areas. It is considered that there is clear definition of the private and public realm for the scheme with the public realm providing soft landscaping so that it creates a sense of place.

The proposal is thereby considered to comply with policy DP26 of the District Plan, paras 124 and 127 of the NPPF and the design principles of the Mid Sussex Design Guide.

Residential Amenity

Policy DP26 of the District Plan states in part that proposals should *'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'*.

Plot 1 is to be have a separation of some 4 metres with the side wall of 119 Royal George Road. The footprint of this is not to project further rearwards than the neighbour. Whilst there is a large side window serving 119 this is an obscured side window serving the landing. In addition there are ground floor side windows. These ground floor windows would however be screened by any boundary treatment. It is considered that this relationship is acceptable.

In addition, the proposal is considered to be acceptable in terms of amenities to the properties to the rear of the site with South Close. Whilst the existing dwellings to the rear have shallow rear gardens, the proposed dwellings are set some 20 metres from the rear boundaries of these gardens. It is acknowledged that the neighbouring rear boundaries would be adjacent to the proposed parking court. However, this area of hardstanding would be screened by a boundary fence and landscaped to limit the impact with the car parking spaces set away from the boundaries.

Plot 10 is to be separated from no 7 Weald Road by some 16 metres with an access between. Plot 10 would have a first floor landing window on the side elevation. However, due to the side to side relationship, the proposal would not result in an overbearing impact or a loss of privacy to the neighbouring amenities. Whilst the new access would generate some noise through vehicle movements, vehicles would be travelling at low speeds and so it is not considered to result in significant detriment to the amenities of no 7 Weald Road.

Objections have been raised in respect of the loss of outlook on properties on the opposite side of Royal George Road. The proposal would result in a separation distance between the front of the houses of some 20 metres with the highway between. Such distances are considered acceptable within residential areas and this relationship exists already along Royal George Road for other properties. In respect of the amenities of properties to the rear of the site, the existing building is built close to the boundary with properties along South Close with in places high conifer hedging which results in a poor outlook. This is to be removed and replaced with landscaping and a parking court area with there being a back to back separation of some 20 metres between the proposed and existing dwellings. As such, the outlook for these properties will be improved through the removal of the high conifer hedge which is encloses the rear boundaries of the existing properties. It is therefore considered that the proposal would not result in a loss of outlook for neighbouring residential properties.

The proposal is thereby considered to be acceptable in amenity terms to both existing neighbouring occupiers and also future occupiers of the proposed development. The proposal is thereby considered to comply with policy DP26 of the District Plan.

Highway Safety and Parking Provision

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

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

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

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

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

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

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

Policy S1 of the Neighbourhood Plan requires developments to accord with the parking standards set out in Appendix D of the Neighbourhood Plan. This requires 2-bed flats to provide 1 allocated space per unit, 2-bed dwellings to provide 1 designated space and 1 non-designated space per unit, and 3-bed dwellings to provide 2 designated spaces per unit and 1 space per 2 dwellings for non-designated (visitor spaces). For this proposal, the Neighbourhood Plan would thereby require 21 car parking spaces for the development.

Paragraph 108 of the NPPF is relevant in respect of transport matters and states that:

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

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

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

The existing access onto Royal George Road will be closed up and the proposal would form two vehicle accesses onto Royal George Road to serve two properties, a driveway onto Weald Road and an additional access onto Weald Road leading to a parking courtyard. The proposal would form off road parking for 20 vehicles. Three dwellings will benefit from their own driveways providing 2 parking spaces per dwelling, the courtyard parking area would provide 12 parking spaces (including a disable parking bay), with 2 additional parking spaces to the side of courtyard parking entrance next to plot 10. In addition, 2 cycle spaces per dwelling will be provided and 1 cycle space per flat.

It is acknowledged that the proposal would fall short of the Neighbourhood Plan parking requirements by 1 space. The West Sussex County Council Guidance on Parking at New Developments (September 2020) identifies new residential development in this location within parking behaviour zone 4. The guidance from WSCC is more recent than the Neighbourhood Plan. Using the WSCC car parking calculator, the requirement is to provide 16 spaces on site. The site is within a sustainable location close to bus stops and local services. As such the proposal meets with the WSCC car parking standards and it is considered that in this instance the minor shortfall of one parking space against the Neighbourhood Plan standard is acceptable. As such it is considered that the parking provision for the scheme is appropriate.

The Highways Authority has considered the proposal and raises no objection to the scheme. They consider that the visibility splays for the access are acceptable given the size of development and nature of the road. They advise that the use of the proposed new access from Weald Road has been demonstrated sufficiently. In addition, it is considered that the three driveways proposed for parking is acceptable as other properties within the area have driveways to the front of their properties.

Consequently, the application is deemed to comply with policy DP21 of the District Plan and para 108 of the NPPF.

Sustainability

Policy DP21 of the District Plan relates to transport. The full policy is set out above. In part it requires schemes to be *'sustainably located to minimise the need for travel'*

and take *'opportunities to facilitate and promote the increased use of alternative means of transport to the private car, such as the provision of, and access to, safe and convenient routes for walking, cycling and public transport, including suitable facilities for secure and safe cycle parking'*. In addition, it requires where *'practical and viable, developments should be located and designed to incorporate facilities for charging plug-in and other ultra-low emission vehicles.'*

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

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

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

Paragraph 148 of the NPPF states:

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

Paragraph 153 states:

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

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

The submitted Sustainability Statement states the *proposed construction specification will seek to ensure that - through fabric alone - each dwelling achieves*

a reduction in carbon dioxide emissions compared mandated by Part L1A of the Building Regulations.'

In addition it advises that *'order to ensure that energy demand is reduced, the dwellings will be designed to minimise heat loss through the fabric wherever possible'*. It further submits that *'through a combination of passive design measures and high fabric performance, the development will support reductions in energy demand'*.

Additional measures to be incorporated within the development would include energy efficient light fittings and bulbs, energy efficient appliances, smart metering and a reduction in water use to achieve the target of 110 litres per person per day.

The accessibility of the site, or the sustainable location of it, is also a key consideration.

The development is situated in a sustainable location within a category 1 settlement close to bus stops and local services.

Therefore, it is considered that the proposal complies with the relevant criteria policies DP21 and DP39 of the District Plan, and the proposal is considered to be acceptable in sustainability terms.

Trees

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

A Tree Survey and Tree Plan has been submitted with the application. Trees on the site consist of a dense group of Western Red Cedar on Weald Road, a mixed group of Cypress and Portuguese Laurel along the rear boundary with South Close, together with a single Plum tree within the pub gardens. The Arboricultural Survey concludes that the existing trees on site are of low grade (Grade C or Grade U), with many identified as being in poor health or of low landscape value. All of these trees are to be removed as part of this development.

A tree replacement plan has been provided which proposes new tree planting along the Royal George Road and Weald Road frontages and within the parking court. These trees will contribute to softening the public realm and the car parking court area.

A condition could be placed on a planning permission in respect of soft landscaping to ensure the planting is provided within the site to soften the development.

In the planning balance it is not considered that there would be significant harm to justify a refusal on the loss of the existing trees.

The proposal is thereby considered to comply with policy DP37 of the District Plan.

Drainage

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

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

It is proposed that the development will manage surface water drainage using attenuation provided in geo-cellular crates beneath the car park and discharged into the sewer at the vehicle access point onto Weald Road. It is also proposed to utilise filter chambers, filter trenches and rain gardens prior to discharging water into the storage tanks. It is proposed that the development will connect foul water sewage to the existing main foul sewer.

The Council's Drainage Engineer has been consulted on the scheme and has raised no objection subject to a condition.

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

Dwelling Space Standards

The Government's Technical Housing Standards - Nationally Described Space Standards document was published in March 2015. It sets out space standards for all new residential dwellings, including minimum floor areas and room widths for bedrooms and minimum floor areas for storage, to secure a satisfactory standard of accommodation for future residents. Policy DP27 of the District Plan supports this.

The submitted plans show that the proposed homes would exceed the National Dwelling Space Standards. The proposal would therefore provide a satisfactory standard of accommodation for future occupiers of the units proposed.

Infrastructure

Policy DP20 of the District Plan relates to infrastructure. It states:

'The Council will expect developers to provide for, or contribute towards, the infrastructure and mitigation measures made necessary by their development proposals through:

- *appropriate on-site mitigation and infrastructure provision;*
- *the use of planning obligations (s106 legal agreements and unilateral undertakings);*
- *the Community Infrastructure Levy, when it is in place.*

A planning obligation can be used where it is 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. The Council will assess each application on its merits to determine if a planning obligation is needed and the matters it should address. Planning obligations will only be entered into where planning conditions cannot be used to overcome problems associated with a development proposal.

Financial contributions will not be sought through planning obligations if 5 or more obligations for that project or type of infrastructure (other than for affordable housing) have already been entered into since 6 April 2010, or if it is a type of infrastructure that is funded by the Community Infrastructure Levy (this will be set out on a list of infrastructure that the Council proposes to fund from the Levy).

The Community Infrastructure Levy Charging Schedule will set out how development will fund the infrastructure needed to support it. The Levy will normally be spent on infrastructure needs in the locality of the scheme.

Proposals by service providers for the delivery of utility infrastructure required to meet the needs generated by new development in the District and by existing communities will be encouraged and permitted, subject to accordance with other policies within the Plan.

Affordable housing is dealt with separately, under Policy DP31: Affordable Housing.'

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

Due to the number of units provided, the proposal does not require affordable housing contributions as set out in Policy DP31 of the District Plan.

The National Planning Policy Framework 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).

Having regard to the relevant policies in the District Plan, the SPDs, Regulation 122 and guidance in the National Planning Policy Framework the infrastructure set out below is to be secured via a planning obligation.

County Council Contributions

Education - Primary: £33,875
 Education - Secondary: £36,456
 Education - 6th Form: £8,541
 Libraries: £3,446
 TAD: £21,521

District Council Contributions

Children's Playing Space: £9,833
 Formal Sport: £11,621
 Kickabout: £8,259
 Community Buildings: £6,458
 Local Community Infrastructure: £8,214

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

The additional population from this development will impose additional burdens on existing infrastructure and the monies identified above will mitigate these impacts. 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.

The Applicants have confirmed agreement to the contributions and works are progressing on the legal agreement. The proposal therefore complies with Policy DP20 of the Mid Sussex District Plan.

Ashdown Forest

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

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

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

Recreational disturbance

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

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

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

Atmospheric pollution

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

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

Conclusion of the Habitats Regulations Assessment screening report

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

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

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

PLANNING BALANCE AND CONCLUSION

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

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

The application site lies in the built up area of Burgess Hill and results in the formation of a net increase in 9 additional residential units. The site is within a Settlement 1 Category and is therefore considered to be a suitable and sustainable location for residential development. The redevelopment of the site is considered to be sensitive in design and scale to the character of the area and will not detract from the street scene. In addition, the site is within a Settlement 1 Category and is therefore considered to be a suitable and sustainable location for residential development. No significant harm would be caused to the amenities of the surrounding residential occupiers through overlooking or a loss of light. Moreover, the proposal is considered not to cause harm in terms of parking or highway safety.

The proposal will provide minor but positive social and economic benefits through the delivery of 9 additional dwellings in the built up area of Burgess Hill within a sustainable location which reflects one of the key objectives of the NPPF. The proposal would also result in construction jobs over the life of the build and the increased population likely to spend in the community. Because, however, of the small scale of the development proposed these benefits would be limited. The Council would also receive a new homes bonus. This is a minor material consideration with very limited weight

Weighed against this is that the proposal would result in the loss of a community facility of the public house. Whilst the loss of the community facility is regrettable, it has been demonstrated that the use as a pub is no longer viable and that there are a number of duplicate facilities in the locality which can accommodate the loss of the pub. As such the proposal meets the criteria of Policy DP25 and its loss is therefore considered acceptable.

There will be a neutral impact in respect of highway safety and parking provision, space standards, impact on neighbouring amenities, and the impact on the Ashdown Forest.

The application is thereby considered to comply with policies DP4, DP6, DP20, DP21, DP25, DP26, DP27, DP37 and DP40 of the District Plan and therefore complies with the development plan, and paragraphs 8, 108, 110, 124, 127 and 148 of the NPPF.

APPENDIX A – RECOMMENDED CONDITIONS

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

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

Approved Plans

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

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

Pre-commencement conditions

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

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

4. No development above ground floor slab level shall be carried out unless and until 1:20 scale elevation and section drawings showing a typical gable frontage has 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

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

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

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,

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

Reason: In the interests of highway safety and the amenities of the area and to accord with Policies DP21 and DP26 of the Mid Sussex District Plan 2014 - 2031.

6. Apart from works necessary to demolish all the existing buildings on site, no development shall take place unless and until details of the proposed foul and surface water drainage and means of disposal have been submitted to and approved in writing by the Local Planning Authority and in consultation with Southern Water. No building shall be occupied until all the approved drainage works have been carried out in accordance with the approved details. The details shall include a timetable for its implementation and a management and maintenance plan for the lifetime of the development which shall include arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. Maintenance and management during the lifetime of the development should be in accordance with the approved details.

Existing surface water drainage and surface water flow routes on site shall not be blocked as a result of any demolition works and existing surface water drains shall be maintained until such time that development commences.

Reason: To ensure that the proposal is satisfactorily drained and to accord with the NPPF requirements, Policy DP41 of the Mid Sussex District Plan 2014 - 2031.

7. Prior to the commencement of the development, the developer details shall be submitted to and approved by the Local Planning Authority (in consultation with Southern Water) of the measures which will be undertaken to divert the public sewers,

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.

Reason: To ensure that the proposal is satisfactorily drained and to accord with the NPPF requirements, Policy DP41 of the Mid Sussex District Plan 2014 - 2031.

Pre-occupation conditions

8. The 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 a hard and soft landscaping scheme including detailed landscape drawings and details of boundary treatments and alignments. These works shall be carried out as approved. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed by the Local Planning Authority. Any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or

diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

9. No part of the development shall be first occupied until such time as the existing vehicular access onto Royal George Road has been physically closed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

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

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

Reason: To provide adequate on-site car parking and turning space for the development and to accord with Policy DP21 of the Mid Sussex District Plan 2014 - 2031.

11. 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 Policy DP21 of the Mid Sussex District Plan 2014 - 2031.

12. No part of the development shall be first occupied until details of electric vehicle charging vehicle points including the location of these spaces have been submitted to and approved in writing by the Local Planning Authority. These spaces shall thereafter be retained for its designated use.

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

Post construction

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

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

INFORMATIVES

1. The proposed development will require formal address allocation. You are advised to contact the Council's Street Naming and Numbering Officer before work starts on site. Details of fees and developers advice can be found at www.midsussex.gov.uk/streetnaming or by phone on 01444 477175.
2. Your attention is drawn to the requirements of the Environmental Protection Act 1990 with regard to your duty of care not to cause the neighbours of the site a nuisance.

Accordingly, you are requested that:

- Hours of construction/demolition on site are restricted only to: Mondays to Fridays 0800 - 1800 hrs; Saturdays 0900 - 1300 hrs; No construction/demolition work on Sundays or Public Holidays.
 - Measures shall be implemented to prevent dust generated on site from crossing the site boundary during the demolition/construction phase of the development.
 - No burning of materials shall take place on site at any time.
3. The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.
 4. You are advised that this planning permission requires compliance with a planning condition(s) **before development commences**. You are therefore advised to contact the case officer as soon as possible, or you can obtain further information from: <https://www.gov.uk/guidance/use-of-planning-conditions#discharging-and-modifying-conditions> (Fee of £116 will be payable per request). If you carry out works prior to a pre-development condition being discharged, then a lawful start will not have been made and you will be liable to enforcement action.
 5. 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
Location Plan	010	01	03.07.2020
Existing Site Plan	011	00	03.07.2020
Block Plan	100	01	03.09.2020
Proposed Site Plan	102	01	03.09.2020
Proposed Site Plan	101	03	03.09.2020
Existing Floor Plans	PL01		22.07.2020
Existing Floor Plans	PL02		22.07.2020
Existing Elevations	PL03		22.07.2020
Existing Elevations	PL04		22.07.2020
Proposed Floor Plans	A200	02	03.07.2020
Proposed Elevations	A300	00	03.07.2020
Proposed Floor and Elevations Plan	B200	02	21.10.2020
Proposed Elevations	B300	00	03.07.2020
Proposed Roof Plan	B200	02	03.07.2020
Proposed Floor Plans	C200	03	03.07.2020
Proposed Elevations	C300	01	03.09.2020
Proposed Roof Plan	C201	03	03.09.2020
Street Scene	300	02	03.09.2020

APPENDIX B – CONSULTATIONS

Parish Consultation

OBSERVATIONS: The Committee reiterated their previous comments, and regretted the loss of a parking space from the previous plans. The Committee encourage the use of renewable energies.

Architect / Urban Designer - Will Dorman

As well as the loss of the pub, this scheme unfortunately involves the loss of an open space (the beer garden) that breaks up the otherwise hard-edged streetscape and relieves the run of ubiquitous-looking houses along this part of Royal George Road and Weald Road.

The proposal can nevertheless be commended for avoiding front threshold parking (that is a regrettable feature of nearby properties) especially along the more prominent Royal George Road (and at the corner). Instead of hard surfacing these areas are shown grassed over and featuring trees (the division of the public/private realm is nevertheless unclear and needs clarifying with the submission of detailed landscape drawings; in particular the trees would be better located in the public realm and maintained by a management company along with the other communal elements). The parking is discreetly accommodated at the side of the houses and at the rear in a parking court which is softened by some trees and planting areas.

The scheme benefits from well-defined frontages generated by consistent building lines employed on both road frontages. The alternate gable and pitch roof arrangement provides

rhythm and vertical articulation (a consistent arrangement has been achieved even though plots 5-6 are organised internally as flats rather than houses).

The buildings feature contemporary-designed frontages with generously proportioned windows and suggest crisp detailing such as the clipped eaves and decorative projecting brickwork on the ground floor that adds elevational interest and should help avoid the frontages appearing bland. The inset front doors provide some further depth / relief (although unfortunately they are not featured on plots 5-6). Nevertheless, a more detailed elevation and section drawing is recommended that show these features and the overall composition more clearly.

The rainwater downpipes have been discreetly positioned in the corner return of the gables where they help reinforce the boundary division of the terraced and semi-detached houses.

The revised drawings feature a reconfigured terrace on plots 8-10 that is now bookended by gables. The symmetry achieved by this provides harmony in its own terms but also continues the gable/pitch/gable arrangement established along Royal George Rd. It also articulates the southern return with a pitched roof return (avoiding a large bland brick gabled flank); the revised drawings include a stairwell window that provides some animation of an otherwise blank façade.

In conclusion, I raise no objections to the scheme but to secure the quality of the design I would recommend conditions requiring further approval of the following:

- Facing materials including windows
- A detailed soft and hard landscaping plan showing boundary treatment and alignments
- 1:20 scale elevation and section drawing of a typical gable frontage

Parish Consultation

OBSERVATIONS: Recommend Approval

The Committee noted concerns over the access.

The Committee support the possibility of solar photovoltaics and solar thermal energy being used.

233

INFRASTRUCTURE REQUIREMENTS: - Mid Sussex District Council welcome specific recommendations with regard to Section 106 needs associated with this development. The recommendations of the Planning Committee are as follows:

Any Community Building and/or Community Infrastructure monies go towards The Beehive Centre.

WSSC Highways Authority

The Site

Located on the corner of Royal George Road, and Weald Road in the town of Burgess Hill; both roads surrounding the site have 30mph speed restrictions. Double yellow lines are located on Royal George Road, and these extend around the junction into Weald Road reducing any dangerous parking at the junction. There are designated parking lay-bys outside the parade of shops on Weald Road, which can accommodate up to 4 cars. Both roads are wide with recorded widths of 5.5m on Royal George Road, and 5m on Weald Road.

The Proposal

To demolish the existing public house, known as The Weald, and create 10 dwellings one, 2 bed house, two, 2 bed flats and seven, 3 bed houses, with associated car parking in the form of driveways and a car parking court to the rear.

Access points into the development

The site currently has one access from Royal George Road which used to serve as the pub car park. This will be closed and require a reinstatement of the footway as part of the off-site highway works. These will cover all the works required to make the new access points safe, and in accordance with WSCC highway adoption standards. (see s278 informative below).

There will be two access points onto Royal George Road, and two onto Weald Road. Three of these will provide driveways to the dwellings. The precedent for driveway parking has already been set as houses opposite the pub have driveways in front of their properties.

Lastly a new access from Weald Road will be created into the rear car park. This will be a priority junction, and dropped crossing points with tactile paving should be created on either side to facilitate crossing for pedestrians.

Visibility

Drawing 2005014-01, in appendix C of the submitted Transport Statement show all access points can achieve 2.4m x 43m in both directions, apart from the new priority access junction onto Weald Road. This access provides 19m to the junction to the east, and 14m to the edge of plot number 7.

Whilst the eastern visibility is acceptable as the splay reaches the junction, the western splay is for a speed of 12mph however; given the residential nature of the road it is likely that most cars moving in and out of their driveways will fit this criteria and as the road naturally bends and is a 'D' classified residential road its unlikely cars will be driving at 30mph. In addition, parked cars on the road will act as natural traffic calming, and the number of vehicle movements in and out of the site is low.

As such it is considered the visibility splays for this access are acceptable given the size of development and nature of the road.

RSA

A Stage 1 Road Safety Audit has been undertaken by Gateway TSP on behalf of Motion.

The audit was carried out on the 27th May 2020 using the terms of reference set out in GG119. Due to Covid 19, an initial desk top review was undertaken until such time that a physical site visit could be carried out. No concerns were raised by the auditors.

Parking Strategy

Consideration has been given to both the Burgess Hill neighbourhood plan adopted in 2016 which has slightly higher parking requirements of 22 spaces, and the West Sussex County Council car parking standards, requiring 15 spaces. The applicant has decided to provide 21 car parking spaces which is measured against these two standards. WSCC are satisfied with this approach.

Swept Path Analysis for a car and light van

Swept paths for a 2006 estate car and a light van have been provided. These show there may be a few issues with a larger car using space 14 but otherwise they are workable. The diagrams also show how entering and exiting in forward gear is possible. As such WSCC are satisfied with the configuration of the car park. The use of the proposed new access from Weald Road is demonstrated sufficiently.

Sustainability

The site is highly sustainable. Located in Burgess Hill town there are lit foot ways and suitable roads for cycling that are flat. The nearest bus stop to the site is located approximately 50 metres away and provides an hourly service. Burgess Hill railway station is 1.8 kilometres to the South East of the site providing Connections to London and other parts of the South East. The site is also located close to several local amenities.

Internal Layout

Whilst the site fronts the two existing residential roads, Royal George Road and Weald Road, there is an internal access road which provides access to the car park to the rear. This is 6m in width and a bell mouth access will be created. Tactile dropped paving is required here. There should also be an extension of the footway from Weald Road into the site next to plot 10 to connect with the proposed footpath around the car parking spaces. This connects to the footpath which runs alongside plots 5-7 and creates a permeable route through the site to and from the car parking area.

These footpaths should be approx. 1.5m in width, and if not level with the surface of the car park, dropped kerbs should be provided to assist moving items from the car parking area such as buggies, or wheelchairs that require a level access.

A lamp column will need to be removed and relocated, and there is also a telegraph pole in the vicinity of the proposed car park access which may need re-locating.

Cycle Parking

In line with NPPF guidance, each dwelling should provide cycle storage which is covered and secure. Details of cycle parking and provide in each dwelling covered and secured. The condition below will cover this aspect and details must be provided, often these are in sheds in the rear gardens.

Trip Impact

The transport statement provided by Motion includes data retrieved from the TRICS's database in order to quantify the levels of traffic flows that are likely to be associated with the existing land use. The applicant has provided numbers which compare the current public house land use and the proposed 10 dwellings. The data indicates the existing pub use can attract approximately 140 movements in one day, this equates to 12 vehicle movements every hour. Compared to the proposal for 10 dwellings, which would create approximately 41 movements across a typical day, this is much lower and equates to just one movement every 15 minutes during the morning and evening peak hours.

Therefore, the proposal to change the land use from A1 to C3, is not considered to cause any material capacity impacts which are considered severe as per the NPPF guidance.

RTCC Data

An interrogation of the WSCC Road Traffic Casualty and Collision Database has been undertaken to ensure there are no highway safety issues at this location. The data covers a period of 5 years, and includes any recorded casualties or collisions, and how severe they are. The database reveals 2 incidents have been recorded during this time, both were pedestrians who didn't look properly, and neither were related to any highway defect.

Construction Management Plan (CMP)

As the public house will be demolished the site will require a CMP, to ensure all elements of the demolition and construction phases are managed. This can be conditioned see below for further details.

Access closure (Access Closure)

No part of the development shall be first occupied until such time as the existing vehicular access onto Royal Georges Road Construction Management Plan has been physically closed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of road safety.

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

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

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

Cycle parking

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.

Works within the Highway - Implementation Team

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

WSSC County Planning Officer

Summary of Contributions

Education			
School Planning Area	Burgess Hill		
Population Adjustment	20.7		
	Primary	Secondary	6th Form
Child Product	0.2556	0.2556	0.1380
Total Places Required	1.7892	1.2780	0.2760
Library			
Locality	Burgess Hill		
Contribution towards Hassocks/Hurstpierpoint/Steyping	£0		
Contribution towards Burgess Hill	£3,446		
Contribution towards East Grinstead/Haywards Heath	£0		
Population Adjustment	20.7		
Sqm per population	30/35		
Waste			
Adjusted Net. Households	9		
Fire			
No. Hydrants	TBC		
Population Adjustment	N/A		
£/head of additional population	N/A		
TAD- Transport			
Net Population Increase	20.7		
Net Parking Spaces	9		
Net Commercial Floor Space sqm	0		
Total Access (commercial only)	0.0000		

Summary of Contributions

S106 type	Monies Due
Education - Primary	£33,875
Education - Secondary	£36,459
Education - 6th Form	£8,541
Libraries	£3,446
Waste	No contribution
Fire & Rescue	No contribution
No. of Hydrants	secured under Condition
TAD	£21,521
Total Contribution	£103,841

Note: The above summary does not include the installation costs of fire hydrants. Where these are required on developments, (quantity as identified above) as required under the Fire Services Act 2004 they will be installed as a planning condition and at direct cost to the developer. Hydrants should be attached to a mains capable of delivering sufficient flow and pressure for fire fighting as required in the National Guidance Document on the Provision of Water for Fire Fighting 3rd Edition (Appendix 5)

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

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

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

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

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

The calculations have been derived on the basis of an increase in 9 net dwellings, and an additional 9 car parking spaces.

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

5. Deed of Planning Obligations

- a) As a deed of planning obligations would be required to ensure payment of the necessary financial contribution, the County Council would require the proposed development to reimburse its reasonable legal fees incurred in the preparation of the deed.
- b) The deed would provide for payment of the financial contribution upon commencement of the development.
- c) In order to reflect the changing costs, the deed would include arrangements for review of the financial contributions at the date the payment is made if the relevant date falls after 31st March 2021. This may include revised occupancy rates if payment is made after new data is available from the 2021 Census.
- d) Review of the contributions towards school building costs should be by reference to the DfE adopted Primary/Secondary/Further Secondary school building costs applicable at the date of payment of the contribution and where this has not been published in the financial year in which the contribution has been made then the contribution should be index linked to the DfE cost multiplier and relevant increase in the RICS BCIS All-In TPI. This figure is subject to annual review.
- e) Review of the contribution towards the provision of additional library floorspace should be by reference to an appropriate index, preferably RICS BCIS All-In TPI. This figure is subject to annual review.

The contributions generated by this proposal shall be spent on additional equipment at The Gattons Infant School.

The contributions generated by this proposal shall be spent on additional equipment at Burgess Hill Academy.

The contributions generated by this proposal shall be spent on additional equipment at St. Paul's Catholic College.

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

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

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

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

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

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

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

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

Breakdown of Contribution Calculation Formulas:

1. School Infrastructure Contributions

The financial contributions for school infrastructure are broken up into three categories (primary, secondary, sixth form). Depending on the existing local infrastructure only some or none of these categories of education will be required. Where the contributions are required

the calculations are based on the additional amount of children and thus school places that the development would generate (shown as TPR- Total Places Required). The TPR is then multiplied by the Department for Children, Schools and Families school building costs per pupil place (cost multiplier).

School Contributions = TPR x cost multiplier

a) TPR- Total Places Required:

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

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

Year groups are as below:

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

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

Child Product = Adjusted Population x 14 / 1000

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

b) Cost multiplier- Education Services

The cost multiplier is a figure released by the Department for Education. It is a school building costs per pupil place as at 2020/2021, updated by Royal Institute of Chartered Surveyors' Building Cost Information Service All-In Tender Price Index. Each Cost multiplier is as below:

- Primary Schools- £18,933 per child
- Secondary Schools- £28,528 per child
- Sixth Form Schools- £30,939 per child

2. Library Infrastructure

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

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

Contributions = SQ M Demand x Cost Multiplier

a) Square Metre Demand

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

$$\text{Square Metre Demand} = (\text{Adjusted Population} \times \text{LFD}) / 1000$$

b) Cost Multiplier- Library Infrastructure

WSCC estimated cost of providing relatively small additions to the floorspace of existing library buildings is £5,549 per square metre. This figure was updated by Royal Institute of Chartered Surveyors' Building Cost Information Service All-In Tender Price Index for the 2020/2021 period.

3. TAD- Total Access Demand

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

$$\text{TAD} = \text{Infrastructure contribution} + \text{Sustainable Transport contribution}$$

a) Infrastructure Contribution

Contributions for Infrastructure are determined by the new increase in car parking spaces, multiplied by WSCC's estimated cost of providing transport infrastructure per vehicle Infrastructure cost multiplier. The Infrastructure cost multiplier as at 2020/2021 is £1,450 per parking space.

$$\text{Infrastructure contributions} = \text{Car parking spaces} \times \text{Cost multiplier}$$

b) Sustainable Transport Contribution

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

$$\text{Sustainable transport contribution} = (\text{net car parking} - \text{occupancy}) \times 724$$

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

WSCC Flood Risk Management Team

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

Comments:

Current surface water mapping shows that the proposed site is at low risk from surface water flooding although higher risk does exist to the south of the site.

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

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

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

Modelled groundwater flood hazard classification - Low risk

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.

Ground water contamination and Source Protection Zones.

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.

Ordinary Watercourses nearby? No

Comments:

Current Ordnance Survey mapping shows no ordinary watercourses running across or adjacent to the site.

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

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

Records of any flooding within the site? No

Comments:

We do not have any records of 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.

Future development - Sustainable Drainage Systems (SuDS)

The FRA and Drainage Strategy for this application propose that below ground attenuation with a restricted discharge to the main sewer would be used to control the surface water from this development.

In the spirit of SuDS implementation, betterment for surface water systems on developments could be sought. This could include retention at source through green/blue roofs, rain gardens, permeable paving, swales, bioretention systems or tree pits prior to disposal to reduce peak flows. SuDS landscaping also significantly improves the local green infrastructure provision and biodiversity impact of the developments whilst also having surface water benefits.

The District Council Drainage Engineer may want to review this application to identify if there are any site specific land use considerations that may affect surface water management and for a technical review of any drainage systems proposed.

All works to be undertaken in accordance with the LPA agreed detailed surface water drainage designs and calculations for the site, based on sustainable drainage principles.

The maintenance and management of the SuDS system should be 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.

WSCC Minerals and Waste

Please be advised that the Minerals and Waste Planning Authority would offer No Objection to the proposed developments as per the subject line of this email.

Both applications are within the curtilage of an existing dwellings and would therefore meet consultation exemption criteria as per 2.4 of the Minerals and Waste Safeguarding Guidance (found here).

Southern Water

Please find attached a plan of the sewer records showing the approximate position of public foul sewer within the site and public surface water in the immediate vicinity of the site.

The attached plan shows that the proposed development will lie over an existing public foul sewer which will not be acceptable to Southern Water. The exact position of the public apparatus must be determined on site by the applicant before the layout of the proposed development is finalised. It might be possible to divert the sewer/water main, so long as this would result in no unacceptable loss of hydraulic capacity, and the work was carried out at the developer's expense to the satisfaction of Southern Water under the relevant statutory provisions.

Please note:

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

In order to protect drainage apparatus, Southern Water requests that if consent is granted, the following condition is attached to the planning permission; The developer must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to divert the public sewers, prior to the commencement of the development.

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

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

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

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

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

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

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

ciria.org/Memberships/The_SuDS_Manual_C753_Chapters.aspx

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

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

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

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

The disposal of surface water from this development shall follow the hierarchy within Part H3 of Building Regulations:

- a) An adequate soakaway or some other adequate infiltration system.
- b) A water course.
- c) Where neither of the above is practicable: a sewer.

Land uses such as general hard standing that may be subject to oil/petrol spillages should be drained by means of oil trap gullies or petrol/oil interceptors.

The design of drainage should ensure that no groundwater or land drainage is to enter public sewers.

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.

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

MSDC Urban Designer

Amended scheme

As well as the loss of the pub, this scheme unfortunately involves the loss of an open space (the beer garden) that breaks up the otherwise hard-edged streetscape and relieves the run of ubiquitous-looking houses along this part of Royal George Road and Weald Road.

The proposal can nevertheless be commended for avoiding front threshold parking (that is a regrettable feature of nearby properties) especially along the more prominent Royal George Road (and at the corner). Instead of hard surfacing these areas are shown grassed over and featuring trees (the division of the public/private realm is nevertheless unclear and needs

clarifying with the submission of detailed landscape drawings; in particular the trees would be better located in the public realm and maintained by a management company along with the other communal elements). The parking is discreetly accommodated at the side of the houses and at the rear in a parking court which is softened by some trees and planting areas.

The scheme benefits from well-defined frontages generated by consistent building lines employed on both road frontages. The alternate gable and pitch roof arrangement provides rhythm and vertical articulation (a consistent arrangement has been achieved even though plots 5-6 are organised internally as flats rather than houses).

The buildings feature contemporary-designed frontages with generously proportioned windows and suggest crisp detailing such as the clipped eaves and decorative projecting brickwork on the ground floor that adds elevational interest and should help avoid the frontages appearing bland. The inset front doors provide some further depth / relief (although unfortunately they are not featured on plots 5-6). Nevertheless, a more detailed elevation and section drawing is recommended that show these features and the overall composition more clearly.

The rainwater downpipes have been discreetly positioned in the corner return of the gables where they help reinforce the boundary division of the terraced and semi-detached houses.

The revised drawings feature a reconfigured terrace on plots 8-10 that is now bookended by gables. The symmetry achieved by this provides harmony in its own terms but also continues the gable/pitch/gable arrangement established along Royal George Rd. It also articulates the southern return with a pitched roof return (avoiding a large bland brick gabled flank); the revised drawings include a stairwell window that provides some animation of an otherwise blank façade.

In conclusion, I raise no objections to the scheme but to secure the quality of the design I would recommend conditions requiring further approval of the following:

- Facing materials including windows
- A detailed soft and hard landscaping plan showing boundary treatment and alignments
- 1:20 scale elevation and section drawing of a typical gable frontage

Original

I've had an initial look at this application which appears to be a significant improvement upon the pre-app, and the gable frontages contribute positively by providing rhythm and elevational interest / vertical articulation.

I do though think it could be further improved if the 8-10 were reorganised with the wheelchair accessible flat in the middle (i.e. plot 9) to allow a symmetrical frontage and plot 10 organised with a gable frontage to echo plot 8 and allow the terrace to be bookended with gable frontages. Moreover it avoids a large gable flank return that threatens to be a dead-hand in the street as it will be very visible between the wide gap in the street frontage (with existing no.7 Weald Rd) and presents an inauspicious entrance to the rear court parking area. A pitch-roof return will avoid the amount of brick face and provide some articulation; there may be scope for first floor windows at least at the top of the stairs, if not serving bedroom 3 (if this might create overlooking problems with 7 Weald Rd).

I also note that no disabled parking bays have been provided; I would recommend that one space is sacrificed to accommodate this at the rear of plot 9.

The landscaping and boundary treatment need to be explored, and the patterned brick could also be further emphasised by being a different tone. These can though be made subject to conditions.

MSDC Leisure

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

St Johns Park, owned and managed by the Council, is the nearest locally equipped play area approximately 300m from the development site. This facility will face increased demand from the new development and a contribution of £18,092 is required to make improvements to play equipment (£9,833) and kickabout provision (£8,259). These facilities are within the distance thresholds for children's play outlined in the Development and Infrastructure SPD

FORMAL SPORT

In the case of this development, a financial contribution of £11,621 is required toward formal sport facilities at St Johns Park (tennis and/or cricket).

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 £6,458 is required to make improvements to Fairfield 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.

MSDC Drainage

Recommendation:

No objection subject to conditions.

Advice.

FLOOD RISK

Due to the scale of the development a Flood Risk Assessment and Drainage Strategy has been submitted in support of this application.

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

flood risk. However, the report does identify an area of increased surface water flood risk directly to the south of the site boundary.

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

SURFACE WATER DRAINAGE

The BGS infiltration potential map shows the site to be in an area with low infiltration potential. Therefore, the use of infiltration drainage such as permeable paving or soakaways is unlikely to be possible on site.

The Flood Risk Assessment and Drainage Strategy states that the Greenfield QBar runoff rate for the proposed impermeable surfaces post development is 0.6l/s. The report also states that surface water drainage shall be discharged to the public surface water sewer located on the northeast and northwest boundaries of the site.

Attenuation shall be provided in geo-cellular crates beneath the car park and discharged into the sewer at the vehicle access point onto Weald Road. It is also proposed to utilise filter chambers, filter trenches and rain gardens prior to discharging water into the storage tanks.

The drainage system has been designed to manage runoff for events up to and including the 1 in 100-year storm with an additional 40% allowance for climate change.

We would advise the applicant that paragraph 11.13 of the report refers to discharge to a field. The Flood Risk and Drainage Team understand this to be erroneous, however we would advise that the report is updated as part of the detailed drainage design. Further information into our general requirements for surface water drainage is included within the 'General Drainage Requirement Guidance' section.

FOUL WATER DRAINAGE

It is proposed that the development will connect foul water sewage to the existing main foul sewer. The Flood Risk Assessment and Drainage Strategy also states that an existing foul water sewer is located on site and that this will be realigned as part of the development.

We would advise the applicant to discuss the proposed sewer realignment and any possible sewer buffer zones with Southern Water prior to detailed drainage design.

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

SUGGESTED CONDITIONS

C18F - MULTIPLE DWELLINGS/UNITS

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

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

GENERAL DRAINAGE REQUIREMENT GUIDANCE SURFACE WATER DRAINAGE

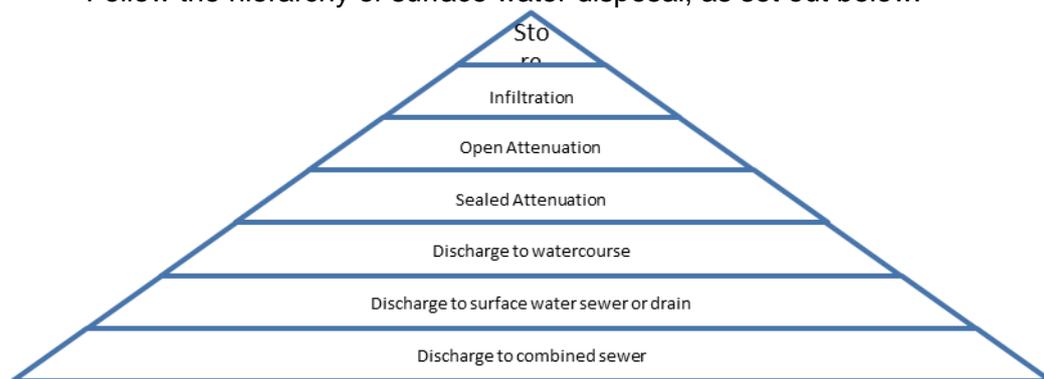
Proposed development will need to fully consider how it will manage surface water run-off. The hierarchy of surface water disposal will need to be followed and full consideration will need to be made towards the development catering for the 1 in 100-year storm event plus extra capacity for climate change.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

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

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

The proposed development drainage will need to:

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



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

FOUL WATER DRAINAGE

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

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

The Environment Agency have advised that any existing septic tank foul drainage systems that are found to not comply with the 2020 Binding Rules will need to be replaced or upgraded. As such any foul drainage system which proposed to utilise a septic tank will need to comply with the new 2020 rules. Guidance into the General Binding Rules can be found on the government website (<https://www.gov.uk/guidance/general-binding-rules-small-sewage-discharge-to-a-surface-water>)

FLOOD RISK AND DRAINAGE INFORMATION FOR PLANNING APPLICATIONS

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

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

USEFUL LINKS

[Planning Practice Guidance – Flood Risk and Coastal Change](#)

[Flood Risk Assessment for Planning Applications](#)

[Sustainable drainage systems technical standards](#)

[Water.People.Places.- A guide for master planning sustainable drainage into developments](#)

[Climate change allowances - Detailed guidance – Environment Agency Guidance](#)

[West Sussex Lead Local Flood Authority Policy for the Management of Surface Water](#)

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

MSDC Contaminated Land Officer

Having reviewed our contaminated land mapping , I have no comment to make with regards to the proposed application.

MSDC Street Name & Numbering

Please could I ask you to ensure that the following informative is added to any decision notice granting approval:

Informative: Info29

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