MID SUSSEX DISTRICT COUNCIL

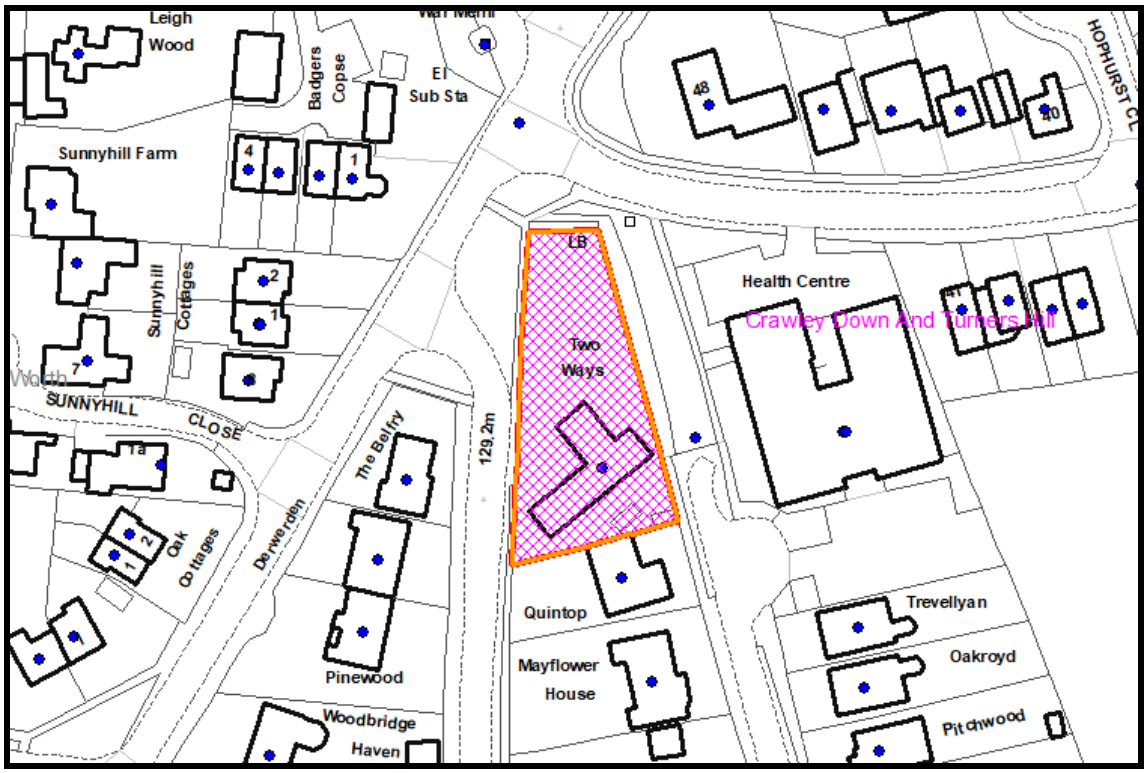
Planning Committee

8 APR 2021

RECOMMENDED FOR PERMISSION

Worth

DM/20/4654



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TWOWAYS STATION ROAD CRAWLEY DOWN CRAWLEY
DEMOLITION OF THE EXISTING DETACHED BUNGALOW AND THE ERECTION OF 3NO. FOUR BEDROOM DETACHED HOUSES WITH ASSOCIATE GARAGES
JAMIE COPLAND

POLICY: Ashdown Forest SPA/SAC / Built Up Areas / Classified Roads - 20m buffer / Aerodrome Safeguarding (CAA) /

ODPM CODE: Minor Dwellings

8 WEEK DATE: 12th April 2021

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

CASE OFFICER: Joseph Swift

PURPOSE OF REPORT

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

EXECUTIVE SUMMARY

This application seeks planning permission for the demolition of the existing detached bungalow and erection of 3no. four bedroom detached houses with associated garages at Twoways, Station Road, Crawley Down which is designated within the Mid Sussex District Plan as being within the built up area boundaries.

The application has been called in by Cllr Coote, Cllr Gibson and Cllr Webb on the grounds of overdevelopment and not in-keeping within the street scene.

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.

National planning policy states that planning should be genuinely plan led. The Council has a recently adopted District Plan and is able to demonstrate that it has a five 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.

Weighing in favour of the application is that the proposal would provide a replacement dwelling and two additional dwellings within a location which provides for good access to local services and facilities by means other than the private car. In addition, the proposal would result in the provision of construction jobs, the (minor) benefit to housing supply and an increased population likely to spend in the community are further factors that weigh in favour of the proposal. The scheme would also support the Government's objective of significantly boosting the supply of homes.

The proposal will not result in demonstrable significant harm to neighbouring residential amenity whilst the scheme will provide a good standard of accommodation for future occupiers. In addition, the proposal accords with the Council's sustainability policy requirements.

No objections are raised to the proposal by the local highway authority and in the absence of any technical objections there are not deemed to be any reasonable grounds to refuse the application on highways related matters.

The proposed dwellings are considered to be of an appropriate design size and scale that is appropriate and sensitive to the character of the area.

For the purposes of this application there will be a neutral impact in respect of a number of issues such as drainage, trees and the impact on the Ashdown Forest.

The Council would also receive a new homes bonus.

The proposal is therefore deemed to comply with the requirements of Policies DP4, DP6, DP17, DP21, DP26, DP29, DP37, DP39 and DP41 of the District Plan 2014-31 and Policies Policy CDNP04.2, CNP05, CDNP10 and CDNP11 of the Neighbourhood Plan, the Mid Sussex Design Guide SPD as well as the broader requirements of the NPPF.

RECOMMENDATION

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

SUMMARY OF REPRESENTATIONS

127 Third party letters of representation have been received in regards to this application, objecting to the proposal for the following reasons:

- Overdevelopment of the site
- Impact on neighbouring amenity
- Highways, access, parking and traffic impacts
- Not in-keeping
- Purchased by a developer
- Level of building within Crawley Down at capacity
- Bungalows are in need within Village
- Local school oversubscribed
- Health centre oversubscribed
- Contravenes a covenant on the land
- Lack of adequate infrastructure/services
- Not affordable houses
- Parking during construction
- Plot is too small
- Surface water provision already exceeded/drainage issues
- Contrary to Neighbourhood Plan
- Air pollution
- Loss of trees
- Disruption to wildlife
- Noise and disturbance
- Loss of valuable greenspace
- Detrimental to character
- Impact on property prices

- Not starter homes
- Set a precedent
- Garages not adequate size
- Contrary to development plan

SUMMARY OF CONSULTEES

Drainage Officer Comments:

No objections subject to conditions, advice and modifications necessary at detailed design.

WSCC Highways:

The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal.

Natural England:

No Objections subject to securing appropriate mitigation.

Street Naming and Numbering Officer:

Info 29

Environmental Protection Officer:

Recommended conditions on construction hours, deliveries and a construction management plan.

PARISH COUNCIL OBSERVATIONS

The Parish Council strongly objects as the proposed development is contrary to;

CDNP05 a) and c) due to overdevelopment of the site on a significant village access road and the overbearing nature of the development on the property immediately to the south, to CDNP10 a),c),d),e), and f), to CDNP06 due to the lack of adequate services in Bowers Place which is the indicated direction of flow for surface water and foul sewerage and to DP26.

The application refers to comparison with Bowers Place as the street scene, this is misleading, the proposal is in Station Road and in our view will, produce an unacceptable addition to the Station Road street scene.

The site is on a busy junction and a bus route. Station road is a busy access route for vehicles and pedestrians throughout the day and is especially busy during

surgery and school movement times. Introducing a further access and additional vehicle movements cannot from our perspective be supported.

The properties appear to be providing 2 car parking spaces each but no visitor parking, the drives appear to be too short for two cars external to the garage, without overlapping the pavement. Parking on the highway at this location is neither feasible or practical.

INTRODUCTION

This application seeks planning permission for the demolition of the existing detached bungalow and erection of 3no. four bedroom detached houses with associated garages at Twoways, Station Road, Crawley Down.

This application has been called into committee by Cllr Coote, Cllr Gibson and Cllr Webb for the following reasons:

'Further to our telephone conversation of the 8th February 21, I would like to call in the above application on the grounds of Overdevelopment and not Keeping within the Street Scene.

I also support the objection raised by Worth Parish Council.

This is seconded by Councillor Ian Gibson and supported by Councillor Roger Webb.'

RELEVANT PLANNING HISTORY

WP/116/80: Proposed extension to form lounge, and conversion of existing lounge to bedroom/bath en-suite. PERMISSION

WP/006/83: Double garage. REFUSED

WP/112/84: Extension to provide additional room together with a detached double garage. PERMISSION

WP/146/84: Extension to provide additional room together with a detached garage without complying with condition 4 attached to previous consent WP/112/84. PERMISSION

WP/102/86: Double garage, bedroom, study and utility room. PERMISSION

DM/20/3127: Demolition of the existing bungalow and the erection of 4no. four bedroom detached house with associate garages. WITHDRAWN

SITE AND SURROUNDINGS

Twoways is a detached bungalow located to the eastern (side) of Station Road, with the two storey detached dwelling Quintops to the southern (side) boundary. The

north of the site leads onto the junction of Hophurst Drive and Vicarage Road, with a footpath and bower Place to the east which leads onto the Heath Centre.

The application site is designated within the Mid Sussex District Plan as being within the built up area boundaries of Crawley Down and within 7km of the Ashdown Forest.

APPLICATION DETAILS

The proposal seeks planning permission for the demolition of the existing detached bungalow measuring some 23 metres in width by 14.4 metres in depth with an eaves height of 2.5 metres and an overall height of 5.1 metres and the replacement with 3no. four bedroom detached houses.

The proposal is seeking to replace the existing detached bungalow with 2 identical dwellings (house type A) each measuring a maximum of some 9.9 metres in width, by some 11.8 metres in depth, with an eaves height of 5.5 metres and an overall height of 8.8 metres. Each dwelling would provide a lounge, hall, utility, WC, garage and a kitchen/dining room at ground floor, 3 bedrooms, bathroom and ensuite at first floor and a bedroom with an ensuite at second floor, providing 140 square metres of floor space per dwelling.

The third house as identified as house type b on the proposed plans would measure some 11 metres in width, by 8 metres in depth, with an eaves height 5.2 at the rear and an eaves height of 4.7 dropping down to 2.8 metres for the porch, with an overall height of 8.6 metres. The proposal would form a utility, WC, lounge and a kitchen/dining room at ground floor and 4 bedrooms, bathroom and ensuite at first floor, providing 135 square metres of floor space.

A single garage measuring some 3.2 metres in width, by 6.3 metres in depth with an eaves height of 2.25 metres and an overall height of 4.8 metres is proposed to the south of house type b.

The plans show that proposed dwellings are to be constructed of facing brick work walls, with feature brick detailing, splayed brick lintels, stone cills, sash windows and plain roof time, with house type b including some weatherboarding wall. Each dwelling would provide off road parking for 3 cars.

LEGAL FRAMEWORK AND LIST OF POLICIES

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

Specifically, Section 70 (2) of the Town and Country Planning Act 1990 states:

'In dealing with such an application the authority shall have regard to:

a) The provisions of the development plan, so far as material to application,
b) And local finance considerations, so far as material to the application, and

c) Any other material considerations.'

Section 38(6) Planning and Compulsory Purchase Act 2004 provides:

'If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'

The requirement to determine applications "in accordance with the plan" does not mean applications must comply with each and every policy, but is to be approached on the basis of the plan taken as a whole. This reflects the fact, acknowledged by the Courts, that development plans can have broad statements of policy, many of which may be mutually irreconcilable so that in a particular case one must give way to another.

Under section 38(5) of the Planning and Compulsory Purchase Act 2004 if a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published.

Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan and the Crawley Down Neighbourhood Plan.
National policy (which is contained in the National Planning Policy Framework and National Planning Policy Guidance) does not form part of the development plan, but is an important material consideration.

Mid Sussex District Plan

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

Relevant policies:

DP4: Housing
DP6: Settlement Hierarchy
DP17: Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC)
DP21: Transport
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

Neighbourhood Plan

Relevant policies:

Policy CDNP04.2: Infill Housing.
Policy CDNP05: Control of New Developments

Policy CDNP10: Promoting Sustainable Transport
Policy CDNP11: Ashdown Forest Special Area of Conservation (SAC) and Special Protection Area (SPA)

Mid Sussex Design Guide Supplementary Planning Document (SPD)

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

National Planning Policy Framework (NPPF) (Feb 2019)

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

Paragraph 12 of the NPPF states *'The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.'*

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

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

National Planning Policy Guidance

National Design Guide

Ministerial Statement and Design Guide

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

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

Technical Housing Standards

ASSESSMENT

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

- Principle of the development;
- Character and Design
- Impact on amenities of surrounding occupiers;
- Highway safety;
- Sustainability;
- Trees;
- Dwelling Space Standards;
- Ashdown Forest;
- Other matters; and
- Planning Balance and Conclusion.

Principle of development

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

Specifically, Section 70 (2) of the Town and Country Planning Act 1990 states:

'In dealing with such an application the authority shall have regard to:

a) The provisions of the development plan, so far as material to application,
b) And local finance considerations, so far as material to the application, and
c) Any other material considerations.'

Section 38(6) Planning and Compulsory Purchase Act 2004 provides:

'If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'

Under section 38(5) of the Planning and Compulsory Purchase Act 2004 if a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published.

Using this as the starting point the development plan in this part of Mid Sussex consists of the adopted District Plan and the Crawley Down Neighbourhood Plan.

The District Plan has been adopted and the Council can demonstrate a 5 year supply of deliverable housing land. The balance to be applied in this case is therefore a non-tilted one.

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

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

Under policy DP6, Crawley Down is classed as a category 2 settlement; the second largest settlement category in Mid Sussex after the main towns of Burgess Hill, East Grinstead and Haywards Heath. Category 2 settlements are defined as 'larger villages acting as Local Service Centres providing key services in the rural area of Mid Sussex. These settlements serve the wider hinterland and benefit from a good range of services and facilities, including employment opportunities and access to public transport.'

At Neighbourhood Plan level, policy CDNP04.2 of the Neighbourhood Plan relates to Infill Housing and states that:

'Infill housing will be permitted provided it is in accordance with the Neighbourhood Plan and meet the following criteria:

a) The spacing between buildings reflects the character of the street scene.
b) The plot size is appropriate to the scale of the building.
c) Gaps which provide views out of the village to surrounding countryside are maintained and materials are compatible with materials of existing/surrounding buildings
d) The traditional boundary treatment of an area is retained and where feasible reinforced.
e) Suitable access and on-site parking is provided without detriment to neighbouring properties.

f) *Amenities such as access, noise, privacy, daylight, sunlight and outlook of adjoining residents are safeguarded.*
g) *The scale, height, and form of the development should be in character with the street scene. Where appropriate, special regard should be had to sustaining and enhancing the setting and features of heritage assets and the Areas of Townscape Character.'*

Policy CDNP05 of the Neighbourhood Plan relates to Control of New Developments and states that:

'Subject to the other policies of this Neighbourhood Plan; Within the Crawley Down Neighbourhood Plan Area, planning permission will be granted for residential development subject to the following criteria:

a) *The scale height and form fit unobtrusively with the surrounding buildings and the character of the area or street scene and where appropriate, special regard should be had to sustaining and enhancing the setting and features of heritage assets and the Areas of Townscape Character.*
b) *Individual developments will not comprise more than 30 dwellings in total, with a maximum density of 25 per Ha and spacing between buildings to reflect the character of the area.*
c) *Amenities such as access, noise, privacy, daylight, sunlight and outlook of adjoining residents are safeguarded.*
d) *The individual plot sizes are proportionate to the scale of the dwelling.*
e) *Open green spaces are provided in accordance with the Local Plan standard provisions. Where practical open spaces should provide linkage/connection to elements of the local footpath network.*
f) *Construction materials are compatible with the materials of the general area and are locally sourced where practical.'*

The criteria as outlined under the above Neighbourhood Plan policies will primarily be considered under further sections of this report where consideration will be given to design and scale and impact on the character of the area, parking provision and impact upon adjoining amenities. When considering the principle of new housing development, it is noted that the Neighbourhood Plan policies are permissive in nature and that new housing is not constrained by the location of development (i.e. whether it is within or outside the built up area boundary). Thus the principle of development in this location is supported by Neighbourhood Plan policies, subject to the proposal complying with other criteria as listed above.

Design and impact upon character of the area

Policy DP26 of the District Plan is relevant in the determination of this application as it relates to the character and design of new development, and states:

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

- *is of high quality design and layout and includes appropriate landscaping and greenspace;*
- *contributes positively to, and clearly defines, public and private realms and should normally be designed with active building frontages facing streets and public open spaces to animate and provide natural surveillance;*
- *creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- *protects open spaces, trees and gardens that contribute to the character of the area;*
- *protects valued townscapes and the separate identity and character of towns and villages;*
- *does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP27);*
- *creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- *incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- *positively addresses sustainability considerations in the layout and the building design;*
- *take the opportunity to encourage community interaction by creating layouts with a strong neighbourhood focus/centre; larger (300+ unit) schemes will also normally be expected to incorporate a mixed use element;*
- *optimises the potential of the site to accommodate development.'*

A similar ethos is found within Policies CDNP04.2 and CDNP05 as set out in the previous section of this report.

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 users; and*

where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'

Council's Design Guide was adopted on the 4th November 2020 and thus 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. Within the Design Guide there is support high quality buildings that minimise their environmental impact under principle DG37. Principle DG38 requires architectural integrity and a sense of place 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.

The existing bungalow to be demolished is not of any particular architectural merit, as such its demolition would not be resisted. The street scene is comprised of a mixture of designs, styles and materials, with a mixture of detached, semi detached, two storey, chalet bungalows and bungalows visible within the vicinity.

The proposed dwellings are considered to be of a fairly traditional design, which would be in-keeping with the character of the street scene. Although concerns have been raised in regards to overdevelopment and scale, owing to the mixture of housing types and the fact that the proposed plot sizes would be consistent with those within the wider street scene the proposed dwellings are considered to be of an appropriate design size and scale that is appropriate and sensitive to the character of the area.
A condition will though be used to secure the use of appropriate materials, including the new windows. This will ensure the application complies with Principle DG38 of the MSDC Design Guide (design buildings with architectural integrity and a sense of place). A landscaping condition will also be necessary, with the reasoning for this discussed further in the *trees* sub-section.

Consequently, the proposal is considered to comply with policy DP26 of the Mid Sussex District Plan, Policies CNDP04.2 and CDNP05, the Mid Sussex Design Guide SPD and the NPPF.

Impact on neighbouring amenities

Policy DP26 of the District Plan relates to character and design of proposals. Within this there is a requirement that proposals do *'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'*.

Policies CDNP04.2 and CDNP05 of the Neighbourhood Plan state that 'amenities such as access, noise, privacy, daylight, sunlight and outlook of adjoining residents are safeguarded.'

In instances where there are discrepancies between policies in the development plan, the law requires that more weight should be given to the policy / plan that was last adopted. Thus when assessing impact upon neighbouring amenities, the test is whether the proposal would result in significant harm, as set out under District Plan policy DP26.

While DP29 of the DP seeks to protect the quality of people's lives from 'unacceptable levels of noise, light and air pollution...'

Within the built up area boundaries a degree of overlooking is considered acceptable, the proposed dwellings would be approximately 18 metres to the houses on the opposite side of Station Road, with this being a front to rear relationship and the limited openings proposed to the western (front) elevation of the proposed dwelling it is considered acceptable. The proposal does include two first floor side facing windows to house type a, however as these are serving the stairs and a bathroom they can be conditioned to be obscure glazed and non opening up to 1.7 metres above the floor level in which they are installed, while the first floor window to house type b is looking over the junction to the north of the application site. The rear windows are set over 21 metres from the Health Centre to the rear with established screening between. Consequently, the proposal is not considered to cause significant harm in regards to overlooking and a loss of privacy.

In regards to reduction in sunlight and daylight and a loss of outlook, the proposed dwelling are orientated to the north of Quintops, with any impact falling on the single storey garage. In addition owing to the distances from the dwellings to the western (front) it can be reasonably concluded that the proposal would not cause significant harm in regards to a reduction in sunlight and daylight and a loss of outlook.

The Council's Environmental Protection Officer has been consulted on the proposal and have raised no objections to the proposal on respects of noise or air pollution from the development and have recommended conditions on construction hours, deliveries and a construction environmental management plan (CEMP). Subject to these conditions and the fact that the building works will only be for a limited time during the construction phase it is not considered that the proposal would result in significant harm in regards to noise and disturbance and air pollution.

In view of the above it is considered that the application would comply with policies DP26 and DP29 of the District Plan and the Mid Sussex Design Guide SPD.

Highway Safety

MSDP Policy DP21 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.'

A similar ethos is found within policy CDNP10 of the Neighbourhood Plan.

The NPPF states that:

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

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

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

West Sussex County Council (WSCC) in their capacity as the local highways authority (LHA) has provided detailed comments on the merits of the application with these set out in full within Appendix B. Subject to conditions on access, car parking spaces, cycle parking, electrical vehicle charging spaces and a construction management plan they do not consider that the proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network.

The site is in a sustainable location being within the built up area boundaries of Crawley Down and WSCC Highways are satisfied that the provision of garages can be used for the secure, covered cycle storage that helps promote sustainable transport methods.

Consequently, there are no transport grounds to resist the proposal and it is therefore deemed to comply with policy DP21 of the Mid Sussex District Plan and Policy CDNP10 of the Neighbourhood Plan.

Sustainability

Policy DP39 of the District Plan states:

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

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

The application has been supported with the submission of a sustainability statement, which sets out the proposed dwelling will incorporate the following:

- System 3 continuous extract ventilation with 74% reduction in fan power
- Dual heating zone on the heating system
- Improved building fabric of between 30-52%
- Waste water heat recovery system on waste water to reduce domestic hot water demand
- Designed to reduce external opening
- External water butts
- Internal recycling and on site waste management plan

Consequently, the proposal is deemed to comply with Policy DP39 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 Mid Sussex District Plan supports this.

A proposed 4 bedroom dwellinghouse for 8 people over three storeys requires a minimum gross internal floor area of 130 square metres, while I 4 bedroom dwellinghouse for 8 people over two storeys requires a minimum gross internal floor area of 124 square metres. Both house type a and house type b exceed the minimum space standards.

Trees

Policy DP37 of the District Plan states:

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

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

- *incorporates existing important trees, woodland and hedgerows into the design of new development and its landscape scheme; and*

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

The proposal requires the removal of three trees these are as follows: plum (category C1) tree, Hawthorne (category U) tree and a hazel (category U) tree, together with two hedges. None of these trees are subject to a TPO and it is not within a conservation area, as such these can be removed without the need for any formal consent. In addition the proposal includes the planting of 4 additional trees along the western boundary, details of which can be secured by condition. With such a condition in place, that will secure replanting, the application accords with Policy DP37 of the 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 has been undertaken for the proposed development.

<u>Recreational disturbance</u>

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

In accordance with advice from Natural England, the HRA for the Mid Sussex District Plan, and as detailed in District Plan Policy DP17, mitigation measures are necessary to counteract the effects of a potential increase in recreational pressure and are required for developments resulting in a net increase in dwellings within a 7km zone of influence around the Ashdown Forest SPA. A Suitable Alternative

Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM) mitigation approach has been developed. This mitigation approach has been agreed with Natural England.

This planning application is within the 7km zone of influence and generates a net increase of 1 dwelling, and as such, mitigation is required.

An appropriate scale of SAMM mitigation for the proposed development is £2,340, and if the approved scheme provides for a strategic SANG contribution, this would be £4,066.

The applicants have agreed that they would be prepared to make a financial contribution towards the SAMM Strategy and (if the approved scheme provides for a strategic SANG contribution), the SANG Strategy. Any contributions received will be ring-fenced for expenditure in accordance with the relevant SAMM and SANG Strategies.

The strategic SANG is located at East Court & Ashplats Wood in East Grinstead and Natural England has confirmed that it is suitable mitigation for development in Mid Sussex. The SANG is managed in accordance with the 10-year Management Plan and this document sets out the management objectives for the site and the management activities. Financial contributions for the strategic SANG will be spent in accordance with the Management Plan.

The financial contributions to SAMM and SANG have been secured through a Planning Obligation pursuant to Section 106 of the Town and Country Planning Act 1990 ("Planning Obligation").

The Planning Obligation securing the SAMM and SANG contributions has been completed so it is considered that the mitigation of the recreational impact to the Ashdown Forest can be secured. The proposal therefore accords with Policy DP17 of the Mid Sussex District Plan.

Natural England has been consulted on the appropriate assessment of this proposed development and have **NO OBJECTION SUBJECT TO SECURING APPROPRIATE MITIGATION**

<u>Atmospheric pollution</u>

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. 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

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

The provision of mitigation in the form of both SANG and SAMM is essential to the proposals within the planning application to ensure the Ashdown Forest SPA is protected from any potential recreational disturbance impact arising from this proposed new development. The development proposed provides sufficient mitigation to avoid any potential impact on the Ashdown Forest SPA.

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

Having undertaken a Habitats Regulations Assessment of the implications of the project for the site in view of that site's conservation objectives, and having consulted Natural England and fully considered any representation received, Mid Sussex District Council as the competent authority may now determine the proposed development.

Other matters

Drainage matters have been considered by the Council's Drainage Engineer and are deemed acceptable subject to further details being submitted in respect of surface water and foul water drainage prior to development commencing.

Concerns have been raised in regards to the loss of an accessible/single level housing contrary to Policy CDNP04.4. However, within the policy these are defined as being within the village boundary with a gross internal floor area not greater than 100 metres squared. Nonetheless, the existing bungalow has a floor area in excess of 100 metres squared and as such it is not considered that this policy is relevant to this application.

The replacement of one dwelling and the construction of 2 dwellings on the same site does not trigger infrastructure contributions under the Councils present infrastructure contribution supplementary planning document. In addition the proposal does not meet the threshold for the provision of affordable housing.

Impact on property prices and covenants on the land are not material planning considerations that can be taken into account in regards to this application.

Third party representation has raised concerns over impact on wildlife, however, these concerns are not supported by detailed survey evidence and owing to this being a residential garden within the built up area boundaries of Crawley Down it is considered that the risk of harm to wildlife is low.

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.

National planning policy states that planning should be genuinely plan led. The Council has a recently adopted District Plan and is able to demonstrate that it has a five 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.

Weighing in favour of the application is that the proposal would provide a replacement dwelling and two additional dwellings within a location which provides for good access to local services and facilities by means other than the private car. In addition, the proposal would result in the provision of construction jobs, the (minor) benefit to housing supply and an increased population likely to spend in the community are further factors that weigh in favour of the proposal. The scheme would also support the Government's objective of significantly boosting the supply of homes.

The proposal will not result in demonstrable significant harm to neighbouring residential amenity whilst the scheme will provide a good standard of accommodation for future occupiers. In addition, the proposal accords with the Council's sustainability policy requirements.

No objections are raised to the proposal by the local highway authority and in the absence of any technical objections there are not deemed to be any reasonable grounds to refuse the application on highways related matters.

The proposed dwellings are considered to be of an appropriate design size and scale that is appropriate and sensitive to the character of the area.

For the purposes of this application there will be a neutral impact in respect of a number of issues such as drainage, trees and the impact on the Ashdown Forest.

The Council would also receive a new homes bonus.

The proposal is therefore deemed to comply with the requirements of Policies DP4, DP6, DP17, DP21, DP26, DP29, DP37, DP39 and DP41 of the District Plan 2014-31 and Policies Policy CDNP04.2, CNP05, CDNP10 and CDNP11 of the Neighbourhood Plan, the Mid Sussex Design Guide SPD as well as the broader requirements of the NPPF.

APPENDIX A – RECOMMENDED CONDITIONS

Approved Plans

1. 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.

2. 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.

3. No development shall be carried out unless and until samples or a schedule of materials and finishes to be used for the external facing materials and windows of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.

   Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031 and Policy CDNP04.1 of the Neighbourhood Plan. (The pre-commencement condition is necessary as it requires approval of the materials to be used during the construction period).

4. No part of the development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the details shown on the drawing titled "Site Layout" and numbered "PL-100".

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

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

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

6. 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 to be 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 and Policy CDNP10 of the Neighbourhood Plan.

7. No part of the development shall be first occupied until the electric vehicle charging space(s) have been provided in accordance with plans and details to be 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 and Policy CDNP10 of the Neighbourhood Plan.

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

9. Construction hours: Works of demolition/construction, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times:

Monday to Friday: 08:00 - 18:00 Hours
Saturday: 09:00 - 13:00 Hours
Sundays and Bank/Public Holidays: No work permitted

Reason: To protect the amenity of local residents and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

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

Monday to Friday: 08:00 - 18:00 Hours
Saturday: 09:00 - 13:00 Hours
Sunday & Public/Bank holidays: None permitted

Reason: To protect the amenity of local residents and to comply with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

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

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

- site contact details in case of complaints.
- the construction works shall thereafter be carried out at all times in accordance with the approved CEMP, unless any variations are otherwise first submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenity of local residents and visitors to the health centre from noise and dust emissions during construction and to comply with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

12. Before the development hereby permitted is occupied, the refuse and recycling enclosure(s) shall be provided as part of the development in accordance with elevational drawings to be submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the appearance of the property and the amenities of the area and to accord with Policy DP26 of the District Plan.

13. The proposed first floor bathroom and stairs windows to the north and south (sides) of house type A shall be glazed with obscured glass. They shall be non-opening unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed.

Reason: To protect the amenities and privacy of the adjoining property and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

14. Prior to the occupation of the dwellings hereby permitted full details of the hard and soft landscaping scheme shall be submitted to and approved by the Local Planning Authority. This shall include details of any boundary treatment and a replacement tree for the one being removed. 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.

Reason: In the interests of visual amenity and to accord with Policy DP26 and DP37 of the Mid Sussex District Plan 2014 - 2031 and Policy CDNP04.2 and CDNP05 of the Neighbourhood Plan.

15. 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 and Policy DP41 of the District Plan (2014 - 2031).

16. No part of any concrete foundations, no infiltration drainage device and no construction activities shall be within 5 metres of any existing or proposed drain / sewer.

Reason: In the interests of protecting the natural environment and to accord with the NPPF requirements and Policy DP41 of the District Plan (2014 - 2031).

17. The development shall not be occupied until the sustainability measures set out in the accompanying sustainability report have been implemented.

    Reason: In the interests of achieving an energy efficient, sustainable development and to accord with Policy DP39 of the Mid Sussex District Plan 2014 - 2031.

18. The development shall be carried out in accordance with the recommendations set out within the Arboricultural Impact Assessment (CTS-0NN9-AIA-01) unless otherwise agreed in writing by the LPA.

    Reason: In the interests of visual amenity and to accord with Policy DP26 of the Mid Sussex District Plan.

INFORMATIVES

1. The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page:

   https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/

   Online applications can be made at the link below, alternatively please call 01243 642105.

   https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-f or-driveways-licence/vehicle-crossover-dropped-kerb-construction-application-form/

2. 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.

3. 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 assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

4. Your attention is drawn to the requirements of the Environmental Protection Act 1990 with regard to your duty of care not to cause the neighbours of the site a nuisance.

Accordingly, you are requested that:

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

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

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 and Block Plan	PL-100		16.12.2020
Proposed Floor and Elevations Plan	PL-101		16.12.2020
Proposed Floor and Elevations Plan	PL-102		16.12.2020
Street Scene	PL-103		16.12.2020
Existing Floor and Elevations Plan	PL-104		16.12.2020
Proposed Floor and Elevations Plan	PL-105		16.12.2020
Levels	1000	P02	16.12.2020
Drainage Details	1000	P02	16.12.2020

APPENDIX B – CONSULTATIONS

Parish Consultation

Object -

The Parish Council strongly objects as the proposed development is contrary to; CDNP05 a) and c) due to overdevelopment of the site on a significant village access road and the overbearing nature of the development on the property immediately to the south, to CDNP10 a), c), d), e), and f), to CDNP06 due to the lack of adequate services in Bowers Place which is the indicated direction of flow for surface water and foul sewerage and to DP26.

The application refers to comparison with Bowers Place as the street scene, this is misleading, the proposal is in Station Road and in our view will, produce an unacceptable addition to the Station Road street scene.

The site is on a busy junction and a bus route. Station road is a busy access route for vehicles and pedestrians throughout the day and is especially busy during surgery and school movement times. Introducing a further access and additional vehicle movements cannot from our perspective be supported.

The properties appear to be providing 2 car parking spaces each but no visitor parking, the drives appear to be too short for two cars external to the garage, without overlapping the pavement. Parking on the highway at this location is neither feasible or practical.

WSCC Highways:

This application has been dealt with in accordance with the Development Control Scheme protocol for small scale proposals which include up to 5 residential units or extensions to single units accessed from roads that do not form part of the Strategic Road Network (SRN). As such the comments provided by Local Development should be considered to be advice only, with respect to this planning application.

This proposal has been considered by means of a desktop study, using the information and plans submitted with this application, in conjunction with other available WSCC map information. A site visit can be arranged on request.

I refer to your consultation in respect of the above planning application and would provide the following comments.

History

West Sussex County Council was consulted previously on Highways Matters for this location under planning application ref: DM/20/3127 which sought approval for demolition of the existing bungalow and the erection of 4no. four bedroom detached house with associate garages. The LHA conducted a site visit on 26/10/2020 at approximately midday. No highways objections were raised, however this application was withdrawn.

Summary

This demolition of the existing detached bungalow and the erection of 3no. four bedroom detached houses with associate garages. The site is located on Station Road, an unclassified road subject to a speed restriction of 30 mph in this location.

Access and Visibility

The applicant proposes to utilise the existing vehicular access and create two new vehicular accesses onto Station Road. The two new vehicular accesses will be 3m in width, and will require dropped kerbs. The Vehicle Crossovers (VCOs) will be subject to a licence obtained through the local area office, and constructed to a specification agreed with the local area engineer.

In the initial response for DM/20/3127 the LHA raised concerns regarding a potential 3rd party land issue for the proposed accesses. However, following a site visit and consultation with a Highway Boundary Officer, it has been confirmed that all the land in question between the carriageway and the property boundary is in fact maintained as public highway. Therefore, the LHA is satisfied that suitable visibility and rights of access are achievable for the proposed accesses.

An inspection of collision data provided to WSCC by Sussex Police from a period of the last five years reveals no recorded injury accidents within the vicinity of the site. Therefore, there is no evidence to suggest the existing access or nearby road network is operating unsafely or that the proposals would exacerbate an existing safety concern.

In principle, we would not foresee any capacity issues with the addition of 2 new houses in this location. A number of dwellings are already served from the Station Road and whilst a small rise in vehicle activities may occur, it is considered unlikely that any adverse impacts will result from this proposal.

Parking and Turning

Onsite parking provision of 9 parking spaces is proposed to serve this development. Two tandem parking spaces and one situated within the proposed single garage for each dwelling. The WSCC Car Parking Demand calculator would expect 9 parking spaces to be provided for this development. The proposed garage accords with the 3 x 6 m as outlined in Manual for Streets (MfS). It should be noted that under the revised WSCC Car Parking Guidance, each single garage measuring 3 x 6m counts as 0.5 parking space towards the parking provision.

On-site turning does not appear achievable, so vehicles may have to exit the site onto the maintained highway in a reverse gear. However, the LHA does not anticipate that this would give rise to a severe highway safety concern.

In the interests of sustainability and as result of the Government's 'Road to Zero' strategy for at least 50% of new car sales to be ultra-low emission by 2030, electric vehicle (EV) charging points should be provided for all new homes. Active EV charging points should be provided for the development in accordance with current EV sales rates within West Sussex (Appendix B of WSCC Guidance on Parking at New Developments) and Mid Sussex Local Plan policy. Ducting should be provided to all remaining parking spaces to provide 'passive' provision for these to be upgraded in future. Details of this can be secured via condition and a suitably worded condition is advised below.

The applicant has not demonstrated cycle parking provision. However, the LHA is satisfied that the garages can be utilised for secure and covered cycle storage. The inclusion of cycle parking provision helps promote the use of sustainable transport methods.

Conclusion

The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal.

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

Conditions

Access (Access to be provided prior to first occupation)
No part of the development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the details shown on the drawing titled "Site Layout" and numbered "PL-100".

Reason: In the interests of road safety.

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

Reason: To provide car-parking space for the use

Cycle parking
No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be 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.
Electric Vehicle Charging Spaces

No part of the development shall be first occupied until the electric vehicle charging space(s) have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: To provide sustainable travel options in accordance with current sustainable transport policies.

Construction Management Plan

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

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

Informative

Vehicle Crossover - Minor Highway Works
The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page:

https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-f or-driveways-licence/
Online applications can be made at the link below, alternatively please call 01243 642105.

https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-f or-driveways-licence/vehicle-crossover-dropped-kerb-construction-application-form/

Drainage Officer:

APPLICATION DETAILS

Application Number	DM/20/4654
Planning Officer	Joseph Swift
Flood Risk and Drainage Officer	Natalie James
Response Date	05 February 2021
Site Location	Twoways, Station Road, Crawley Down
Development Description	Demolition of the existing semi-detached bungalow and the erection of 3no. four-bedroom detached house with associate garages
Recommendation	**No objection subject to conditions** **Advice and modification necessary at detailed design**

FLOOD RISK

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

There are not any historic records of flooding occurring on this site and in this area. This does not mean that flooding has never occurred here, instead, that flooding has just never been reported. However, concerns regarding drainage issues within the area have been raised as part of the planning consultation.

SURFACE WATER DRAINAGE

The BGS infiltration potential map shows the site to be in an area with high infiltration potential. Therefore, the use of infiltration drainage such as permeable paving or soakaways may be to be possible on site. This will need to be confirmed through infiltration testing on site.

It is proposed that the development will utilise tanked permeable paving and soakaways to manage surface water drainage on site.

The existing proposed surface water drainage scheme utilises two soakaways to managing the surface water drainage from the three dwellings. One of these soakaways is located within the gardens of the dwellings and cross property boundaries.

We would also note that a soakaway is shown to be in very close proximity to the existing public foul water sewers. It is our experience that Southern Water will require no infiltration devices be located within 5 - 8 metres of a public sewer. The drainage plan also shows the soakaways being in very close proximity to shared foul lateral drains. The drainage plan suggests these shall remain private and not be adopted by Southern Water.

The principle of utilising soakaways to manage the surface water drainage is acceptable. However, modification to the proposed scheme will be required as part of the detailed drainage design.
In addition to any no development / no infiltration buffers required by Southern Water we would advise that shared lateral drains should also have a no development buffer of 5m placed on them. Any shared soakaway should be located within public realm and a minimum of 5m from any structures. 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 create new lateral connections to the existing foul sewer on site.

Connection to the main foul sewer is considered likely to be acceptable. As part of the detailed drainage design we will require confirmation that the existing connection is considered mains sewer and plans showing the existing public foul sewer layout. We will also require confirmation which sewers Southern Water are to adopt and what no development buffer zone has been required.

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.

WORKS WITHIN 5M OF DRAIN / SEWER

No part of any concrete foundations, no infiltration drainage device and no construction activities shall be within 5 metres of any existing or proposed drain / sewer.

Reason: In the interests of protecting the natural environment.

<u>GENERAL DRAINAGE REQUIREMENT GUIDANCE</u>

SURFACE WATER DRAINAGE

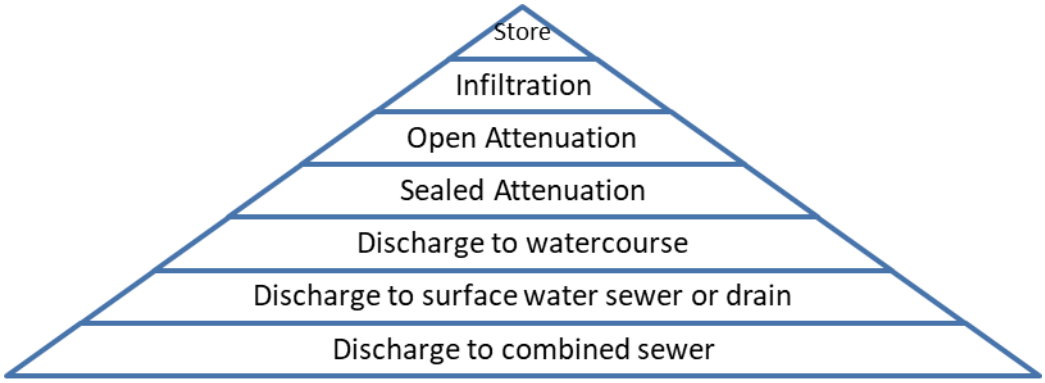
Proposed development will need to fully consider how it will manage surface water run-off. The hierarchy of surface water disposal will need to be followed and full consideration will need to be made towards the development catering for the 1 in 100-year storm event plus extra capacity for climate change. 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/

INFORMATION REQUIREMENTS

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

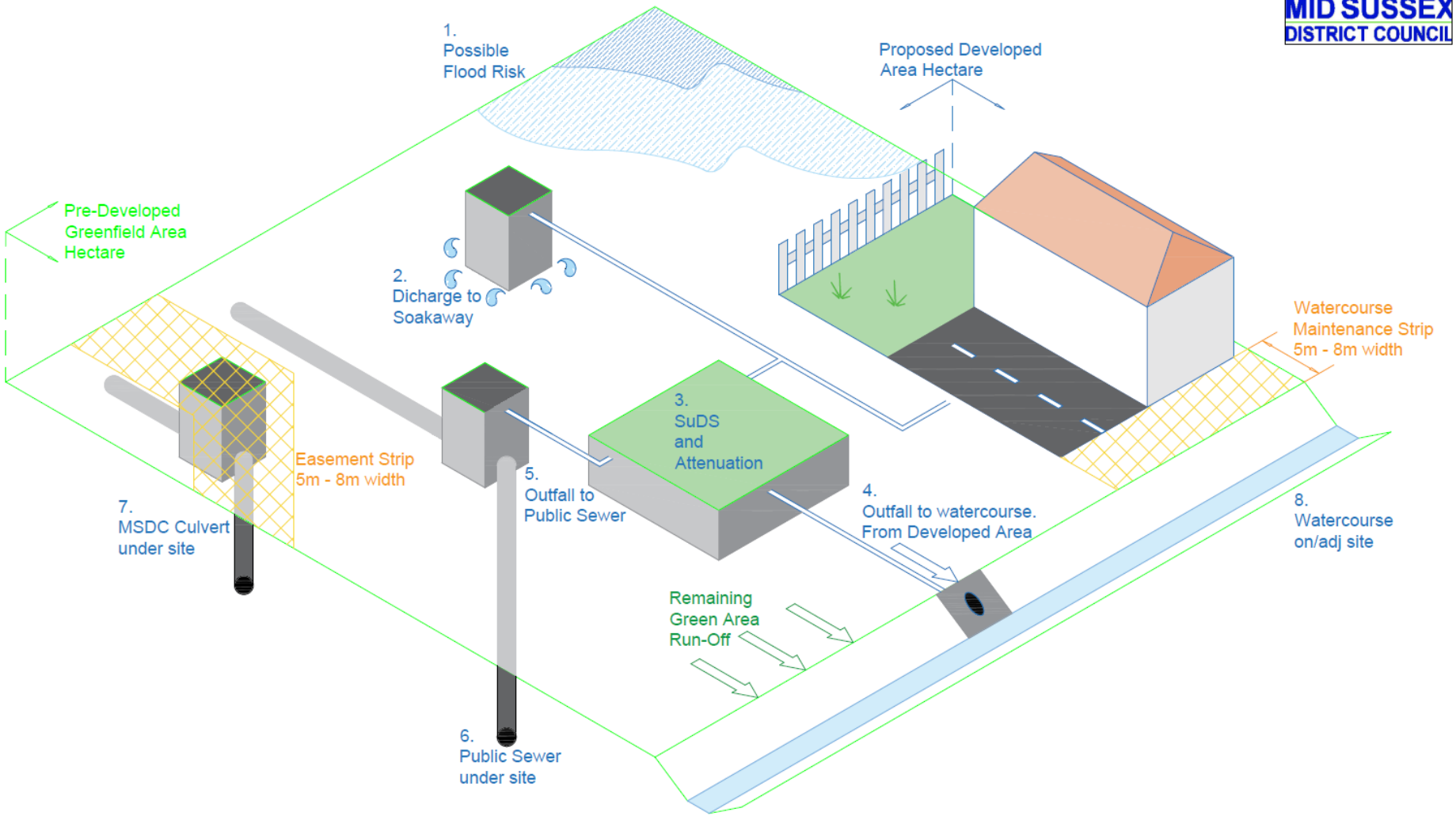
DESCRIPTION OF DEVELOPMENT	INFORMATION REQUIRED
Located in Flood Zone 2 or 3. Located in Flood Zone 1 and greater than 1 hectare in area. Located in an area where a significant flood risk has been identified (including increased surface water flood risk)	• Flood Risk Assessment which identified what the flood risks are and how they will change in the future. Also, whether the proposed development will create or exacerbate flood risk, and how it is intended to manage flood risk post development.
Multiple plot development	• A Maintenance and Management Plan that shows how all drainage infrastructure will be maintained so it will operate at its optimum for the lifetime of the development. This will need to identify who will undertake this work and how it will be funded. Also, measures and arrangements in place to ensure perpetuity and demonstrate the serviceability requirements, including scheduled maintenance, inspections, repairs and replacements, will need to be submitted. A clear timetable for the schedule of maintenance can help to demonstrate this.
Public sewer under or adjacent to site	• Evidence of approvals to build over or within proximity to public sewers will need to be submitted. <u>Advice</u> Consultation will need to be made with the sewerage undertaker if there is a Public Sewer running under or adjacent to the proposed development. Building any structure over or within proximity to such sewers will require prior permission from the sewerage undertaker. Any development within 8m of a sewer will require consultation.

DESCRIPTION OF DEVELOPMENT	INFORMATION REQUIRED
MSDC culvert under or adjacent to site	• Evidence of approvals to build over or within proximity to MSDC assets will need to be submitted. <u>Advice</u> Consultation will need to be made with Mid Sussex District Council if there is a MSDC owned culvert running under or adjacent to the proposed development. Consultation should be made where such an asset is within 8m of any development. Building any structure over or within proximity to such culverts will require prior permission from Mid Sussex District Council. Normally it will be required that an "easement" strip of land, at least 5 to 8 metres wide, is left undeveloped to ensure that access can be made in the event of future maintenance and/or replacement. This matter can be discussed with Mid Sussex District Council Flood Risk and Drainage Team via drainage@midsussex.gov.uk.
Watercourse on or adjacent to site	• Plan showing watercourse maintenance strip <u>Advice</u> A watercourse maintenance strip of 5 to 8 metres is required between any building and the top-of-bank of any watercourse that my run through or adjacent to the development site.

INFORMATION REQUIREMENTS - SURFACE WATER DRAINAGE

PROPOSED SURFACE WATER DRAINAGE METHOD	INFORMATION REQUIRED
Infiltration e.g. Soakaways	• Percolation test results • Sizing calculations, details and plans to demonstrate that the soakaway system will be able to cater for the 1 in 100-year storm event plus have extra capacity for climate change. Climate change allowances for residential development is 40% and for commercial development is 30%. • Calculations which show the proposed soakaway will have a half drain time of 24 hours or less.
Outfall to watercourse	• Evidence discharge rate will be restricted in accordance with *West Sussex Lead Local Flood Authority Policy for the Management of Surface Water* Advice You cannot discharge surface water unrestricted to a watercourse. Discharge rates should be restricted to the Greenfield QBar runoff rate for the positively drained area for all events up to and including the 1 in 100-year rainfall event with climate change. If works (including temporary works) are undertaken within, under, over or up to an Ordinary Watercourse, then these works are likely to affect the flow in the watercourse and an *Ordinary Watercourse Consent (OWC)* may need to be applied for. Guidance into the OWC application process can be found on West Sussex County Council's website at https://www.westsussex.gov.uk/fire-emergencies-and-crime/dealing-with-extreme-weather/dealing-with-flooding/flood-risk-management/ordinary-watercourse-land-drainage-consent/ OWC applications can also be discussed and made with Mid Sussex District Council Flood Risk and Drainage Team via drainage@midsussex.gov.uk.

PROPOSED SURFACE WATER DRAINAGE METHOD	INFORMATION REQUIRED
Outfall to public sewer	• Evidence discharge rate will be restricted in accordance with *West Sussex Lead Local Flood Authority Policy for the Management of Surface Water* • Evidence connection and discharge rate has been approved with responsible sewerage undertaker. Advice You cannot discharge surface water unrestricted to a sewer. Discharge of surface water into a foul sewer system is not usually acceptable. Discharge rates should be restricted to the Greenfield QBar runoff rate for the positively drained area for all events up to and including the 1 in 100-year rainfall event with climate change. Unless agreed otherwise with the sewerage provider.
SuDS and attenuation	• Evidence any discharge rates will be restricted in accordance with *West Sussex Lead Local Flood Authority Policy for the Management of Surface Water* • Percolation test results • Sizing calculations, details and plans to demonstrate that any infiltration / attenuation will be able to cater for the 1 in 100-year storm event plus have extra capacity for climate change. Climate change allowances for residential development is 40% and for commercial development is 30%. • Calculations which show the proposed soakaway will have a half drain time of 24 hours or less. Advice Written Statement (HCWS 161) - Department for Communities and Local Government - sets out the expectation that sustainable drainage systems will be provided to new developments wherever this is appropriate. You cannot discharge surface water unrestricted to a watercourse or sewer.


1.
Possible
Flood Risk
Proposed Developed
Area Hectare
Pre-Developed
Greenfield Area
Hectare
2.
Dicharge to
Soakaway
Watercourse
Maintenance Strip
5m - 8m width
3.
SuDS
and
Attenuation
Easement Strip
5m - 8m width
5.
Outfall to
Public Sewer
4.
Outfall to watercourse.
From Developed Area
7.
MSDC Culvert
under site
8.
Watercourse
on/adj site
Remaining
Green Area
Run-Off
6.
Public Sewer
under site

Natural England:

Thank you for your consultation on the above dated and received by Natural England on 14 January 2021.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

DESIGNATED SITES [EUROPEAN] - NO OBJECTION SUBJECT TO SECURING APPROPRIATE MITIGATION

This advice should be taken as Natural England's formal representation on appropriate assessment given under regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 (as amended). You are entitled to have regard to this representation.

With regard to European Sites, Natural England does not object to the granting of this permission subject to the advice given below.

Natural England advises that the specific measures previously identified and analysed by your Authority to prevent harmful effects on Ashdown Forest Special Area of Conservation (SAC) and Special Protection Area (SPA) from increased recreational pressure should be applied to this proposed development at appropriate assessment.

Your authority has measures in place to manage these potential impacts through the agreed strategic solution which we consider to be ecologically sound. Natural England is of the view that if these measures, including contributions to them, are implemented, they will be effective and reliable in preventing harmful effects on the European Site(s) for the duration of the proposed development.

Providing that the appropriate assessment concludes that these measures must be secured as planning conditions or obligations by your authority to ensure their strict implementation for the full duration of the development, and providing that there are no other adverse impacts identified by your authority's appropriate assessment, Natural England is satisfied that this appropriate assessment can ascertain that there will be no adverse effect on the integrity of the European Site in view of its conservation objectives.

If your authority's appropriate assessment has identified any other adverse impacts from the proposed development in addition to those that may be caused by increased recreational pressure and which have not been addressed by your Authority, you must consult Natural England for further advice on this appropriate assessment. Permission should not be granted until such time as Natural England has been able to consider these additional impacts and respond.

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

Sally Wintle Consultations Team

Street Naming and Numbering Officer:

Please can you ensure that the street naming and numbering informative is added to any decision notice granting approval in respect of the planning applications listed below as these applications will require address allocation if approved. Thank you.

Linda Symes
Street Naming and Numbering Officer

Informative (Info29)

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

Planning applications requiring SNN informative

DM/20/4712
DM/20/4654
DM/20/4697
DM/20/4702