

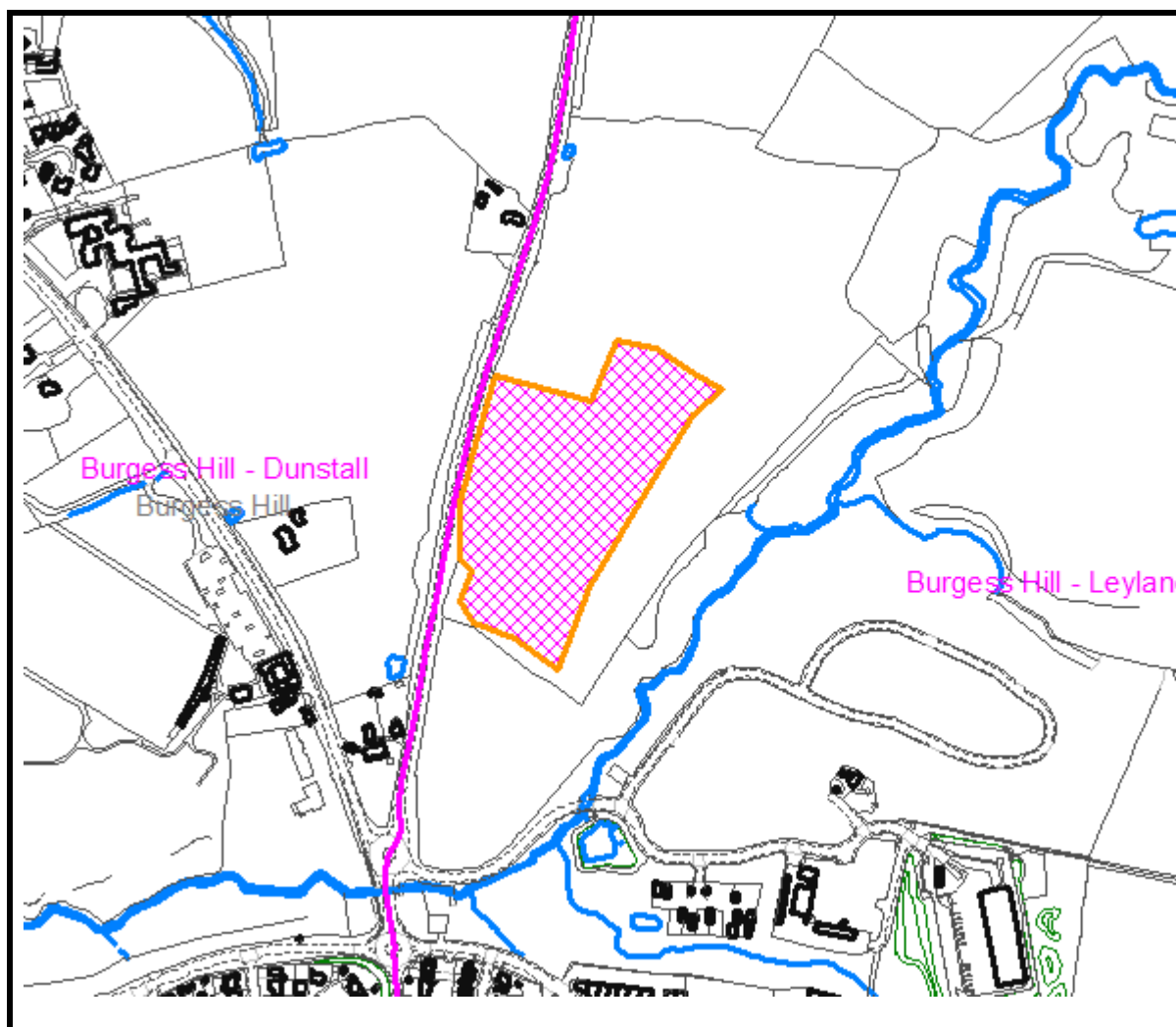
District Planning Committee



Recommended for Permission

28th May 2026

DM/25/2640



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Site:	Burgess Hill Northern Arc, Land N And NW Of Burgess Hill, Between Bedelands Nature Reserve In The East And, Goddard's Green Waste Water Treatment Works In The West
Proposal:	Reserved matters application to consider access, appearance, landscaping, layout and scale pursuant to application DM/21/3279 (original reference DM/18/5114) for parcel P1.2 comprising the construction of a primary school with nursery and special support centre, car parking, multi-use games area, playing fields, landscaping and associated infrastructure.
Applicant:	Mr Nicholas Milner

Category:	Smallscale Major Other
Target Date:	15th January 2026
Parish:	Burgess Hill
Ward Members:	Cllr Simon Hicks / Cllr Anne Eves /
Case Officer:	Joseph Swift

Link to Planning Documents:

<https://pa.midsussex.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=T487DXKT04L00>

1.0 **Purpose of Report**

- 1.1 To consider the recommendation of the Interim Assistant Director for Planning and Sustainable Economy on the application for planning permission as detailed above.

2.0 **Executive Summary**

- 2.1 The application seeks reserved matters approval for the access, appearance, landscaping, layout and scale pursuant to application DM/23/0747 for parcel P1.2 comprising the construction of a primary school with nursery and special support centre, car parking, multi-use games area, playing fields, landscaping and associated infrastructure.

- 2.2 The site is designated within the Mid Sussex District Plan as being within the built-up area boundary and has been granted outline consent under application DM/18/5114 (as amended by DM/21/3279 and DM/23/0747) as part of the wider strategic development of Brookleigh for:

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

- 2.3 The principle of the development has therefore been established through the granting of the outline planning permission DM/18/5114, as amended by DM/21/3279 and DM/23/0747. The site is also part of a strategic allocation in the

District Plan, and a Masterplan and Infrastructure Delivery Plan have been approved as material planning considerations for the site.

- 2.4 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.
- 2.5 The details of the reserved matters of access, layout, scale, appearance and landscaping of the site need to be assessed against the relevant policies in the development plan. In making an assessment as to whether the proposal complies with the development plan, the Courts have confirmed that the development plan must be considered as a whole, not simply in relation to any one individual policy. It is therefore not the case that a proposal must accord with each and every policy within the development plan.
- 2.6 Great weight is given to the provision of a new school, particularly due to the identified need for this infrastructure for the residents of Brookleigh.
- 2.7 The impact on the surrounding landscape was considered and accepted as part of the outline application. Furthermore, the proposal will integrate into the wider strategic development of Brookleigh, while also not requiring the removal of any trees. Additional trees and landscaping are proposed as part of the development.
- 2.8 The application includes the provision of a grass pitch and MUGA, that benefits both pupils and the wider community.
- 2.9 It is not considered that the proposal would impact upon neighbouring residential amenity.
- 2.10 No objection has been raised by the Local Highway Authority, with the access, parking and secure cycle parking all being secured by condition.
- 2.11 The proposal has been designed to ensure it is accessible and there are no concerns in relation to equalities.
- 2.12 The proposal would be acceptable in relation to flood risk and drainage, and the Lead Local Flood Authority have raised no technical objection to the scheme.
- 2.13 The school has been designed to incorporate a number of sustainable features to ensure it meets the BREEAM 'excellent' rating. The proposal is therefore considered to be highly sustainable with its aims to be net zero.
- 2.14 While the Design Review Panel had some recommendations to improve the design, they were very impressed with the buildings overall design and architectural appearance. Officers consider that the design to be of a very high standard with its attention to detail and selection of materials. The proposal would form an active frontage to the north and reinforce its civic presence to the Neighbourhood Centre.
- 2.15 The proposal would not be in complete compliance with the Northern Arc Design Guide, and subsequently Principle SDP9 of the Northern Arc Masterplan, as access to the school has not been provided from the tertiary road from the east. However, appropriate vehicular access has been provided from Isaacs Lane and suitable cycle and pedestrian access has been provided both from Holmbush Avenue to the

north and the tertiary road to the east, in order to meet future desire lines and encourage sustainable travel to the site. This departure from the Design Guide provides an alternative to what was originally envisaged, but would still work well and does not degrade the high-quality design of the scheme

- 2.16 The application would comply with policies DP4, DP6, DP7, DP9, DP20, DP21, DP22, DP23, DP26, DP28, DP29, DP30, DP31, DP34, DP37, DP38, DP39, DP41 and DP42 of the Mid Sussex District Plan, the Northern Arc Infrastructure Delivery Plan and Phasing Strategy (2018) and the NPPF. Despite the minor failure to comply with the Northern Arc Design Guide and therefore Principle SDP9, the proposal is considered to comply with the remainder of the Northern Arc Masterplan. As such, the proposal is considered to comply with the Development Plan, and material considerations also indicate the proposal should be supported.

3.0 Recommendation

- 3.1 It is recommended that reserved matters consent is granted subject to the conditions set out in Appendix A.

4.0 Summary of Representations

- 4.1 No third party letters of representation have been received in regard to this application.

5.0 Summary of Consultees

WSCC Lead Local Flood Authority:

No objection to the proposal.

MSDC Street Naming and Numbering:

Informative 29 (address allocation).

MSDC Environmental Protection Officer:

Recommend approve with conditions.

MSDC Contaminated Land Officer:

No further comments on this reserved matter application, as the outstanding matters can be addressed through Conditions 10, 33 and 42 for this reserved matter area of the development.

WSCC Waste and Minerals:

No objections to this application for reserved matters from a Mineral Safeguarding Standpoint.

Ecology Consultant:

No objections.

WSCC Highways:

No objections.

WSSC Fire and Rescue Service:

Recommended hydrant condition.

MSDC Tree Officer:

Recommended amendments.

Design Review Panel

The panel supported the scheme subject to recommended changes.

MSDC Urban Designer

The scheme sufficiently addresses the principles set out in the Council's Design Guides and accords with policy DP26 of the District Plan; I therefore raise no objection to this planning application subject to conditions.

6.0 Burgess Hill Town Council Observations

- 6.1 Recommend Approval: provided the inadequate provision of a drop-off area and parking places would be reviewed; to deliver a much-improved travel plan, to better integrate the development with Burgess Hill and better reflect and support all residents travelling to the school and nursery. Not only those travelling from local Brookleigh but from areas of Burgess Hill that are further afield.

7.0 Introduction

- 7.1 The application seeks reserved matters approval for access, appearance, landscaping, layout and scale pursuant to application DM/23/0747 (original reference DM/18/5114) for parcel P1.2 comprising of the construction of a primary school with nursery and special support centre, car parking, multi-use games area, playing fields, landscaping and associated infrastructure.

8.0 Relevant Planning History

- 8.1 The wider development of Brookleigh (formerly Northern Arc) has an extensive planning history (details all available online on the Mid Sussex District Councils Planning Pages) and as such is not all detailed below. The applications most relevant to this application are as follows:

8.2 Outline Planning Permission

- 8.3 The original outline permission for the site was granted under application DM/18/5114 on the 04/10/2019 for:

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

attenuation, recycling centre and waste collection infrastructure with associated demolition of existing buildings and structures, earthworks, temporary and permanent utility infrastructure and associated works.

- 8.4 This outline permission was amended under application DM/21/3279 on the 09/12/2022 for:

Planning Application under Section 73 of the Town and Country Planning Act 1990 (as amended) seeking alterations to conditions 5 (approved parameter plans), 6 (accordance with Design Guide), 7 (requirement for a Design Principles Statement), 11 (archaeological investigation), 22 (sustainable drainage) and 35 (restriction of development within 15m of ancient woodland), removal of conditions 50 (public transport strategy) and 51 (phase public transport strategy), addition of new conditions relating to public art on planning permission DM/18/5114, to allow amendments to site boundary, densities and heights, parameters of road layout, proposed land uses, right of way improvements and drainage outfalls, require general accordance with the Street Design and Adoption Manual, allow phased submission of details for archaeology and drainage details and require a public transport strategy and financial contributions towards the public transport strategy to be secured in the legal agreement. Amendments to the legal agreement associated with the amendments to the conditions and additional amendments related to the delivery of open space parcels OS1.2N, OS1.2S, OS3.3 and OS3.4, the Centre for Outdoor Sports, Employment Strategy, the Secondary School, Mobility Corridors, payment of financial contributions and monitoring fees

- 8.5 A further section 73 application (DM/23/0747) was submitted to vary DM/21/3279 and was approved 03/10/2025 for the following:

Planning application under Section 73 of the Town and Country Planning Act 1990 (as amended) seeking alterations to conditions 2 (phasing), 4 (approved plans) and 5 (approved parameter plans) of planning permission DM/21/3279 (itself a section 73 approval that permitted a variation of the conditions attached to planning permission DM/18/5114), to allow amendments to the planning application site boundary, update to the phasing of development and the Access and Movement Parameter Plan (004) to clarify the approach to the Green Superhighway link over and in the vicinity of the western bridge on the Northern Arc Avenue.

8.6 **Eastern Bridge and Link Road (now known as Holmbush Avenue)**

- 8.7 Full planning permission (DM/19/3313) was granted on the 17/01/2020 for:

Construction of a single carriageway link road from Isaacs Lane to Freeks Farm comprising a new all-movements junction on A273 Isaac's Lane, highway comprising 6.1 - 6.5m carriageway with separate 4.5m 'Green Superhighway' and 3m cycle/footway provision on the north side and 2m footway on the south side segregated from the carriageway by landscaped verges, including all-modes bridge across the River Adur, constructed to an adoptable standard, together with, earthworks, surface water and foul drainage infrastructure, utilities corridors, street lighting, landscaping and temporary fencing.

- 8.8 This link from Isaacs Lane to Freeks Farm (now known as Oakhurst) is open to the public, however the final finished course has not been applied. An application is currently pending consideration under application DM/21/4355 for: *Section 73 of the Town and Country Planning Act 1990 (as amended) seeking alterations to conditions 4 (compliance with Ecology Statement) and 15 (compliance with*

submitted plans) of planning permission DM/19/3313 to allow amendments to Ecology Strategy and amendments to the road layout and signage and the addition of a road crossing for equestrian users, cyclists and pedestrians.

8.9 The Eastern Bridge and Link Road adjoins the application site to the north.

8.10 **Eastern Neighbourhood Centre**

8.11 A reserved matters application has been submitted and approved under application DM/25/1986 for:

Reserved matters application to consider access, appearance, landscaping, layout and scale for parcels 1.7, 1.8 and OS1.2S, OS1.4, OS1.7 and OS1.8 comprising Eastern Neighbourhood Centre, 270 residential dwellings, including 60 extra care units, commercial floorspace, community building, neighbourhood square, cycle and pedestrian connections, parking and associated infrastructure, Eastern Parkland comprising open space, multi-use games areas (MUGA), public art, green circle cycle link and associated infrastructure.

8.12 The proposed Primary School immediately adjoins the Eastern Neighbourhood Centre and shares several boundaries.

9.0 **Site and Surroundings**

9.1 The site forms part of Brookleigh (formally the Northern Arc). The site is approximately 2.18 hectares and is located to the eastern side of Isaacs Lane and to the south of Holmbush Avenue (Eastern Bridge and Link Road).

9.2 While the site was originally an area of open agricultural land interspersed with trees and hedgerows, it has recently been used as a site compound for the Eastern Bridge and Link Road works, with the compound located to the northern part of the parcel and grassland to the southern part.

9.3 Although the parcels to the north, south and east are all currently undeveloped open agricultural land, a reserved matters application (DM/25/1986) has been approved and when developed, the site will be located to the south of the eastern neighbourhood centre. Residential development will be located to the south and the east of the Primary School, forming a contiguous development that is linked into Burgess Hill.

9.4 The application site is designated with the Mid Sussex District Plan as being within the built up area boundary of Burgess Hill.

10.0 **Application Details**

10.1 This application seeks matters approval for the access, appearance, landscaping, layout and scale of:

- Erection of a primary school with nursery and special support centre
- Vehicular access from Isaacs Lane and provision of car parking
- Provision of a multi-use games area
- Provision of playing fields
- Landscaping
- Associated infrastructure

- 10.2 The building would be located to the northeastern edge of the site and would front onto the Eastern Neighbourhood Centre, providing an active frontage to the Neighbourhood Square and Centre. Staff car parking would be located to the west, accessed from Isaacs Lane and the multi-use games area and playing fields would be located to the south of the site.
- 10.3 The primary school has been designed to accommodate two forms of entry, with a capacity of 420 pupil places. In addition, the primary school would accommodate 52 (full time equivalent) nursery places and 16 Special Support Centre places.
- 10.4 The building is two storeys, with a maximum height of 10 metres, a depth of 76.9 metres and a width of 41.6 metres. The building has been designed around a central hall concept, with a main hall and a studio hall at the heart of the building and the teaching classrooms around the perimeter of the building to allow pupil access to the external areas.
- 10.5 The ground floor would accommodate the reception and key stage 1 classrooms, in addition to the main entrance, main hall and studio hall, nursery, SSC and kitchen. While the first floor would comprise the key stage 2 classrooms, library, external deck areas, science/ICT room and the staff room.
- 10.6 Three pedestrian and cycle access points will be provided, with the main entrance of the school to the north opposite the crossing to the Eastern Neighbourhood Centre. A second entrance is to be provided to the eastern boundary, and the third access is to be provided on the northwest corner. A two-way vehicular access point would be provided off Isaacs Lane, which links into the onsite car park. This would be restricted to staff, visiting professionals and students that require specialist access.
- 10.7 The onsite staff car park would provide a total of 54 car parking spaces, 5 of which would be accessible bays and 10 of which would have active electrical vehicle charging provision.
- 10.8 The building has been designed to a BREEAM 'excellent' standard, which will ensure sustainability and reduced energy use, with a large number of solar panels to be incorporated onto the roof of the building itself.
- 10.9 External lighting is proposed to illuminate outdoor areas immediately adjacent to the school building in addition to the car park and the primary pedestrian and vehicular access points within the site.
- 10.10 The site would be enclosed by a mixture of boundary treatments, with a 2.4 metre weldmesh fence to the southern and eastern boundaries, a 2.4 metre acoustic fence to the western boundary and a 2.4 metre 'crinkle crankle' style wall to the northern and northeastern boundary to create a characterful edge to the neighbourhood centre.

11.0 Legal Framework and List of Policies

- 11.1 Planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise.
- 11.2 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.'

- 11.3 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.'
- 11.4 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.
- 11.5 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.
- 11.6 Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan, the Site Allocations Development Plan Document, the West Sussex Joint Minerals Local Plan 2018 Partial Review (2021) and the West Sussex Waste Local Plan (2014).
- 11.7 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.
- 11.8 Mid Sussex District Plan 2014-2031 (2018) (District Plan)

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

- DP7 General Principles for Strategic Development at Burgess Hill
- DP9 Strategic allocation to the north and northwest of Burgess Hill
- DP20 Securing Infrastructure
- DP21 Transport
- DP22 Rights of Way and other Recreational Routes
- DP23 Communication Infrastructure
- DP24 Leisure and Cultural Facilities and Activities
- DP25 Community Facilities and Local Services
- DP26 Character and Design
- DP28 Accessibility
- DP29 Noise, Air and Light Pollution
- DP34 Listed Buildings and Other Heritage Assets
- DP37 Trees, Woodland and Hedgerows
- DP38 Biodiversity
- DP39 Sustainable Design and Construction
- DP41 Flood Risk and Drainage
- DP42 Water Infrastructure & the Water Environment

- 11.9 Policy DP29 should be afforded full weight in relation to the noise and light pollution. However, in relation to air pollution, it should be afforded no weight as this has been superseded by Policy SA38 in the Site Allocations DPD

11.10 West Sussex Joint Minerals Local Plan (2018)

The West Sussex Joint Minerals Local Plan was adopted in July 2018 and subsequently reviewed in 2021. The relevant policy is considered to be consistent with the NPPF and should be afforded full weight. The relevant Policy is: M9 Safeguarding Minerals

11.11 West Sussex Waste Local Plan (2014)

The West Sussex Joint Minerals Local Plan was adopted in April 2014. The relevant policy is considered to be consistent with the NPPF and should be afforded full weight. The relevant Policy is: W23 Waste Management within Development

11.12 Site Allocations Development Plan Document (2022) – SADPD

The SADPD was adopted on 29th June 2022. The relevant policy is considered to be consistent with the NPPF and should be afforded full weight. The relevant policy is: SA38 – Air Quality

Other Material Considerations

11.13 Mid Sussex District Plan 2021-2039 – Submission Draft (Regulation 19)

The District Council is reviewing and updating the District Plan. Upon adoption, the new District Plan 2021 - 2039 will replace the current District Plan 2014-2031 and its policies will have full weight. In accordance with the NPPF, Local Planning Authorities may give weight to relevant policies of the emerging plan according to the stage of preparation; the extent to which there are unresolved objections to the relevant policies; and the degree of consistency of the relevant policies in the emerging plan to the NPPF. The draft District Plan 2021-2039 (Regulation 19) is currently at Examination and hearings were concluded on 19th March 2026. The District Plan remains at Examination until the Inspector has published his report, until that time only minimal weight can be given to the Plan and this planning application has therefore been assessed against the policies of the adopted District Plan. Relevant policies:

- DPS1: Climate Change
- DPS2: Sustainable Design and Construction
- DPS4: Flood Risk and Drainage
- DPN7: Noise Impacts
- DPN9: Air Quality
- DPN1: Biodiversity, Geodiversity and Nature Recovery
- DPN2: Biodiversity Net Gain
- DPN10: Land Stability and Contaminated Land
- DPB1: Character and Design
- DPB2: Listed Buildings and Other Heritage Assets
- DPT1: Placemaking and Connectivity
- DPT3: Active and Sustainable Travel
- DPT4: Parking and Electric Vehicle Charging Infrastructure
- DPH1: Housing

- DPH3: Sustainable Development – Inside the Built-Up Area
- DPH12: Accessibility

11.14 National Planning Policy Guidance (NPPG)

11.15 Northern Arc Masterplan (2018)

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

- SDP1 Access and Strategic Movement
- SDP2 Northern Arc Avenue
- SDP3 Strategic Green Connections
- SDP4 Pedestrian and Cycle Links
- SDP5 Centres and Walkable Neighbourhoods
- SDP7 Place-making objectives
- SDP8 Northern Arc Design Guide
- SDP9 Built for Life
- SDP10 Integration with Established Communities
- SDP11 Education
- SDP12 Mixed and Balanced Community
- SDP13 Integrating Employment Opportunities
- SDP14 Landscape and Green Infrastructure
- SDP15 A rich variety of open space
- SDP16 Ancient Woodland and Veteran Trees
- SDP17 Sports Facilities
- SDP18 Topography
- SDP19 Visibility
- SDP20 Existing Utility Infrastructure
- SDP21 Climate resilient development
- SDP22 Low carbon energy
- SDP23 Integrated Water Management
- SDP24 Construction and Material Use

11.16 Northern Arc Infrastructure Delivery Plan and Phasing Strategy (2018)

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

11.17 Northern Arc Design Guide (2019)

The Northern Arc Design Guide sets out the Design Principles to be applied across the Northern Arc. The document was approved as part of the Northern Arc Outline Planning Application. A condition was attached to the Outline Planning Application requiring compliance with this document in reserved matters applications.

11.18 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.

11.19 Burgess Hill Neighbourhood Plan

The Burgess Hill Neighbourhood Plan was made in 2016. Although the application site is within Burgess Hill, the Burgess Hill Neighbourhood Plan does not cover the whole of Burgess Hill and this site falls out of the designated area of the neighbourhood plan. However, the site immediately adjoins the Burgess Hill Neighbourhood Plan boundary and other areas of Brookleigh are within the boundary. As such, the Burgess Hill Neighbourhood Plan is considered to be a material consideration.

11.20 Burgess Hill Town Wide Strategy (2011)

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

'A key part of the development of the strategy was to identify what local people wanted their town to be like. A number of consultation events, strategies and visions have been prepared over the last 6-7 years and each contained a common thread of Burgess Hill being:

- a fully sustainable 21st century town focussed around a high quality, vibrant and accessible town centre;*
- a town that's existing and future population is supported by the necessary community facilities, employment opportunities and access to green open space; and*
- a town that functions efficiently and is underpinned by a state of the art transport network and modern supporting infrastructure.*

To achieve the above vision, it was considered that the town needs:

- a better town centre with a greater range of shops and a more attractive pedestrian environment;*
- improved public transport, walking and cycling links as well as better roads;*
- new and improved community and cultural facilities;*
- additional high quality and suitably located business park development; and,*
- new, improved and well-connected sports, recreation and open space in and around Burgess Hill.'*

To help meet this vision a number of projects are identified within the Strategy including:

- 'improvements to the town centre (to the main routes of Queen Elizabeth Avenue, Civic Way and Church Road/ Church Walk as well as improved buildings and a new public square);*
- improvements to transport (including enhancements to the key transport interchanges, Green Circle Network and road links)*

*- new and improved community and green infrastructure (including a new Centre for Community Sport, management of Ditchling Common, new open space provision in the east of the town, a civic info centre and a new community/ arts centre); and,
- improved and new employment development.'*

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

11.21 West Sussex County Council Guidance on Parking at Developments (September 2020)

11.22 Planning (Listed Buildings and Conservation Areas) Act 1990

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

12.0 Assessment

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

- Principle of development
- Landscape and Trees
- Design and Visual Impact
- Heritage
 - Listed Buildings
 - Archaeology
- Leisure and Recreation
- Residential Amenity
- Accessibility and Equalities
- Transport, Highways and Movement
 - Impact on Surrounding Highways Network
 - Vehicle Parking
 - Pedestrian and Cycle Access
 - Travel Plan
 - Transport, Highways and Movement Conclusion
- Ecology and Biodiversity
- Drainage
- Sustainability
- EIA Regulations
- Other Issues
- Planning Balance and Conclusion

Principle of development

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

'Comprehensive, phased, mixed-use development comprising approximately 3,040 dwellings including 60 units of extra care accommodation (Use Class C3) and 13 permanent gypsy and traveller pitches, including a Centre for Community Sport with

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

12.3 The outline permission was amended by Section 73 applications DM/21/3729 and DM/23/0747. However, these did not change the primary school provision for Brookleigh, one of which is being provided by this application.

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

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

- Approximately 3,500 additional homes and associated new neighbourhood centres, including retail, education, health, employment, leisure, recreation and community uses, sufficient to meet the day to day needs of the whole of the development and located as far as possible so at least one new neighbourhood centre is within 10 minutes' walk of most new homes'*
- 25 hectares of land for use as a high quality business park south of the A2300 and served by public transport'*
- Two new primary schools (including co-location of nursery provision and community use facilities as appropriate) and a new secondary school campus, in each case in locations well connected with residential development and neighbourhood centres'*
- A Centre for Community Sport in the vicinity of the Triangle Leisure Centre and St Paul's Catholic College'*
- Provision of permanent pitches for settled Gypsies and Travellers to contribute, towards the additional total identified need within the District commensurate with the overall scale of residential development proposed by the strategic development' or the provision of an equivalent financial contribution towards off-site provision of pitches towards the additional total identified need within the District (or part thereof if some on-site provision is made) commensurate with the overall scale of residential development proposed by the strategic development, if it can be demonstrated that a suitable, available and achievable site (or sites) can be provided and made operational within an appropriate timescale' unless alternative requirements are confirmed within any Traveller Sites Allocations Development Plan Document or such other evidence base as is available at the time the allocation-wide masterplan is approved (as appropriate)' and*
- A new Northern Link Road connecting through the Strategic Allocation Area from the A2300 to the A273 Isaacs Lane. New junctions will be provided on the A2300,*

B2036 Cuckfield Road and A273 Isaacs Lane. A road link across the river corridor will be required to facilitate a public transport route to Maple Drive.'

- 12.5 Of particular relevance is the first bullet point, this reserved matter application proposes a primary school in accordance with Policy DP7. This is a key element in the infrastructure provision at Brookleigh to serve the new residents.

- 12.6 Policy DP9 further states:

'Strategic mixed-use development in this location will:

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

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

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

- 12.9 The provision of the first Primary School is a key element in the delivery of this principle in the Masterplan.

- 12.10 The IDP sets out that the first 2 form entry primary school including early years provision and SEN facilities is to be delivered towards the end of the first phase to support the residents of Freeks Farm and the impacts of the development as well as providing capacity for the residential units in phase 2.

- 12.11 The proposed development is therefore in accordance with this principle.

- 12.12 Paragraph 100 of the NPPF states that Local Planning Authorities should *'give great weight to the need to create, expand or alter early years, schools and post-16 facilities through the preparation of plans and decisions on applications;'*

- 12.13 Great weight is therefore given to the provision of the school, the need for which has been identified in the IDP.

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

'Strategic development will:

- Be designed in a way that integrates it into the existing town providing connectivity with all relevant services and facilities'

- Provide additional, high quality employment opportunities including suitably located Business Park developments accessible by public transport'

- *Improve public transport, walking and cycling infrastructure and access to Burgess Hill and Wivelsfield railway stations and Burgess Hill Town Centre, including the provision of, or contributions to enhancing transport interchanges'*
- *Provide necessary transport improvements that take account of the wider impact of the development on the surrounding area'*
- *Provide highway improvements in and around Burgess Hill including addressing the limitations of the A2300 link road and its junction with the A23 and east-west traffic movements across Burgess Hill and, where necessary, improvements across the highway authority boundary in East Sussex'*
- *Provide new and improved community, retail, cultural, educational, health, recreation, play and other facilities to create services and places that help to form strong local communities and encourage healthy lifestyles'*
- *Provide new and/or improved and well connected sports, recreation and open space in and around Burgess Hill, including the continuation of the existing 'Green Circle' of linked areas of informal open space around the town along with its associated network of multi-functional paths, the Green Circle network, and links into the town centre'*
- *Support the delivery of a multi-functional route between Burgess Hill and Haywards Heath'*
- *Provide a Centre for Community Sport in the vicinity of the Triangle Leisure Centre'*
- *Provide a range of housing including affordable housing, in accordance with policy DP31: Affordable Housing and housing for older people'*
- *Identify and respond to environmental, landscape and ecological constraints and deliver opportunities to enhance local biodiversity and contribute to the delivery of green infrastructure in and around the town in accordance with policies elsewhere in the Plan including DP38: Biodiversity' Provide an effective telecommunications infrastructure, including provision for broadband' and*
- *Wherever possible, incorporate on-site 'community energy systems', such as Combined Heat and Power or other appropriate low carbon technologies, to meet energy needs and create a sustainable development. The development shall also include appropriate carbon reduction, energy efficiency and water consumption reduction measures to demonstrate high levels of sustainability.'*

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

12.16 In addition to the granting of the outline permission and the allocation policies, the site is located within the built-up area, as defined by the Mid Sussex District Plan. Policy DP6 of the Mid Sussex District Plan states in part that:

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

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

Landscape and Trees

- 12.18 As previously referenced, DP7 of the District Plan requires strategic development at Burgess Hill to identify and respond to environmental, landscape and ecological constraints and deliver opportunities to enhance local biodiversity and contribute to the delivery of green infrastructure in and around the town in accordance with policies elsewhere in the Plan.
- 12.19 DP9 requires land uses and infrastructure delivery to identify and take account of environmental, landscape and ecological constraints appropriately responding to the landscape setting including retention of woodland, hedgerows and other important natural features wherever possible.
- 12.20 Policy DP26 of the Mid Sussex District Plan, requires development to create a sense of place, while addressing the character and scale of the surrounding buildings and landscape as well as protecting open spaces, trees and gardens that contribute to that character.
- 12.21 Policy DP37 of the District Plan states:

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

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

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

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

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

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

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

- 12.22 SDP14 in the Masterplan seeks to *'preserve the established framework of woodland, trees and hedgerows as part of the commitment to create a high quality and distinctive place. Together with the meandering water courses these will define the character of the new community and frame its development.'*
- 12.23 SDP15 of the Masterplan sets out that *'the Northern Arc will provide a rich variety of attractive open spaces. These will support wider biodiversity objectives and promote climate change, pest and disease resilience, as well as meeting community needs for recreation and supporting health and well-being.'*
- 12.24 SDP18 of the Masterplan sets out that *'the development will work with the Northern Arc's undulating topography to respect and build on the existing sense of place, as well as reducing the amount of earthworks and levelling required.'*
- 12.25 SDP21 of the Masterplan sets out that green infrastructure will be designed with species that are tolerant to the prevailing climatic conditions.
- 12.26 The IDP identifies states that the network of woodland and natural open space throughout the site is intended to create strong green corridors.
- 12.27 Paragraph 187 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by, inter alia, *'recognising the intrinsic character and beauty of the countryside.'*
- 12.28 With any greenfield development there will be some change at the local level from that of an undeveloped landscape to an urban development. However, the principle of this change has already been accepted with the approval of the Masterplan and Outline Planning Application.
- 12.29 The site is visible from public vantage points, particularly from Isaacs Lane and along Holmbush Avenue. However, the site is located in between a number of parcels where housing has been approved and a new Neighbourhood Centre. Once the surrounding development has taken place, the proposed Primary School will be well integrated into the wider strategic development of Brookleigh.
- 12.30 The majority of the trees are located around the boundaries of the site, and the scheme has been designed around the existing trees. The supporting Arboricultural Impact Assessment confirms that no trees are to be removed as part of the proposal. The playing fields will encroach into the root protection areas of the existing trees. However, this are unlikely to result in significant harm to these trees,

and this will be confirmed through the condition requiring details of the finished site levels.

- 12.31 The proposal is also supported by a detailed landscaping proposal of extensive tree and shrub planting, including 17 large clear stem trees, 51 medium clear stem trees and 31 small multi-stem trees. These trees will help to reinforce the tree belt to the southern boundary, while also providing an extensive landscape buffer to the boundaries of the site, particularly along Isaacs Lane.
- 12.32 MSDC's Tree Officer has assessed the proposal and has confirmed that the Aboricultural Impact Assessment and Tree Protection Plan are satisfactory, as such compliance with these will be secured by condition.
- 12.33 The Tree Officer has recommended that *Acer plantanoides* and *Quercus palustris* are replaced with native oaks, in addition has requested that *Amelanchier* and *Birches* are replaced with longer lived and more biodiverse specimens such as *Sorbus*, *Acer campestre* and native hawthorns.
- 12.34 Subject to some changes to the proposed species, no objection has been raised by the Tree Officer, and it is considered that these changes can be secured through a landscaping condition.
- 12.35 On the basis of the above, the proposal is considered to have an acceptable impact on the surrounding landscape and trees. The application accords with Policies DP7, DP9, DP26 and DP37 of the District Plan and the SDP14, SDP15, SDP18 and SDP21 and the principles contained within the Masterplan and the IDP in this regard.

Design and Visual Impact

- 12.36 Policy DP26 of the District Plan relates to character and design. In part it requires developments to be well designed, be of a high-quality design and layout with appropriate landscaping and greenspace; contribute positively to and clearly define public and private realms as well as creating a sense of place whilst addressing the character and scale of surrounding buildings and landscape.
- 12.37 The Masterplan sets out the following at SDP2:
- 'The design and character of Northern Arc avenue will be developed to ensure that it strikes the optimum balance between its place-making role at the heart of the community, uniting the various character areas across the Northern Arc, and its role as a supporting through route.'*
- 12.38 The Masterplan sets out the following place-making objectives at SDP7:
- *'Creating walkable neighbourhoods with vibrant centres that are accessible to all'*
 - *'Co-locating schools, community centres and open spaces with the neighbourhood centres to support vitality and community identity'*
 - *'Designing streets as places that encourage social interaction as well as walking, cycling and public transport'*

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

12.39 The Masterplan sets out the following at SDP8:

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

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

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

12.42 Paragraph 131 of the NPPF seeks high quality, beautiful and sustainable buildings and places, with this being seen as fundamental to what the planning and development process should achieve.

12.43 The Northern Arc Design Guide, states that the building of the primary school should create a pedestrian dominant environment, which should be visually revealed to the passers-by on Isaacs Lane. It goes on to set out that the Primary School should front directly onto the square with staff access and drop off/pick up provided from the tertiary road on the east. Furthermore, it sets out the following in relation to building heights and types:

'Provide a high-quality primary school building with a distinct architectural element responding to the character of the centre and contributing to the enclosure of the square.'

12.44 The building has been located to the northeastern corner of the site to ensure it provides an active frontage to the Neighbourhood Centre and to reinforce its civic presence. Furthermore, the front elevation of the building has been designed so

that it is set back from Holmbush Avenue with the roof overhanging the main entrance to support the formation of a pedestrian only, covered safe space around the main entrance.

- 12.45 While the proposed vehicular access is not in compliance with the Design Guide, as the staff vehicular access is proposed off Isaacs Lane rather than the tertiary road to the east, as set out within the Highways section of the report below, it is considered that the access is acceptable in highways terms. Furthermore, adequate pedestrian and cycle access has been provided from the east and the north to enable drop off and pick up to take place conveniently and would encourage sustainable travel, enabling access to the building for pick up and drop off from the most convenient desire lines. As such, whilst the proposal offers an alternative to what was originally envisaged, it still works well and this alternative aspect does not degrade the high-quality design of the scheme.
- 12.46 When the building was presented to the Design Review Panel (DRP) it was concluded that: *“Overall, the panel felt that the conclusions of the previous DRP meeting remained, in that whilst they were very impressed with the buildings overall design and architectural appearance, the areas outlined ...had not been addressed adequately.”*
- 12.47 The DRP considered that work could be done to the ‘crinkle crinkle’ wall to soften its appearance and to add to its playfulness. It was suggested that viewing holes and varying the height could be used to this effect. However, due to child safeguarding issues, viewing holes and reducing the height of the wall would not be appropriate and increasing the height would add to its visual dominance. The wall has been designed to incorporate landscaping that would help soften its appearance and provide a more characterful edge compared to the standard boundary treatments traditionally used for schools.
- 12.48 The DRP also considered that the scale and appearance of the building was more akin to a secondary school than a primary school and the building was missing an element of delight. Although the DRP considered that the building should be more human in scale, this competes with the intended purpose of reinforcing its civic presence to the Neighbourhood Centre and the need in a high-density development to ensure buildings make efficient use of the land available. The building does include a single storey element to the northern side, together with single storey canopies at the key pupil arrival points to create a more human scale. Furthermore, the landscaping has been designed to incorporate coloured tarmac that complements the external finish of the building itself.
- 12.49 A request was also made by the DRP to see the canopies provided directly outside of the classrooms to support the free flow between the classrooms and the external areas. While Homes England have committed to providing indicative plans as to how this could be achieved, they do not form part of this application. Homes England have confirmed that canopies cannot be provided as they are not a Department for Education requirement, and the provision of canopies would mean the effect on daylight to the classrooms would make them fall below the Department for Education standards.

- 12.50 Concerns were raised by officers in relation to the visual appearance of the acoustic fence along Isaacs Lane. However, this is necessary to ensure the site meets acceptable acoustic standards and following negotiations, the proposal has been supported by a detailed landscaping scheme, which includes landscaping along Isaacs Lane frontage to help mitigate the visual impact of this, details of which will be secured by condition.
- 12.51 The Council's Urban Design Officer has assessed the proposal and comments that:
- "This is a well-thought-through scheme that had addressed most of the concerns raised at the previous consultations. The scheme sufficiently addresses the principles set out in the Council's Design Guides and accords with policy DP26 of the District Plan; I therefore raise no objection to this planning application."*
- 12.52 Taking the above comments into consideration, it is the officers view that whilst there are some conflicting aspirations for the building, the overall design of the building is of a very high standard. It will provide a statement building with views from Isaacs Lane, while also framing the Neighbourhood Centre and providing a pedestrian friendly main entrance to the building.
- 12.53 As such, whilst the proposal would conflict with the Northern Arc Design Guide and therefore Principle SDP9 of the Masterplan, it is considered to be in accordance with Policies DP7, DP9 and DP26 of the District Plan, Principles SDP2, SDP7, SDP8, SDP14, and SDP21 of the Northern Arc Masterplan, the Northern Arc IDP and the NPPF.

Heritage

- 12.54 The LPA is under a duty by virtue of s.66 of the Listed Building and Conservation Area (LBCA) Act 1990 (General duty as respects listed buildings in exercise of planning functions):
- 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.*
- 12.55 Policy DP34 of the District Plan states in relation to Listed Buildings:
- 'Development will be required to protect listed buildings and their settings. This will be achieved by ensuring that:
A thorough understanding of the significance of the listed building and its setting has been demonstrated. This will be proportionate to the importance of the building and potential impact of the proposal;...Special regard is given to protecting the setting of a listed building;'*
- 12.56 The supporting text to principle SDP14 (Landscape and Green Infrastructure) in the Masterplan states that the Masterplan will preserve landscape features and wherever possible respect the landscape setting of nearby listed buildings and non-designated heritage assets.

Listed Buildings

- 12.57 No listed buildings are located within the site boundary. The nearest listed building is the Grade II listed building Firlands Court to the southwest. With this being set approximately 120 metres away with proposed residential development between, it is not considered that the proposal would affect the setting of Firlands Court or any other listed buildings within the vicinity.
- 12.58 The application is therefore considered to comply with policy DP34 of the District Plan, SDP14 of the Masterplan, the NPPF and the Listed Buildings and Conservation Area (LBCA) Act 1990.

Archaeology

- 12.59 As set out in policy DP34 of the MSDP, a heritage asset may be archaeological, architectural, artistic or historic, and the Council will seek to conserve it in a manner appropriate to its significance (significance can be defined as the special interest of a heritage asset).
- 12.60 Paragraph 218 of the NPPF is of relevance, and states;
- 'Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.'*
- 12.61 Archaeology matters have been addressed through the outline permission, where a condition has been attached which requires a programme of archaeological works to be carried out in accordance with details to be approved by the Local Planning Authority. This is required prior to commencement of development, as such owing to this condition the proposal is considered acceptable from an archaeological perspective.

Leisure and Recreation

- 12.62 Policy DP7 of the District Plan requires strategic development at Burgess Hill to provide new and/or improved and well-connected sports, recreation and open space in and around Burgess Hill.
- 12.63 Policy DP9 of the District plan states that the delivery of 3500 homes, across the strategic allocation, need to be supported by leisure and recreation uses sufficient to meet the day-to-day needs of the whole development.
- 12.64 Policy DP24 of the District Plan states:
- 'Development that provides new and/or enhanced leisure and cultural activities and facilities, including allotments, in accordance with the strategic aims of the Leisure and Cultural Strategy for Mid Sussex will be supported. The on-site provision of new leisure and cultural facilities, including the provision of play areas and equipment will be required for all new residential developments, where appropriate in scale and impact, including making land available for this purpose. Planning conditions and/or planning obligations will be used to secure such facilities. Details about the*

provision, including standards, of new leisure and cultural facilities will be set out in a Supplementary Planning Document.'

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

- 12.65 SDP15 states that the Northern Arc will provide a rich variety of attractive open spaces. These will support wider biodiversity objectives and promote change, pest and disease resilience, as well as meeting community needs for recreation and supporting health and wellbeing.
- 12.66 A condition is attached to the outline permission requiring any outdoor sports pitches provided at the school to be made available for public/community use in accordance with a community use scheme. The proposal includes provision for the following external sports facilities:
- A Multi Use Games Area (MUGA)
 - Grass playing pitch
- 12.67 Access can be gained to these pitches from the staff car park, which would enable access without the need to enter the school building. Owing to the community use agreement being secured on the outline consent, it is not considered necessary to replicate it on the Reserved Matters. The provision of these facilities is considered to meet the aims of Policies DP7, DP9 and DP24 of the District Plan and Masterplan objectives SDP7 and SDP15.

Residential Amenity

- 12.68 Policy DP26 requires that *'All applicants will be required to demonstrate that development does not cause significant harm to the amenities of existing nearby residents and future occupants of the new dwellings.'*
- 12.69 A similar ethos is found within Principles DG45, 46 47 and 48 of the Mid Sussex Design Guide.
- 12.70 The closest residential dwellings would be the dwellings to the immediate north west and the east of the site, which have recently been granted reserved matters consent under application DM/25/1986. With the buildings being located some 39 metres at their closest point, the proposal it is not considered to cause significant harm in terms of reduction in sunlight and daylight and a loss of outlook to these residential properties.
- 12.71 A 2.4 metres weldmesh fence is proposed surrounding the site. Details of boundary treatments to the residential properties is secured by condition on that application and has not yet been agreed. However, it is considered that adequate privacy to residential gardens could be provided through appropriate boundary treatment secured by this condition. As such, this arrangement is considered acceptable.
- 12.72 District Plan policy DP29 relates to noise, air and light pollution and advises that 'the quality of people's life will be protected from unacceptable levels of noise, light and air pollution by only permitting development where:

Noise pollution:

-It is designed, located and controlled to minimise the impact of noise on health and quality of life, neighbouring properties and the surrounding area;

- If it is likely to generate significant levels of noise it incorporates appropriate noise attenuation measures;’.

12.73 In relation to Air pollution it states:

‘It does not cause unacceptable levels of air pollution;

- Development on land adjacent to an existing use which generates air pollution or odour would not cause any adverse effects on the proposed development or can be mitigated to reduce exposure to poor air quality to recognised and acceptable levels;’

12.74 The use of the site as a school will inevitably result in noise for short periods at certain times of the day, however, this is not unusual and is considered to be acceptable within the residential area in which it will be located. The Councils Environmental Protection Officer has been consulted on the application, and they have reviewed the submitted Noise Impact Assessment and have no comments to make in relation to fixed plant. They have recommended a condition on the hours of use of the sports pitches and air quality. Subject to this condition, they have raised no objections to the proposal.

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

12.76 In view of the above and subject to the recommended conditions, the proposal will not cause significant harm to neighbouring residential amenity. The application is therefore considered to be in accordance with Policies DP26 and DP29 of the District Plan.

Accessibility and Equalities

12.77 Policy DP28 of the District Plan states:

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

12.78 The proposed school has been designed to be fully accessible, with all routes into the site being step free and wheelchair accessible. 5 accessible parking spaces are provided within the staff car park, and the staff car park can be used by students with special access requirements.

12.79 It is therefore considered that the proposal would fully comply with Policy DP28 of the Mid Sussex District Plan.

Transport, Highways and Movement

12.80 Policy DP21 of the MSDP 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.'

- 12.81 Para 115 of the NPPF sets out: 'In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:
- a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;
 - b) safe and suitable access to the site can be achieved for all users;
 - c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code⁴⁸; and

d) 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 through a vision-led approach.'

- 12.82 While Para 116 states: '*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.'*

Impact on the Surrounding Highway Network

- 12.83 Vehicular access to the site is to be provided off Isaacs Lane for the staff car park. This access is located approximately 95 metres to the south of the existing signalised crossing and, as such would not impact on the signalised junction. WSCC Highways have raised no objection to the access and require details of it to be secured by condition. Therefore, this is not considered to result in a highway safety concern.
- 12.84 The site is anticipated to generate 28 staff and visitor AM peak and 25 PM peak trips. Based on Census Journey to work information 69% would route from the south and 31% from the north. Modelling demonstrates that the site access junction would operate effectively for this level of trips, including future year scenarios.
- 12.85 Based on National Travel survey data it is anticipated that 100-120 vehicle trips could be generated at pick up and drop off time. No on-site parent drop-off or pick up is to be provided, unless in special pre-agreed circumstances. It is noted that within the wider development parcels there would be 31 dual use spaces within a 2-minute walk of the primary school.
- 12.86 The Transport Statement anticipates that spaces in the neighbourhood centre could be utilised up to 15 times during each school drop off period. The number is considered unrealistic as it indicates the drop off areas will need to be supervised/managed. The car park is not within the red line boundary of the school, and the Transport Statement does not identify by who it would be managed by. It also assumes all the spaces would be available for school use and it assumes a 30 minute stagger time on the school day, which is not currently proposed, and in any event, if there is a stagger, parents may need to wait for longer periods if they have multiple children to pick up/drop off.
- 12.87 It is acknowledged as with most schools that it is not desirable to provide sufficient parking to accommodate the parking demand due to the significant land that would be required to accommodate this and to encourage sustainable transport habits. It is therefore acknowledged that there will be a level of delay and inconvenience to road users during the drop off and pick up times. The Highway Authority has recommended that a monitoring strategy be provided and remedial parking measures/restrictions identified that could be implemented if inappropriate parking is identified. An appropriate condition is recommended to secure this.

Vehicle Parking

- 12.88 The site would provide 54 car parking spaces, 45 of which will be staff spaces, 4 visitor spaces and 5 accessible spaces. WSCC have raised no objection to this level of provision.

- 12.89 The car park would not accommodate coaches, however acceptable tracking has been provided to demonstrate that coaches could use the area to the east of the site when necessary. Minibuses would be able to use the onsite car parking area.
- 12.90 The applicants have confirmed that 10 EV charging points will be provided within the staff car park. As part of the outline permission a condition is attached that requires at least 1 rapid charging point per 10 dwellings or 1000m² of commercial floor space and requires EV charging points for each parking space for onsite parking of residential dwellings. The provision of 10 EV spaces exceeds the requirement for commercial floor space. This provision is therefore considered to be acceptable.

Pedestrian/Cycle Access

- 12.91 The site is proposed to front onto the Eastern Neighbourhood Square, with residential parcels located to the south and east. As such, once the surrounding development has taken place it will be fully integrated part of the Brookleigh development. Three pedestrian access points are proposed into the site, the main access point to the north, opposite the Eastern Neighbourhood Centre, an access to the east from the tertiary road and an access on the north west corner. These would provide convenient access to the buildings from the surrounding development.
- 12.92 WSCC Highway Authority have raised concerns over the interaction of the primary school and Holmbush Avenue (EBLR). As such, following the provision of a Road Safety Audit, it was recommended that a controlled crossing be incorporated into Holmbush Avenue between the school and the Eastern Neighbourhood square. The applicant has provided indicative plans to show a parallel crossing. While this is outside the redline of the application site, it is considered that this can be controlled by a suitably worded condition to require permission to be sought for and the works to be undertaken prior to commencement of development.
- 12.93 In response to concerns raised by the Highway Authority in relation to the interaction between the waiting area at the front of the school and the Green Superhighway, the applicant has identified that any future operator could choose to stagger start times or playgrounds could be opened up to support the pickup to reduce demand at the front of the school. Whilst, neither of these measures are currently proposed they could be included in the school travel plan and there is a realistic chance of being implementable should the waiting capacity at the school entrance create issues impacting the operation of the shared use cycle facility or formal crossing.
- 12.94 8 staff cycle spaces have been provided along with 6 lockers and showers. 60 student cycle and scooter parking spaces are described as being provided, however full details of these are not shown on the plans. It is considered that the level of cycle parking is low and additional parking should be provided at all entrances to encourage travel to the site by sustainable modes. Furthermore they should all be covered and secure to ensure their useability. Full details would be secured by a suitably worded condition.
- 12.95 Pedestrians and cyclists accessing the site will benefit from the following pedestrian/cycle links in close proximity to the school:

- Green Circle, which will run north-south through the adjacent parcel to the east and is intended to run through the green spaces in Brookleigh and link into the existing Green Circle network.
- Green Superhighway, which runs east-west directly in front of the school to the north, running through the Brookleigh Development and connecting into off site highways improvements in Burgess Hill.
- North-south link through the Eastern Neighbourhood Centre to the north and to the site of the proposed secondary school.

- 12.96 These routes would all provide sustainable connections for the future students/visitors to the school.
- 12.97 Two bus stops are proposed on Holmbush Avenue in close proximity to the school. The number 38 route connects Brookleigh to the centre of Burgess Hill.
- 12.98 Appropriate sustainable methods are therefore considered to be available to travel to the school.

Travel Plan

- 12.99 A School Travel Plan has been provided with the application to encourage sustainable travel to the school. The Highway Authority have raised a number of concerns with the Travel Plan, however, it is noted that a Travel Plan is required to be submitted by the S106 agreement prior to the commencement of the development and it is considered that the identified issues can be resolved prior to the approval of the Travel Plan.

Transport, Highways & Movement Conclusion

- 12.100 The proposal would have an acceptable impact on the surrounding highway network and would provide safe and sustainable access to and from the site.
- 12.101 Subject to the above-mentioned conditions it is considered that the application would comply with Policies DP7, DP9, DP21 and DP22 of the District Plan, Principles SDP1, SDP2, SDP3, SDP4 and SDP10 of the Masterplan, the IDP, and the NPPF.

Ecology and Biodiversity

- 12.102 Policy DP7 of the MSDP states in part that strategic development will: *'Identify and respond to environmental, landscape and ecological constraints and deliver opportunities to enhance local biodiversity and contribute to the delivery of green infrastructure in and around the town in accordance with policies elsewhere in the Plan including DP38: Biodiversity;...'*
- 12.103 Policy DP9 also makes clear that *'the relevant land uses and infrastructure delivery for each phase: Identify and take account of environmental, landscape and ecological constraints including where possible avoiding or minimising harm to sensitive receptors and appropriately responding to the landscape setting including retention of woodland, hedgerows and other important natural features wherever possible and appropriate landscaping and safe design of balancing ponds and water/drainage features; and deliver opportunities and requirements as set out in*

Policy DP7: General Principles for Strategic Development at Burgess Hill and DP38: Biodiversity...'

12.104 Policy DP38 of the MSDP states:

'Biodiversity will be protected and enhanced by ensuring development:

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

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

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

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

12.105 Strategic Development Principle 14 (Landscape and Green Infrastructure) of the Masterplan states that: *'The Masterplan will preserve landscape features and wherever possible respect the landscape setting of nearby listed buildings and non-designated heritage assets. It will also deliver a net gain in biodiversity. This will be achieved by delivering ecological enhancements within the green infrastructure areas, such as ecologically valuable SuDS systems, private and shared garden and amenity space, and passive measures elsewhere such as green and brown roofs and the creation of new habitats through measures to support wildlife such as, for example, bat boxes. The development provides an opportunity to increase the diversity and resilience of tree cover, particularly in relation to climate change, pests and disease, as well as delivering a range of amenity benefits.'*

12.106 Strategic Development Principle 15 of the Masterplan sets out that *'the Northern Arc will provide a rich variety of attractive open spaces. These will support wider*

biodiversity objectives and promote climate change, pest and disease resilience, as well as meeting community needs for recreation and supporting health and well-being.'

12.107 At the national level, the NPPF states in part at paragraph 187 that:

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

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;.....*
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;.....'*

12.108 Paragraph 193 is also relevant to the determination of planning applications with this stating that:

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

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons⁷⁰ and a suitable compensation strategy exists; and*
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.'*

12.109 Ecological surveys were carried out as part of the Outline Planning Application, conditions are attached to the outline permission requiring the following:

- Condition 8: A Construction Environmental Management Plan (CEMP)
- Condition 19: Soft landscaping Scheme
- Condition 20: An Ecological Impact Assessment

12.110 In addition, an Ecological Impact Assessment was undertaken as part Reserved Matters submission, which has identified the site as having low ecological value, with appropriate mitigation achieved through the production and implementation of

a construction phase Ecological Precautionary Working Method Statement and an operational phase Sensitive Lighting Scheme.

- 12.111 The Ecology consultant has provided comments on the application, where they have raised no objections to the proposal, noting the above mentioned conditions attached to the outline permission will need to be discharged prior to commencement.

Biodiversity

- 12.112 The original outline planning application was approved prior to the mandatory 10% Biodiversity Net Gain, however, details secured as part of the outline consent/S106 have committed to provide 10% Biodiversity Net Gain and current estimations demonstrate that in excess of 10% net gain will be provided.
- 12.113 The proposed development will not require the removal of any trees to facilitate the development, in addition it will be replacing an existing site compound and includes extensive planting of trees and shrubs and landscaping works that will achieve a net gain of 1.98%.
- 12.114 Although, this site in itself is not providing in excess of 10% net gain, other development parcels will be providing more and as a whole Brookleigh is set to achieve in excess of 10% net gain. The Ecology consultant has confirmed that they support the submitted Biodiversity Report, noting that other parcels will be providing in excess of 10% and the reporting process, secured as part of the S106 agreement will ensure this target is met.
- 12.115 The reserved matters submission is therefore considered to be in accordance with Policies DP7, DP9 and DP38 of the District Plan, Principles SDP14, SDP15 and SDP16 of the Masterplan, the IDP and the NPPF.

Drainage

- 12.116 Policy DP9 in the MSDP requires the relevant land uses and infrastructure delivery for each phase, to, in part:

'Take account of on-site flood plains and avoid areas of current and future flood risk through a sequential approach to site layout to comply with Policy DP41: Flood Risk and recommendations in the Strategic Flood Risk Assessment;

- Identify, avoid, mitigate and manage the risks posed to water quality associated with the historic land uses and support the delivery of 'Good' ecological status of the River Adur and Copyhold Stream in accordance with DP42: Water Infrastructure and the Water Environment;...'

- 12.117 Policy DP41 of the MSDP states:

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

Particular attention will be paid to those areas of the District that have experienced

flooding in the past and proposals for development should seek to reduce the risk of flooding by achieving a reduction from existing run-off rates.

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

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

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

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

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

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

12.118 Policy DP42 of the MSDP states:

'New development proposals must be in accordance with the objectives of the Water Framework Directive, and accord with the findings of the Gatwick Sub Region Water Cycle Study with respect to water quality, water supply and wastewater treatment and consequently the optional requirement under Building Regulations – Part G applies to all new residential development in the district. Development must meet the following water consumption standards:

- Residential units should meet a water consumption standard of 110 litres per person per day (including external water use);*
- Non-residential buildings should meet the equivalent of a 'Good' standard, as a minimum, with regard to the BREEAM water consumption targets for the development type.*

Development proposals which increase the demand for off-site service infrastructure will be permitted where the applicant can demonstrate;

- that sufficient capacity already exists off-site for foul and surface water provision. Where capacity off-site is not available, plans must set out how appropriate infrastructure improvements approved by the statutory undertaker will be completed ahead of the development's occupation; and*
- that there is adequate water supply to serve the development.*

Planning conditions will be used to secure necessary infrastructure provision.

Development should connect to a public sewage treatment works. If this is not feasible, proposals should be supported by sufficient information to understand the potential implications for the water environment.

The development or expansion of water supply or sewerage/sewage treatment facilities will normally be permitted, either where needed to serve existing or proposed new development, or in the interests of long term water supply and waste water management, provided that the need for such facilities outweighs any adverse land use or environmental impacts and that any such adverse impact is minimised.'

- 12.119 Strategic Development Principle 20 of the Masterplan states that green infrastructure will help to reduce flood risk and manage storm water through an extensive network of SuDS.
- 12.120 Strategic Development Principle 23 of the Masterplan states that the Northern Arc will identify opportunities to reduce potable water demand to below the 110 litres per day through the use of a non-potable water network.
- 12.121 The IDP identifies that the Northern Arc will deliver potable water, surface water and foul water projects to the development.

Flood Risk

- 12.122 The site is located within Flood Zone 1 and is outside Flood Zones 2 and 3 of the river basin, which is located to the east of the development site. Within the site there is a small area with a high risk of surface water flooding.
- 12.123 As part of the outline permission, consideration was given to the drainage and surface water flows, with condition 26 requiring details of the water flood extent, together with details to demonstrate that the buildings are not at risk of flooding and that surface water flow route will be maintained.
- 12.124 While a small area has been identified as having a high risk for surface water flooding, this is an area that will be used for the playing field, and no buildings would be located within this area. The developer has also highlighted that the proposal should not be considered in isolation and has provided information to the Lead Local Flood Authority to highlight that Holmbush Avenue has now been constructed and incorporates a surface water and highways drainage network, with a change in levels between the road and the development site impacting the previous digitally modelled terrain for the Surface Water flows.
- 12.125 Furthermore, the proposed surface water drainage strategy will provide a betterment, in that the discharge from the site would be restricted to the predevelopment Greenfield runoff rate for all 1:100 year rainfall events plus climate change. Therefore, the proposal would reduce flood risk overall.
- 12.126 The Lead Local Flood Authority have been consulted on the application and have confirmed that they are raising no objections to the proposal.

Sustainable Drainage

- 12.127 Details of Sustainable Drainage has been addressed through the outline permission with a condition being used to secure full details of the drainage.
- 12.128 The application confirms that Sustainable Drainage Systems (SuDS) have been incorporated to manage surface water runoff, these features include permeable paving, attenuation tanks, green roofs and rainwater harvesting. While onsite infiltration due to the underlying Weald Clay is not possible, runoff will be attenuated and discharged at a rate of 7.8 l/s.

Water Supply

- 12.129 The IDP sets out that potable water will be provided to each area of the site, including the delivery of off-site upgrade works to facilitate the water supply to the site. Homes England are working with South East Water on the water network for Brookleigh. The proposal is considered acceptable in relation to water supply.

Water Resources, Flood Risk & Drainage Conclusion

- 12.130 In light of the above comments, the proposal is considered to be in accordance with Policies DP9, DP41 and DP42 of the District Plan, Principles SDP20 and SDP23 of the Masterplan, the IDP and the NPPF in relation to water resources, flood risk and drainage.

Sustainability

- 12.131 Policy DP39 of the District Plan states:
- 12.132 *'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.*
- 12.133 Strategic Development Principle 21 (Climate Resilient Development) of the Masterplan states that:
- 'Development within the Northern Arc will seek to make best possible use of passive design approaches to optimise the internal comfort of buildings. Coupled with extensive green infrastructure, these will in turn help to manage external comfort by managing air flows, temperature and shade.*

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

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

- 12.134 Strategic Development Principle 22 (Low Carbon Energy) of the Masterplan states that:

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

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

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

- 12.135 Strategic Development Principle 23 (Integrated Water Management) of the Masterplan states that:

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

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

- 12.136 Strategic Development Principle 24 (Construction and Material Use) of the Masterplan states that:

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

- 12.137 Para 161 of the NPPF seeks to meet the challenge of climate change and sets out:

'The planning system should support the transition to net zero by 2050 and take full account of all climate impacts including overheating, water scarcity, storm and flood

risks and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.'

- 12.138 The application has been supported by the submission of a Energy and Sustainability Statement. In order to support the delivery of a net zero carbon development, it will achieve a BREEAM excellent rating. To facility this, the proposal will incorporate the following measures:
- Fabric first approach
 - Water efficient fixtures and fittings,
 - Sub metering and leak detection
 - Collection and storage of water for general irrigation re-use
 - responsible sourcing of construction materials
 - Ground source heat pumps using vertical piles
 - Low temperature wet heating system using radiators
 - Dedicated hot water heat pump
 - Mixed mode ventilation with air quality control
 - High efficiency LED lighting throughout
 - Solar photovoltaics
 - External shading provision
 - Utilise a trace heating system that will reduce hot water heat loss by approximately 50%
 - Mechanical ventilation to make use of free cooling
- 12.139 In addition, there is a condition attached to the outline consent which requires a sustainability statement to be submitted and approved prior to commencement, as such these details will be secured by condition.
- 12.140 The proposal is therefore considered to be in accordance with Policy DP39 of the District Plan, Principles SDP21, SDP22, SDP23 and SDP24 of the Masterplan, the IDP and the relevant paragraphs of the NPPF

EIA Regulations

- 12.141 The proposal is part of a project that is EIA development. The outline planning application, DM/18/5114, was accompanied by an Environmental Statement. This application is considered to be a subsequent application as it is part of the same project.
- 12.142 An EIA statement of conformity was submitted to support the application which concludes: *'the Proposed Development complies with the Outline Planning Permission DM/18/5114 and the conclusions presented in the ES and ES Addendum remain valid.'* It is therefore considered that the environmental information already before the Council is adequate to assess the significant effects of the development of the environment. It is considered that the development is in broad accordance with the outline planning permission and as such the conclusions of the Environmental Statement submitted under that application remain relevant and no further EIA information is required for the determination of this application.

Other Issues

- 12.143 WSCC Fire and Rescue service have provided comments on the application requesting that a hydrant condition is attached to the consent. However, details requiring the proposed location of the fire hydrants or stored water has already been secured by the outline permission, as such it is not necessary to repeat it on this Reserved Matters Application.
- 12.144 As set out within the Contaminated Land Officers comments, the site presents a very low risk to human health and controlled waters, no significant contamination was identified and recommends a discovery strategy and consultation with the water company in relation to barrier pipework. All of these matters are considered to be consistent with the requirements of the conditions attached to the outline permission and will need to be addressed as part of the conditions. Therefore, the proposal is considered acceptable in relation to contaminated land.
- 12.145 Although the site is within an area of Brick Clay and Stone building, the sterilisation of this area was considered as part of the Outline consent and WSCC have also comments on the proposal raising no objections to the proposal.

13.0 Planning Balance and Conclusion

- 13.1 Planning legislation requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. It is therefore necessary for the planning application to be assessed against the policies in the development plan and then to take account of other material planning considerations including the NPPF. The development plan in this instance consists of the Mid Sussex District Plan, the Site Allocations Development Plan Document, , the West Sussex Joint Minerals Local Plan 2018 Partial Review (2021) and the West Sussex Waste Local Plan (2014).
- 13.2 Courts have confirmed that the Development Plan must be considered as a whole, not simply in relation to any one individual policy. It is therefore not the case that a proposal must accord with each and every policy, or every aspect of an individual policy, within the Development Plan.
- 13.3 To summarise, the principle of the development has been established by the outline permission, and the application is for the reserved matters details of access, layout, scale, appearance and landscaping. The site is also part of a strategic allocation in the District Plan, and a Masterplan and Infrastructure Delivery Plan have been approved as material planning considerations for the site.
- 13.4 The proposal would result in the provision of a new two form entry Primary School, which would accommodate up to 420 including a nursery and special support centre. Great weight is given to the provision of the new school.
- 13.5 The scheme would bring about economic benefits with additional extra spending and jobs during construction, as well as the long-term provision of employment once fully built and operational.
- 13.6 The application includes the provision of a grass pitch and MUGA, that benefits both pupils and the wider community.

- 13.7 Although not mandatory, the proposal would be providing a net gain in BNG and while this parcel on its own would not exceed 10% BNG, as part of the wider strategic development Brookleigh as a whole is expected to exceed 10% BNG. With the Ecology consultant raising no objections to the proposal.
- 13.8 The proposal will result in the loss of the open, undeveloped nature of the site, however this was considered at the Outline stage, no trees are to be removed to facilitate the development, and a comprehensive landscaping scheme has been secured by condition.
- 13.9 It is not considered that the proposal would cause significant harm to neighbouring amenities.
- 13.10 WSCC Highways have raised no technical objection to the proposal and as such there are no highway safety concerns with the proposal.
- 13.11 WSCC Lead Local Flood Authority are satisfied with the information provided in terms of flood risk and drainage. With the final details of both surface water and drainage being controlled by conditions attached to the Outline consent.
- 13.12 The school has been designed to incorporate a number of sustainable features to ensure it meets the BREEAM 'excellent' rating. The proposal is therefore considered to be highly sustainable with its aims to be net zero.
- 13.13 While the Design Review Panel had some recommendations to improve the design, they were very impressed with the buildings overall design and architectural appearance. Officers consider that the design to be of a very high standard with its attention to detail and selection of materials. The proposal would form an active frontage to the north and reinforce its civic presence to the Neighbourhood Centre.
- 13.14 The proposal would not be in complete compliance with the Northern Arc Design Guide, and subsequently Principle SDP9 of the Northern Arc Masterplan, as access to the school has not been provided from the tertiary road from the east. However, appropriate vehicular access has been provided from Isaacs Lane and suitable cycle and pedestrian access has been provided both from Holmbush Avenue to the north and the tertiary road to the east, in order to meet future desire lines and encourage sustainable travel to the site. This departure from the Design Guide provides an alternative to what was originally envisaged, but would still work well and does not degrade the high-quality design of the scheme
- 13.15 The application would comply with policies DP4, DP6, DP7, DP9, DP20, DP21, DP22, DP23, DP26, DP28, DP29, DP30, DP31, DP34, DP37, DP38, DP39, DP41 and DP42 of the Mid Sussex District Plan, the Northern Arc Infrastructure Delivery Plan and Phasing Strategy (2018) and the NPPF. Despite the minor failure to comply with the Northern Arc Design Guide and therefore Principle SDP9, the proposal is considered to comply with the remainder of the Northern Arc Masterplan. As such, the proposal is considered to comply with the Development Plan, and material considerations also indicate the proposal should be supported.
- 13.16 It is therefore recommended that the reserved matters consent be granted for this development subject to the conditions set out in Appendix A.

APPENDIX A – RECOMMENDED CONDITIONS

Conditions

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. Prior to the commencement of the proposed development hereby permitted, the details of a scheme of mitigation measures to improve air quality relating to the development shall be submitted and approved in writing by the Local Planning Authority. The scheme shall be in accordance with the costs derived from the Air Quality assessment by Entram Environmental and Transportation, dated October 2025, and the mitigation measures in accordance with the Air quality and emissions mitigation guidance for Sussex which is current at the time of the reserved matters application. All works which form part of the approved scheme shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

Reason: To protect the amenity of neighbouring residents and to accord with Policy DP29 of Mid Sussex District Plan.

3. Prior to the commencement of development full details of the external facing materials and elevational treatment shall be submitted and approved by the Local Planning Authority in relation to include:

- Brick panels and details of brick bonding and mortar choice.
- Anodised aluminium curtain walling system with projecting cappings and infill anodised aluminium panels. Include RAL colours.
- Anodised aluminium composite windows. Include RAL colours
- Anodised aluminium curtain walling. Include RAL colours
- Anodised aluminium brise soleil. Include RAL colours
- Anodised aluminium signage. Include RAL colours
- Anodised aluminium plant screen (click-on battens) Include RAL colours.
- Timber-effect aluminium click-on battens. Include RAL colours
- Timber-effect aluminium click-on cladding. Include RAL colours
- Galvanised steel guardrail. Include RAL colours.
- Glazed northlight. Include RAL colours.
- Steel-flitched timber column with stainless steel shoe. Include RAL colours.
- Powder-coated metal fascia board. Include RAL colours.
- Anodised aluminium louvred ventilation panel. Include RAL colours.
- Powder-coated ventilation chimney. Include RAL colours.
- Rainwater goods. Include RAL colours.
- Glazed wall-top fins. Include RAL colours.

Reason: In the interest of visual amenity and to comply with policy DP26 of the Mid Sussex District Plan.

4. Prior to the commencement of development and notwithstanding the information submitted, full details of the hard and soft landscaping shall be submitted and approved by the local planning authority. This shall include:
- New planting, including details of the size of the proposed trees
 - Detailed plans including details of soil depth for the planting onto the 'crinkle crinkle' wall on the northern elevation either side of the main entrance.
 - Detailed information on proposed lighting, outdoor seating, play equipment, any street furniture together with separate detailed drawings of the play areas, planters etc.
 - Details and samples of the hard surface materials.

Reason: In the interests of visual amenity and to accord with policies DP9 and DP26 of the Mid Sussex District Plan.

5. The use of the external sports pitch shall be restricted to the hours of:
08:00 to 20:00 Monday to Friday,
09:00 to 18:00 on Saturdays,
and
10:00 to 16:00 on Sundays and Bank Holidays.

No use of the pitch shall take place outside of these hours

Reason: To protect neighbouring amenity and to accord with Policies DP26 and DP29 of the Mid Sussex District Plan.

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

Reason: To provide alternative travel options to the use of the car in accordance with Policy DP39 of the District Plan.

7. 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 Proposed Site Access Visibility Splays Isaac's Lane and numbered 6004 P1.

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

8. Prior to the commencement of the development, full details of a scheme for a pedestrian and cycle crossing across Holmbush Avenue and the tertiary road to the east shall be submitted to and approved in writing by the Local Planning Authority. The crossings shall be implemented in accordance with the approved detailed prior to the use of the school.

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

9. Prior to the commencement of development, full details of a scheme for monitoring parking outside the school at pick up and drop off times shall be submitted to and approved by the Local Planning Authority along with timescales for a scheme of mitigation to be agreed if necessary. The mitigation shall be carried out in accordance with the approved timescales.

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

10. 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 ensure an acceptable level of car parking and to ensure highway safety in accordance with Policy DP21 of the District Plan.

11. The development hereby approved shall be carried out in full accordance with the Arboricultural Method Statement and Tree protection Plan submitted as part of the application.

Reason: In the interests of visual amenity and to comply with policy DP37 of the Mid Sussex District Plan 2014-2031.

12. Prior to the occupation of any of the primary school and prior to the erection of any signage associated with the development, details of the signage strategy shall be submitted and approved in writing by the Local Planning Authority. Signage shall only be implemented in accordance with the approved strategy.

Reason: In the interest of visual amenity in accordance with DP9 and DP26 of the Mid Sussex District Plan.

13. No development above slab level shall take place until detailed 1:20 scale sections and elevations (vignettes) of the following shown in context: (a) front entrance/canopy/roof overhang; (b) front doors together with details such as doors handles dimension, door handle finishes and colour etc; (c) typical detail of all other entrance doors (d) typical curtain wall illustrating window openings (if any) and reveals. (e) typical steel-flitched timber column with stainless steel shoe and its ground fixing methods; (f) crinkle-crinkle wall and its relationship with the front elevation; (g) each elevation element of the vertically grouped windows showing the relationship with the grouping material have been submitted and approved by the Local Planning Authority. The development shall be carried out in accordance with these details.

Reason: To enable the Local Planning Authority to control the development in detail in the interest of amenity by endeavouring to achieve a building of visual quality and to accord with Policies DP9 and DP26 of the Mid Sussex District Plan 2014- 2031

14. No development above slab level shall take place until 1:20/50 scale plans and elevations of the 'spill out' public realm space outside the main entrance have been submitted and approved by the Local Planning Authority. The development shall be carried out in accordance with these details.

Reason: To enable the Local Planning Authority to control the development in detail in the interest of amenity by endeavouring to achieve a building of visual quality and to accord with Policies DP9 and DP26 of the Mid Sussex District Plan 2014- 2031

15. No development above slab level shall take place until 1:20/50 scale plans and elevations of the 'secondary entrance zones to the north and the east have been submitted and approved by the Local Planning Authority. The development shall be carried out in accordance with these details.

Reason: To enable the Local Planning Authority to control the development in detail in the interest of amenity by endeavouring to achieve a building of visual quality and to accord with Policies DP9 and DP26 of the Mid Sussex District Plan 2014- 2031

16. No development above slab level shall take place until details for the design of the bin stores and outdoor school storage (structures and solutions) have been submitted and approved by the Local Planning Authority. The development shall be carried out in accordance with these details.

Reason: To enable the Local Planning Authority to control the development in detail in the interest of amenity by endeavouring to achieve a building of visual quality and to accord with Policies DP9 and DP26 of the Mid Sussex District Plan 2014- 2031

Informatives

1. The proposed development will require formal address allocation. You are advised to contact the Council's Street Naming and Numbering Officer before work starts on site. Details of fees and advice for developers can be found at www.midsussex.gov.uk/streetnaming or by phone on 01444 477175.
2. In order to satisfy condition 4, the landscape proposal will need to take into account the recommendations set out within the email dated the 11th May from the MSDC Tree Officer.
3. The approval of the signage strategy does not overcome the requirement for advertisement consent.

Plans Referred to in Consideration of this Application

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

Plan Type	Reference	Version	Submitted Date
Location Plan	D3347-FAB-00-XX-DR-L-0001	PL03	17.04.2026
Proposed Floor Plans	2084-SFS-X-00-DR-A-01-01	P01	17.04.2026
Proposed Floor Plans	2084-SFS-X-00-DR-A-01-02	P01	17.04.2026
Proposed Roof Plan	2084-SFS-X-00-DR-A-01-03	P01	17.04.2026
Proposed Elevations	2084-SFS-X-00-DR-A-02-01	P01	17.04.2026
Proposed Elevations	2084-SFS-X-00-DR-A-02-02	P01	17.04.2026
Proposed Elevations	2084-SFS-X-00-DR-A-02-03	P01	17.04.2026
Proposed Sections	2084-SFS-X-00-DR-A-03-01	P01	17.04.2026
Landscaping Details	D3347-FAB-00-XX-DR-L-1100	PL04	11.05.2026
Landscaping Details	D3347-FAB-00-XX-DR-L-8001	PL02	17.04.2026
Landscaping Details	D3347-FAB-00-XX-DR-L-8002	PL02	17.04.2026

Landscaping Details	D3347-FAB-00-XX-DR-L-4001	PL02	11.05.2026
Landscaping Details	D3347-FAB-00-XX-DR-L-1101	PL02	11.05.2026
Site Plan	D3347-FAB-00-XX-DR-L-0002	PL03	17.04.2026
Landscaping Details	D3347-FAB-00-XX-DR-L-4003	PL01	17.04.2026
Landscaping Details	D3347-FAB-00-XX-DR-L-4002	PL01	17.04.2026
Landscaping Details	D3347-FAB-00-XX-DR-L-4000	PL01	17.04.2026
Landscaping Details	D3347-FAB-00-XX-MR-L-1000	PL03	17.04.2026
Proposed Elevations	2084-SFS-X-00-DR-A-02-05	P00	17.04.2026
Proposed Elevations	2084-SFS0X000-DR-A-02-04	P00	17.04.2026