



AGENDA ITEM 6 – DC/19/1897

Land at Wellcross Farm, Broadbridge Heath

A. Additional representation received from Prime UK Land Ltd.

This representation consists of 4 documents; a letter to Councillors, a letter reviewing Transport and Highways matters, mitigation measures related to the development proposal, and visual aids.

Officer Comment: Officers have carefully read the content of these documents received 30 July 2020, and consider there to be four main issues material to the determination of this application to update Members on. All other matters raised in these documents are either already appropriately addressed in the officer report, or are not material to the consideration of this application.

1. The three proposed pedestrian crossings on A264 Five Oaks Road.

The southernmost pedestrian crossing was submitted with the application and assessed by WSCC Highway Authority as being appropriate to make the development acceptable. The other two pedestrian crossing point further north along the A264 Five Oaks Road are subsequent additional crossing points offered by the applicant to improve the site accessibility. For the avoidance of doubt, WSCC Highway Authority have clarified their position on all three proposed pedestrian crossing points and the site access:

‘Crossing point between the existing site access and Lyons Road

The only pedestrian crossing essential to make the development acceptable to the Highway Authority and compliant with HDPF Policy 40 is the one that has been subject to a Road Safety Audit (RSA) and WSSC deemed acceptable in January 2020. This is an uncontrolled crossing point comprising dropped kerbs with tactile paving, located between the existing site access and Lyons Road. It will enable residents to cross to the footway on the western side of the A264 Five Oaks Road, which will then provide access to the local bus stops on Lyons Road.

The additional 2 pedestrian crossings are offered by the applicant in response to HDC Officer’s pursuance to improve site accessibility under HDPF Policy 18 rather than Policy 40. WSCC Highways confirm that neither of these are deemed essential to make the development acceptable in the views of the Highway Authority. The development is to provide an on demand shuttle service that would help meet the requirements of NPPF 2019 para 108 regarding the uptake of sustainable transport given the type of development and its location.

However, the Highway Authority has provided updated comments on these two additional crossings and vehicular access:

Northern Crossing Point close to Newbridge Nurseries

This is a proposed footway leading from our site along the southern side of Five Oaks Road leading to the bus stops north of Newbridge garden centre. The proposal also includes a pedestrian refuge island. The provision and crossing point would complement a proposed footway across third party land (Southern Water). This has been subject to a stage 1 road safety audit and a designer's response has been completed with the responses to the points being accepted by the auditors in May 2020.

Crossing point north of the new vehicular site access

The crossing point promoted here has not been subject to a stage 1 RSA, as identified above its provision is not deemed as essential for the development to be acceptable in highways terms. Should the crossing point be secured it would be subject to a stage 2 RSA at detailed design stage.

Vehicular Access

A stage 1 RSA has been undertaken and a designer's response agreed that address the issues raised by the auditor and as such the agreed measures will be incorporated should the design progress.'

All 3 pedestrian crossings, including agreement of their detail and Road Safety Audits in consultation with WSCC Highways Authority, will be secured in the S106 legal agreement as Officers advise that they satisfy the relevant legal tests. Appropriate weight should be given to the offer of the crossing point north of the site access as its deliverability is dependent on the RSA outcome.

2. Ecological impact from the footbridge not addressed.

The bridge and connecting footpath do not need to be lit. It is likely elderly residents will not walk back when it is dark and use the shuttle bus instead. As no lighting is proposed, the Council's consultant Ecologist has confirmed that she does not foresee any ecological issues if this footbridge comes forward as planned. The bridge will be designed alongside the river enhancement to enhance riparian ecology via the suggested Landscape and Ecological Management plan condition.

3. Bird hazard strike risk not addressed.

The concerns of Slinfold aerodrome regarding potential bird strike were addressed in the applicant's Landscape and Visual Impact Assessment Rev A Dec 2019. The submitted drawings support the comments that the proposed wetlands are only intended to be excavated shallow 'scrapes' in areas across the floodplain to attract wildlife. The Council's consultant Ecologist notes that given their shallow nature, some of these will dry out completely in the summer, while others remain wet all year round. They have been designed to be wetland habitat rather than bodies of open water to attract wildfowl. This is supported by the comment that the Environment Agency did not want them to be deep to avoid storage of water in the floodplain of the River Arun. The Council's consultant Ecologist has confirmed that she does not believe that there will be an increased risk of bird strike due to mitigation embedded into the design of the wetlands.

4. Whether Access is reserved or not and how heritage assess harm is addressed in the officer report.

The development description and para 1.2 is clear that Access is not reserved and is for consideration. For absolute clarity under condition 1, the permission will be subject to the same approved plans as listed in Condition 5.

How heritage harm is addressed is matter for planning judgement as officer has done. In terms of this assessment, the report refers to 'negligible harm' at para 6.63 and that this will be weighed against the development benefits. This weighting has taken place by officers in the report conclusion albeit express reference to this harm is not directly mentioned. For absolute clarity, the concluding para of the officer report that addresses the weighting exercise is set out below with amended text in bold, and Members are asked to have consideration of this in their determination of this application:

*6.155 The application seeks outline planning consent, with details relating to scale, appearance, design and landscaping reserved. The specific details of the proposal and the package of the benefits offered can, in combination, be shown to mitigate its effects on the local area, **including the identified negligible harm to heritage assets**, and therefore it can be demonstrated to be general compliance with local planning policies.*

B. Additional consultation response from Southern Gas Networks received:

Southern Gas Networks comment that there should be no mechanical excavations taking place above or within 0.5m of a low/medium pressure system or above or within 3.0m of an intermediate pressure system. You should, where required confirm the position using hand dug trial holes.

Officer Comment: In the event of planning approval this advice will be added as an informative