

HAYWARDS HEATH TOWN COUNCIL

PLANNING COMMITTEE

Minutes of the meeting held on Monday, 11 January 2021

C N Laband (*Chairman*)
M J Pulfer (*Vice Chairman*)
Mrs C Cheney
C C J Evans
Mrs S J Inglesfield
A C McPherson
H A Munding
R A Nicholson

* Absent
** Apologies

Also present: Councillor R S Bates
Councillor S Wickremaratchi

98. Apologies

There were none.

99. Minutes

The Minutes of the meeting held on Monday, 21 December 2020 were taken as read, confirmed as a true record and duly signed by the Chairman.

100. Substitutes

There were none.

101. Members' Declarations of Interest

Councillor Clive Laband made the following declaration:

"I declare a personal interest in all planning applications under agenda item 6 as an elected Member of Mid Sussex District Council (MSDC) and as an appointed Member of the (MSDC) District Planning Committee. I further reserve the right to alter my views should the applications come before the District Planning Committee, based on contributions from the public, other Members or reports from MSDC Officers."

Councillor Mike Pulfer made the following declaration:

"I declare a personal interest in all planning applications under agenda item 6 as an elected Member of Mid Sussex District Council (MSDC) and as an appointed Member of the (MSDC) Planning Committee. I further reserve the right to alter my views should the applications come before the Planning Committee, based on contributions from the public, other Members or reports from MSDC Officers."

102. Planning Appeals

There were none.

103. Licensing Applications

There were none.

104. Comments and Observations on Planning Applications

Members made comments and observations on 17 planning applications as per Appendix 1 attached.

Re DM/20/4475, 15A Harlands Close – erection of a level garden area to the rear

Taking into account the fact that the house had been built, the sloping nature of the site and the ground levels to the rear of the house, Members had a number of differing views as to whether or not this proposal would be acceptable, what effect it might have on neighbouring residential amenity and what could be done to mitigate any adverse impact.

Councillor Pulfer moved that in the light of circumstances being as they were, the application should be approved. In the absence of a seconder for this proposal, Councillor McPherson moved that the application should be opposed. His proposal was seconded by Councillor Evans and was then put to the vote. Votes were recorded as: **7 in favour** and 1 against. The application was therefore **opposed**.

Re DM/20/4600, Pascals Brasserie, 5658 The Broadway – variation of condition number 4 to vary the proposed opening hours of application DM/19/4509

This application attracted a fair amount of discussion because of the situation that existed in The Broadway whereby some businesses were permitted to keep their external areas open later than others. On the one hand, some Members felt that this was unfair and uncompetitive for those businesses with curtailed 'outside' hours whilst on the other, Members acknowledged the need to safeguard the amenities of residents living nearby. In his role as Ward Member for the application and in order to draw the debate to a close, Councillor Laband moved that it should be supported on condition that the use of any outside areas be restricted to 23:00 hours every day, in order to protect nearby residential amenity. His proposal was seconded by Councillor Nicholson and was then put to the vote. Votes were recorded as: **6 in favour** and 1 abstention. *(Councillor McPherson was not present when this vote took place.)*

105. Items Agreed as Urgent by the Chairman

There were none.

The meeting closed at 9:00pm.

This meeting was conducted and recorded using the Zoom video conferencing application.

APPENDIX 1

Deferred from previous meeting

DM/20/4159 – Downlands Park Care Home, Bolnore Farm Lane

Lucastes

Erection of part two, part three and part four storey building comprising 70 extra care apartments with community hub, guest suite and staff facilities together with 15 extra care cottages (85 in total), pavilion, parking and access to form a Continuing Care Retirement Community following demolition of existing care home.

The Town Council would like to **SUPPORT** this application subject to the following amendments/conditions:

1. the proposed middle residential building (east wing, adjacent to the cottages) should be reduced in height in order to lessen its overbearing nature and impact on neighbouring residences in Kleinwort Close, particularly with regard to loss of privacy (Policy DP26 of the Mid Sussex District Plan 2014–2031 refers);
2. the development will need a Construction Management Plan, to include a requirement that all contractor parking is on site;
3. a survey of the condition of the surrounding highway verges must be undertaken before and after the development is completed;
4. the resident of Downlands Cottage, Bolnore Farm Lane, has raised concerns about the proximity of the proposed parking to her property and whether she will have access to her utility meter cupboards and side garden gate – these concerns must be attended to. Parking noise could be an issue for this older property and advice/guidance from Mid Sussex District Council's Environmental Health Officer regarding any acoustic attenuation would be appreciated;
5. the 'old' original rural section of Bolnore Farm Lane to the south of the site, which is a bridleway made up of two concrete tracks, must not be touched. The Town Council understands that there has been some discussion around the developer wanting to tarmac this area and put in a pavement and whatever else, which is completely ridiculous.

All other applications

DM/20/3456 – Land West of Kilnwood Apartments, Rocky Lane

Ashenground

Erection of 9 apartments within a single three storey building, along with access, parking and landscaping. (Revised plans received 08.12.2020 showing changes to the red line boundary, parking and landscaping.)

The Town Council notes the submission of revised plans (received by Mid Sussex District Council on 08/12/2020) showing changes to the red line boundary, parking and landscaping. These do nothing to alter the Town Council's opposition to the application and once again, therefore, it reiterates the apposite comments and observations that were previously submitted on 23/10/2020. For the avoidance of doubt, these are as follows:

'Notwithstanding the fact that the principle of development on the site is effectively allowed, the Town Council **OBJECTS** to this application. As tabled, it would give rise to an overdevelopment of the site, it would reduce agreed landscape amenity and green space for existing residents and would result in parking congestion issues that would spill over on to the public space outside in the roadway. More significant than anything else is that the agents, DMH Stallard LLP, are very persistent in their disingenuous argument promoting that this cumulative unused windfall development land should not

cont.

DM/20/3456 – Land West of Kilnwood Apartments, Rocky Lane (cont.) **Ashenground**

be subject to affordable housing or Section 106 funding for the community. Members are quite disappointed to see a developer bring forward something so blatantly wrong that would undermine both the Mid Sussex District Plan 2014–2031 and the Haywards Heath Neighbourhood Plan. The planning requirement to provide affordable housing is very clear – this is a cheap shot to undermine that and Members do not like it.

The Mid Sussex District Council Case Officer for the application has acknowledged that in purely design terms, the proposed block would be considered acceptable, but she has significant concerns regarding its location and visual prominence. The Town Council believes that the building would result in an overbearing form of development which would be too near the A272 relief road and a monstrous feature at one of the key entry points into the town.

The majority of the Town Council's response to the previous application for this site (DM/19/4731) remains relevant to this latest application and is reiterated below for the avoidance of doubt:

The Town Council **objects** to this application on account of there being no provision for affordable housing, which is contrary to Policy DP31 of the Mid Sussex District Plan (MSDP) 2014–2031. Whilst Members accept the applicant's contention that the site is unused windfall development land, they believe it is effectively an extension to the adjacent development of three blocks of apartments which was permitted under application references DM/15/5107 (outline) and DM/16/5547 (reserved matters). In other words, this latest proposal and the development of apartments each represent constituent parts of a 'cumulative' application for the entire site and, therefore, should both be subject to the same planning policy obligations. The Town Council has concerns that the Planning Supporting Statement prepared by DMH Stallard LLP conveniently omits any reference to the affordable housing liability for this site extension.

In the event that the application is granted permission, the Town Council requests that it is subject to the following conditions:

1. in view of the likely increase in vehicle movements to and from the apartments, the short stretch of Old Rocky Lane leading from the roundabout on the A272 relief road to the development must be upgraded so that it provides a proper continuous pavement for pedestrians as far as the footpath to Bolnore Village. At present, the pavement ceases shortly after exiting the A272, compelling motorists and pedestrians to use the same part of the highway, which is potentially hazardous and detrimental to highway safety;
2. street lighting provision along the short stretch of Old Rocky Lane should be improved for the benefit of pedestrians and highway safety in general. Care must be taken to ensure that any scheme does not cause undue light pollution for nearby residents;
3. the number of proposed on-site car parking spaces is inadequate and must be increased to ensure that parking does not spill out of the development on to Old Rocky Lane;
4. the design of the apartments should incorporate a scheme for solar panels (as unobtrusive as possible);

Reason: to accord with Policy DP39 of the MSDP 2014–2031;

5. electric vehicle charging points should be provided in the allocated parking area and ducting should be laid in order for any remaining parking spaces to be upgraded in the future;

Reason: in the interests of sustainability and as a result of the Government's 'Road to Zero' strategy, and to accord with Policy DP39 of the MSDP 2014–2031;

cont.

DM/20/3456 – Land West of Kilnwood Apartments, Rocky Lane (cont.)

Ashenground

6. developer Section 106 contributions for local community infrastructure are allocated towards the proposed Country Park on land off of Hurstwood Lane.

Finally, the Town Council asks that Mid Sussex District Council reviews the ecological status of the site, given its previous status first as a reptile receptor site and then as a site from which reptiles – mainly slow worm and common lizard – were translocated.'

Furthermore, the Town Council notes the significant concerns raised by Mid Sussex District Council's Urban Designer and applies significant weight to his objections regarding the architecture, provision of trees and landscaping.

DM/20/3940 – Brambles Hurstwood Lane Haywards Heath

Franklands

Demolish existing wooden shed and erect timber framed garage (amended plans 21/12).

No comment,

DM/20/4181 – Whitefriars, Rookery Way

Franklands

Construction of a single storey swimming pool building.

No comment.

DM/20/4355 – 1 Amberley Close

Lucastes

Proposed single storey side extension.

No comment.

DM/20/4475 – 15A Harlands Close

Lucastes

Erection of a level garden area to the rear.

The Town Council **OBJECTS** to this application on the basis that it is an unneighbourly development, it is a retrospective application and is contrary to Policy DP26 of the Mid Sussex District Plan 2014–2031, part of which states that development 'does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution'.

The Town Council asks that Mid Sussex District Council's Environmental Health Officer and Tree Officer investigate the site to determine whether the development so far has any environmental impact on the nearby Scrase Stream and the nearby ancient woodland on the other side of that stream.

DM/20/4509 - 1 Beech Hill

Franklands

New 3 bedroom dwelling in the existing garden.

The Town Council **OBJECTS** to this application for the following reasons:

1. it is a back garden development;
2. it would give rise to an overdevelopment of the site;
3. it is contrary to Policy DP26 of the Mid Sussex District Plan 2014–2031;

cont.

4. the comment in the Design and Access Statement that the garden 'requires a lot of management and the owners wish to reduce this by creating a new dwelling at the lower end of the garden' is disingenuous. The Town Council does not believe that the mitigating circumstances are to build a new house and cash in on it;
5. the applicants are proposing to build the property at the bottom of their garden and given the topography of the site, it may well be out of their way but it would be right on the boundaries of properties in Pembury Close. It would have an overbearing impact and would overlook these properties, resulting in a loss of privacy for residents living there;
6. on-street parking in Northlands Avenue – which NHS staff and hospital visitors regularly make use of – would preclude suitable sight lines for the proposed vehicular access which would come out on to Northlands Avenue. This would make it extremely dangerous for vehicles exiting the property in between parked vehicles and on to the highway;
7. the proposed vehicular access would result in the loss of on-street parking which is used and valued by NHS staff and hospital visitors;
8. the comment in the Design and Access Statement that 'there are examples of access provided to new dwellings from Northlands Avenue at nos 6 and 4 Northlands Avenue, 65 metres further up the hill' is disingenuous because this segment of Northlands Avenue, to the south, is about to have a Traffic Regulation Order applied which will prohibit parking;
9. with regard to refuse collection, the proposed development would mean that refuse lorries would have to double-park on Northlands Avenue. This would interrupt the free flow of passing traffic, would add to the hazards faced by road users at this point and would be dangerous for the refuse collectors themselves;
10. the comment from the Foul Sewer and Surface Water (Drainage) Assessment that 'surface water will be discharged to the surface water drainage system in the adjacent main road' is unacceptable. Surface water would need to be managed by means of adequate and appropriate soakaways. Policy E7 of the Haywards Heath Neighbourhood Plan states that 'new development proposals will be required to incorporate Sustainable Drainage Systems, where practical, as part of the design of new housing and commercial development and indicate how such schemes will be managed and maintained'.

The Town Council also notes the objections from the neighbouring resident at no. 9 Pembury Close.

DM/20/4571 – Land adjoining 15 Syresham Gardens

Removal of pre-occupancy conditions 8, 10 of planning permission DM/18/0663, and the pre-occupancy element of condition 9 leaving the requirement to build the driveway in accordance with the approved plans.

No comment.

DM/20/4572 – Land adjoining 15 Syresham Gardens

Bentswood

New driveway next to the existing driveway to create up to 4 parking spaces in total on the site.

Regarding the concurrent application for this site (DM/20/4571 refers), the Town Council acknowledges the conclusion reached by West Sussex County Council's Highways Officer, advising that discharge of conditions 9 and 10 may be more appropriate than removal. In consequence, and noting the representations from nearby residents, the Town Council **OBJECTS** to this application for a new driveway on the basis that four car parking spaces for one property is in excess of Local Highways Authority guidelines. Furthermore, the proposal would be detrimental to the street scene and would undermine Principles DG18 and DG19 of the Mid Sussex Design Guide Supplementary Planning Document.

DM/20/4585 – 25 Ashenground Road

Ashenground

Two storey side extension together with associated internal and external alterations and widening of driveway.

No comment.

DM/20/4600 – Pascals Brasserie, 56–58 The Broadway

Heath

Variation of condition number 4 to vary the proposed opening hours of application DM/19/4509.

The Town Council **SUPPORTS** this application on condition that the use of any outside areas is restricted to 23:00 hours every day, in order to protect nearby residential amenity.

DM/20/4621 – 13 Hoblands

Franklands

Construction of a summer house in the back garden. Alterations to existing front porch. Construction of an off-street parking area and associated highway access with dropped kerbs. Erection of fences and gates within the garden. This is an application to establish whether the development is lawful. This will be a legal decision where the planning merits of the proposed use cannot be taken into account.

As this is an application for a Lawful Development Certificate and is therefore a legal matter, the Town Council defers the decision to Mid Sussex District Council.

DM/20/4638 – 54 Sergison Close

Lucastes

Single storey rear extension and existing side window replaced with a larger window. This is an application to establish whether the development is lawful. This will be a legal decision where the planning merits of the proposed use cannot be taken into account.

As this is an application for a Lawful Development Certificate and is therefore a legal matter, the Town Council defers the decision to Mid Sussex District Council.

DM/20/4639 – 402–408 Franklands Village

Franklands

Two storey rear extension and conversion of 4 existing 1 bed flats to form 4 self-contained 2 bed flats with associated external works including private gardens.

No comment.

DM/20/4661 – 160 Western Road

Bentswood

Single rear storey extension, two storey side extension and part of rear. Attic conversion with dormer on the rear.

No comment.

DM/20/4665 – 9 Beech Hurst Close

Lucastes

Demolition of existing porch and erection of new porch. Proposed single storey rear extension to create kitchen/dining space. This is an application to establish whether the development is lawful. This will be a legal decision where the planning merits of the proposed use cannot be taken into account.

As this is an application for a Lawful Development Certificate and is therefore a legal matter, the Town Council defers the decision to Mid Sussex District Council.

DM/20/4676 – High Trees, 54A Lewes Road

Franklands

Replacement plain contemporary windows, with vertical tile hanging changed to Enviro Build, Hyperion, Pioneer, Silver Birch Cladding.

No comment.