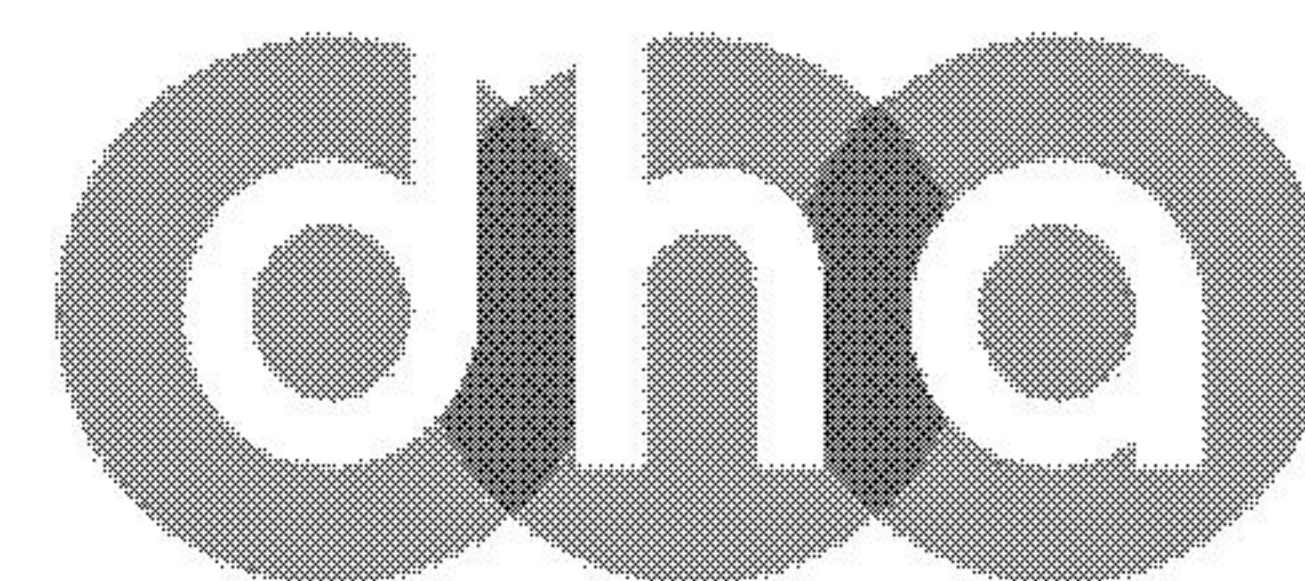




Mid Sussex District Council
Oaklands
Oaklands Road
Haywards Heath
West Sussex
RH16 1SS

Our Ref: MWB/IM/35196
Planning Portal Ref: PP-13738791

31st January 2025

Dear Sir/Madam,

APPLICATION TO DISCHARGE CONDITIONS 8, 11, 12 & 18 ATTACHED TO OUTLINE PLANNING PERMISSION DM/18/0509 (PHASE 2 & 3), LAND TO THE WEST OF FREEKS LANE, BURGESS HILL, WEST SUSSEX

On behalf of our client, Countryside Properties Ltd, please find enclosed an application for the approval of details reserved by conditions attached to outline planning permission reference DM/18/0509, relating to Phase 2 & 3 of the Freeks Farm development. These conditions have previously been partially discharged in respect of Phase 1 of the development, through three separate discharge of condition applications: Condition 8 in April 2021, Condition 12 & 18 in April 2022 and Condition 11 in August 2020.

The application is submitted under Planning Portal reference PP-13738791 and is accompanied by an online payment of £215.00.

Mid Sussex District Council granted outline planning permission on 24th July 2019 for the development of land west of Freeks Lane for the following development:

"Residential development comprising up to 460 dwellings, public open space, recreation areas, play areas, associated infrastructure including roads, surface water attenuation and associated demolition (outline application with all matters reserved except for principal means of access from Maple drive."

The application seeks approval of details enabling the discharge of conditions 8, 11, 12 & 18 in respect of phases 2 and 3. These conditions are worded as follows:

Condition 8 – Land Contamination

Part 1:

"No works for any phase pursuant to this permission shall commence until there has been submitted to and approved in writing by the Local Planning Authority before development of that phase commences or within such extended period as may be agreed with the Local Planning Authority:

a) A site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk study created in accordance with BS10175:2011+A1:2013 and BS 8576:2013 Guidance on investigations for ground gas. Permanent gases and Volatile Organic Compounds (VOCs); the laboratory analysis should be accredited by the Environment Agency's Monitoring Certification Scheme (MCERTS) where possible; the report shall refine the conceptual model of the site and state either that the site is currently suitable for the proposed end-use or that will be made so by remediation;

and, unless otherwise agreed in writing by the LPA,

b) A remediation method statement detailing the remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. For risks related to bulk gases, this will require the production of a design report and an installation report for the gas as detailed in BS 8485:2015 - Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings. The scheme shall consider the sustainability of the proposed remedial approach. It shall include nomination of a competent person¹ to oversee the implementation and completion of the works."

Part 2:

"The development hereby permitted shall not be occupied/brought into use until there has been submitted to and approved in writing by the Local Planning Authority verification by the competent person approved under the provisions of condition (i)c that any remediation scheme required and approved under the provisions of conditions (i)c has been implemented fully in accordance with the approved details (unless varied with the written agreement of the LPA in advance of implementation). Unless otherwise agreed in writing by the LPA such verification shall comprise a stand-alone report including (but not be limited to):

- a) Description of remedial scheme*
- b) as built drawings of the implemented scheme*
- c) photographs of the remediation works in progress*
- d) certificates demonstrating that imported and/or material left in-situ is free of contamination, and records of amounts involved.*

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under conditions (i)c"

Condition 11 – Air Quality

"Prior to the occupation of any of the dwellings hereby permitted, the details of a scheme of mitigation measures to improve air quality relating to those dwellings shall be submitted and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be completed before any of the dwellings are occupied and shall thereafter be maintained in accordance with the approved details.

The scheme shall include, as a minimum:

- Provision of at least 1 EV rapid charge point per 10 residential dwellings and / or 1000m² of commercial floor space. Where on-site parking is provided for residential dwellings, EV charging points for each parking space should be made.*
- Provision of a detailed travel plan (with provision to measure its implementation and effect) which sets out measures to encourage sustainable means of transport (public, cycling and walking) via subsidised or free-ticketing, improved links to bus stops, improved infrastructure and layouts to improve accessibility and safety;*
- All gas-fired boilers to meet a minimum standard of <40 mgNO_x/kWh"*

Condition 12 – Acoustic Protection

"Prior to the occupation of any of the dwellings hereby permitted, details of a scheme of acoustic protection for those dwellings shall be submitted, and approved in writing by the Local Planning Authority. The scheme shall be in accordance with recommendations listed in Section 6.1 of the submitted WYG Noise Assessment dated Jan 2018 and shall include details of acoustic protection sufficient to ensure the maximum internal noise levels in bedrooms and living rooms in residential properties, post construction, will comply with those stated in Table 4 of BS8233:2014. Where internal noise levels will be exceeded with windows open, the scheme shall incorporate appropriate acoustically screened mechanical ventilation or other ventilation capable of providing adequate ventilation for the thermal comfort of the occupants. The scheme shall include details of acoustic protection sufficient to ensure external amenity area & garden noise levels of not more than 55dB LAeq T (where T is 07:00 - 23:00) unless otherwise agreed in writing. All works which form part of the approved scheme shall be completed before any part of the relevant phase of development is occupied and shall thereafter be maintained in accordance with the approved details."

Condition 18 – Acoustic for Ventilation

"Prior to the occupation of any of the dwellings hereby permitted and prior to the use of any external ventilation, refrigeration, heating or air conditioning plant or machinery, details of a scheme of acoustic protection shall be submitted, and approved in writing by the Local Planning Authority. The plant or machinery noise rating level shall be at least 5dB below the existing background noise level at the nearest residential facade. All measurements shall be defined and derived in accordance with BS4142: 2014."

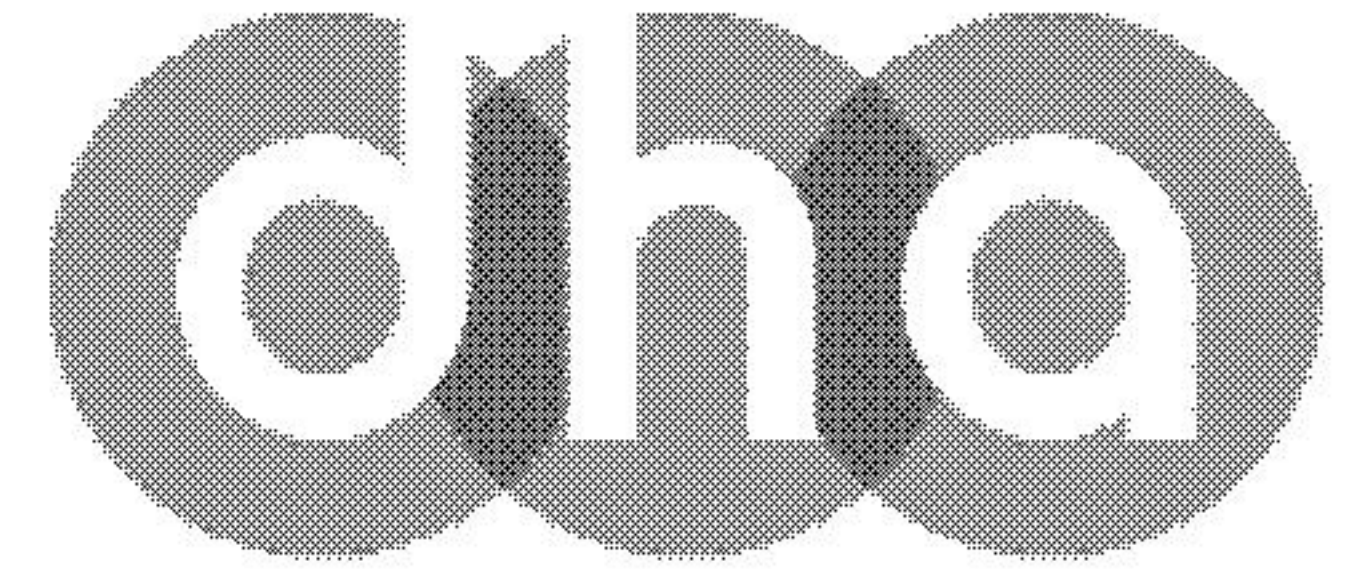
Accordingly, the application is accompanied by the following documentation:

- This Covering Letter;
- Application Form;
- Application Fee;
- And the following documentation submitted in relation to each condition:

Condition 8:

- Soils investigation detailing ground conditions of the site with chemical and gas analysis: AECOM Soils Investigation
- Pre-treatment and disposal plan detailing the disposal of asbestos fibres, hotspots of unsuitable made ground, and stockpiles with drawings and photographs of remediation works:
 - Burgess Hill - Report on Pre-Treatment and Disposal for Phase 2 and 3 - Part 1 of 6
 - Burgess Hill - Report on Pre-Treatment and Disposal for Phase 2 and 3 - Part 2 of 6
 - Burgess Hill - Report on Pre-Treatment and Disposal for Phase 2 and 3 - Part 3 of 6
 - Burgess Hill - Report on Pre-Treatment and Disposal for Phase 2 and 3 - Part 4 of 6
 - Burgess Hill - Report on Pre-Treatment and Disposal for Phase 2 and 3 - Part 5 of 6
 - Burgess Hill - Report on Pre-Treatment and Disposal for Phase 2 and 3 - Part 6 of 6
- C488.CPP Burgess Hill - Pre-treatment and disposal from Phase 2 area - Letter Report – FINAL

Please note that the AECOM soils investigation report refers to phase 2 as this denotes the location of the asbestos. Additionally the pre-treatment information covers both phase 2 and 3, (while only referring to phase 2) as during the stages it was undertaken the phases were not denoted.

**Condition 11:**

- 200408 Final Freeks Farm Travel Plan
- Burgess Hill Boiler Specification
- Electric Car Charging Details
- Freeks Farm Site Layout – Rapid Chargers Model

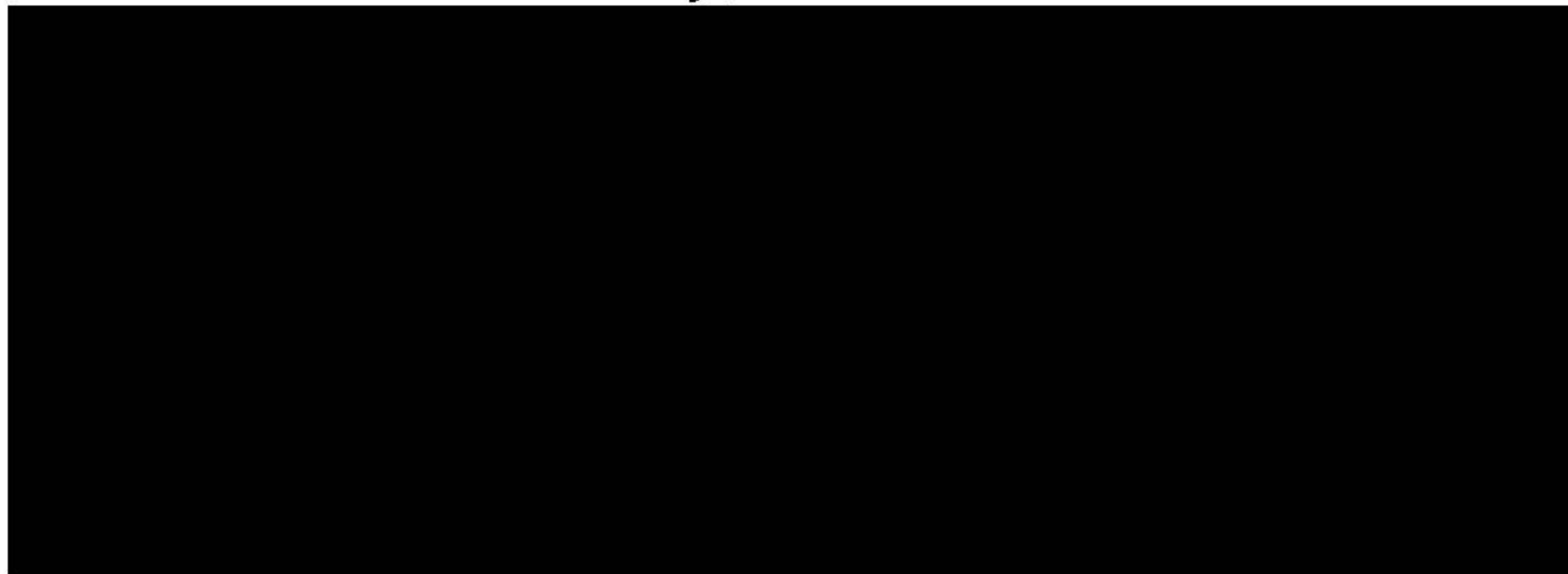
Condition 12 & 18:

- Burgess Hill Northern Arc East, Phases 1-3, Noise Assessment

Conclusion

This application has been submitted to secure discharge of conditions 8, 11, 12 & 18 in relation to phases 2 and 3 of the development, pursuant to outline planning permission DM/18/0509 granted in July 2019. I trust you have sufficient information to validate the application and I look forward to receiving acknowledgement of its receipt in due course. If however, you require additional information please do not hesitate to contact me.

Yours sincerely,



Lauren Sinden
Planner
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