

# HAYWARDS HEATH TOWN COUNCIL

## PLANNING COMMITTEE

### Minutes of the meeting held on Monday, 28 March 2022

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

\* Absent

\*\* Apologies

Also present:

Regarding application number DM/22/0733 – Land at Rogers Farm, Fox Hill:

Mr Peter Rainier – Principal Director of Planning at DMH Stallard LLP and agent acting on behalf of the applicant – who had registered to speak *in support* of the application and to answer any questions that Members may have;

Mrs Stephanie Went, who had registered to speak *against* the application.

#### 124. Apologies

There were none.

#### 125. Minutes

The Minutes of the meeting held on Monday, 7 March 2022 were taken as read, confirmed as a true record and duly signed by the Chairman.

#### 126. Substitutes

There were none.

#### 127. 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  
**cont.**

**127. Members' Declarations of Interest (cont.)**

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."

**128. Planning Appeals**

Members noted that the following appeal had been **lodged** in respect of MSDC's decision to refuse planning permission:

<b>Date Lodged &amp; References</b>	<b>Site</b>	<b>Description</b>
17/03/2022 AP/22/0011 APP/D3830/D/22/3294366  (DM/21/4034 refers)	46 Lucastes Avenue HAYWARDS HEATH RH16 1JY	Two-storey rear extension and alterations to single-storey extension roof (re-submission of DM/21/2352).

**129. Licensing Applications**

There were none.

**130. Comments and Observations on Planning Applications**

Members made comments and observations on 38 planning applications as per Appendix 1 attached.

**131. Items Agreed as Urgent by the Chairman**

There were none.

The meeting closed at 8:39pm.

## APPENDIX 1

### Week 1

#### **DM/21/3803 – The Lodge, Bennetts Rise**

**Franklands**

Continued use of building as an office building (Use Class E).

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/22/0492 – 2 The Spinney, Eastern Road**

**Bentswood**

Construction of 1 no. four bedroom detached dwelling.

Further to previous comments (see below) in respect of application numbers DM/20/0851 and DM/21/3046, the Town Council underlines its commitment to tree preservation on the site and these concerns have been highlighted by representations from neighbouring residents, including reports of land contamination caused by the burning/disposal of sundry materials. The Town Council requests that Mid Sussex District Council's Tree Officer and Environmental Protection Team investigate these reports with the utmost diligence.

For the avoidance of doubt, comments supporting the previous applications (DM/20/0851 and DM/21/3046) are as follows:

The Town Council **supports** this application, as it did the previous application under reference DM/20/0851. It is acknowledged that this is a somewhat reduced scheme to that proposed previously and the Town Council reiterates its comments and observations – which remain relevant – as follows:

This appears to be a sustainable site within the built area of Haywards Heath and thus the principle of development is likely to be allowed. If so, this would constitute windfall residential land supply under section 9.22 HHNP with H8 the relevant policy requirement.

Resident representation has raised relevant planning considerations as Design and Overlooking/Loss of privacy. With over 30 metres between respective properties, this is of less concern in planning terms. However, the developer is required to demonstrate that the application, if permitted does not conflict with the street scene and should not negatively impact upon privacy. Planning statement seeks to address these issues, and the 3D presentation provides a clear pictorial vision of the completed buildings.

Committee supports this application with the support of conditions to control/limit construction hours/deliveries M-F 08:00 to 18:00, Sat 09:00 to 13:00. No work permitted Sundays or Public holidays. The Arboricultural report details significant challenges which must be addressed under the supervision of MSDC tree officers to ensure tree preservation is maintained as a primary objective, and that a re-planting regime be agreed to address any latent/remaining privacy issues.

In addition, electric vehicle charging points should be provided for the allocated parking areas.

Because the site is located off a congested residential road where there is high density housing and a high level of on-street parking, it is requested that no works take place until a Traffic Management Plan has been submitted to and approved by Mid Sussex District Council. This is in the interests of site safety, highway safety and residential amenity.

Finally, prior to the commencement of construction and at the applicant's/contractor's expense, a dilapidations report should be done on the public highway in the vicinity of the site access. Any subsequent damage to the public highway that is attributable to construction traffic or works should be remedied upon completion of construction at the applicant's/contractor's expense'.

**DM/22/0516 – 21 Lucastes Avenue** **Lucastes**  
(T1) Cypress – fell. (T2) Cherry Tree – crown lift to 3m above ground level and crown reduce by 2.5m from east side.

The Town Council defers this decision to Mid Sussex District Council's Tree Officer.

**DM/22/0630 – Auckland Place, 141–147 Western Road** **Bentswood**  
Erection of an additional level (3<sup>rd</sup> floor) and reconfiguration of 2<sup>nd</sup> floor of that previously approved under DM/20/0730, to provide an additional 4 flats.

No comment.

**DM/22/0638 – 6 Sylvan Close** **Franklands**  
First floor side extension.

No comment.

**DM/22/0641 – 21 Robertson Drive** **Franklands**  
Single storey pitched roof extension.

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/22/0651 – 101 Penland Road** **Heath**  
First floor side extension.

No comment.

**DM/22/0657 – 44 College Road** **Heath**  
Loft conversion with side dormer.

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/22/0675 – Oakwood Court, Amberley Close** **Lucastes**  
T1 – Wellingtonia – remove major deadwood.

The Town Council defers this decision to Mid Sussex District Council's Tree Officer.

**DM/22/0705 – 1 The Paddocks** **Lucastes**  
Single storey flat roof rear extension with a lantern-style rooflight, high level window to side wall and new external side door to match existing.

No comment.

## **Week 2**

**DM/21/3202 – Shangri La, Queens Road** **Heath**  
Demolition of existing property and the construction of two 3-bedroom residential dwellings, access, parking and landscaping. Amended drawings to show reduction in first floor accommodation and depth to the northern side of plot 1, and landscaping (received on 01.03.2022).

The Town Council notes the submission of amended drawings showing a reduction in first floor accommodation and depth to the northern side of plot 1, and landscaping, and has no comment to make.

**DM/22/0496 – Shell Birch, 5 Lewes Road****Franklands**

Demolition of the existing sales building, removal of existing pumps, removal of one existing entrance crossover to the north of the site. Proposed new sales building, 3 no. new pumps, new car care facilities, new vents/stack, relocation of petrol interceptor, new bin store, car parking, landscaping and associated works.

The Town Council **SUPPORTS** this application and believes that the removal of the existing entrance crossover to the north of the site, on Frankton Avenue, will improve highway safety in the vicinity and on the site itself and will improve traffic flow and general circulation through the site. However, it is disappointing to note that there does not appear to be any provision for electric vehicle charging points or any 'future-proofing' infrastructure to provide for their installation at some point in the future. Shell is surely going to need to do this in five years' time or so in order to prepare for the end of the sale of new petrol and diesel cars by 2030 and to support the Government's target for net zero by 2050.

The Town Council asks that any permission granted for the proposal be subject to the following conditions:

1. no work for the implementation of the development shall be undertaken on the site on Sundays or Bank/Public Holidays or at any time other than between the hours of 08:00 and 18:00 on Mondays to Fridays and between 09:00 and 13:00 Saturdays.

Reason: to safeguard the amenities of nearby residents and to accord with Policy DP26 of the Mid Sussex District Plan 2014–2031;

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

Monday–Friday	08:00–18:00 hours;
Saturday	09:00–13:00 hours;
Sunday and Public/Bank Holidays	None permitted.

Reason: to safeguard the amenities of nearby residents and to accord with Policy DP26 of the Mid Sussex District Plan 2014–2031;

3. there shall be no burning of rubbish on site and all dust is to be dampened.

Reason: to protect the safety and amenities of nearby residents, in the interests of safety of the surrounding highway and to accord with Policy DP26 of the Mid Sussex District Plan 2014–2031.

**DM/22/0596 – NCP Ltd, Harlands Road Car Park, Harlands Road****Lucastes**

The clearance of the site and construction of a building containing 64 residential apartments (48x 1-bed, 16x 2-bed) with associated access, car parking, landscaping and ancillary works.

*This application has been made invalid by Mid Sussex District Council as it is missing the viability information. It will be readvertised when the required supporting information is received.*

**DM/22/0712 – 11 Park Road****Ashenground**

Replacement single storey side extension.

No comment.

**DM/22/0733 – Land at Rogers Farm, Fox Hill**

**Franklands**

Erection of 20 dwellings with associated amenity/garden, landscaping and access/parking arrangements.

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

1. it is not an allocated site in the Haywards Heath Neighbourhood Plan;
2. there are concerns regarding the suitability of the site for development in terms of flooding;
3. there are environmental concerns relating to the seasonal wetland on the site which could be potentially undermined if sustainable drainage systems (SuDS) are used to support the application;
4. the proposed access from the site on to Fox Hill/Ditchling Road is totally inadequate in terms of the splay, as has been demonstrated by the neighbouring 'Gamblemead' development where Cape Road is the access on to Fox Hill/Ditchling Road.

In the event that the application is approved despite the Town Council's objection, it is requested that developer Section 106 contributions for local community infrastructure be allocated towards the proposed Country Park on land off of Hurstwood Lane.

**DM/22/0735 – 24 Wickham Way**

**Heath**

First floor rear extension.

No comment.

**DM/22/0745 – 9–11 Delaware Road**

**Bentswood**

Variation of Condition 3 of DM/21/4175 to allow the premises to be open for trade and business between the hours of 07:30–19:00.

The Town Council **OBJECTS** to this application on the grounds that the original condition was attached to make the change of use acceptable in planning terms, specifically to protect resident amenity. With no clear or transparent reason offered by the applicant to support the application, it should be refused.

The Town Council also notes the Mid Sussex District Council Environmental Protection Team requirement for a noise management plan – which must be agreed – and so far, there has been no response to this request.

**DM/22/0767 – 65 Western Road**

**Bentswood**

Loft conversion incorporating rear dormer and raising of ridge and internal works.

No comment.

**Week 3**

**DM/20/0965 – Braydells, Hurstwood Lane**

**Franklands**

Erection of a 3-storey detached dwelling house and garage; landscaping; and diversion of drainage ditch. (Additional drainage details submitted 15/6/20.)

The Town Council maintains its **OBJECTION** to this application and reiterates its previous consultation response – which was submitted on 09/07/2020 – as follows:

'The Town Council acknowledges that this bonus plot appears to be just inside the Haywards Heath built-up area boundary as determined by the local planning authority, i.e. Mid Sussex District Council

**cont.**

**DM/20/0965 – Braydells, Hurstwood Lane (cont.)**

**Franklands**

(MSDC). Nevertheless, Members note yet another amendment/submission for this plot, this time being additional drainage details received by MSDC on 15/06/2020.

The Town Council repeats its previous strong opposition comments as follows:

This application site has visited the Planning Committee on numerous occasions, evidenced by the following list:

- DM/17/3116 – 2 houses;
- DM/19/0206 – amended application for 4 dwellings;
- DM/19/3121 – add on a bonus floor to each dwelling;
- DM/20/0965 – house number 5 added to the application site.

The Town Council remains disappointed by the commercial persistence to extract further value from this curtilage/semi-rural location and remains resolute to opposing further development of this site. Rather than waste further resources, we repeat ad nauseum our previous comments, and further ask that MSDC Officers examine whether there is linked development to this application which would trigger much needed S106 contributions which would benefit the wider community?'

Furthermore, the Town Council notes the requirement from MSDC's Drainage Engineer that if permission is granted, the property be connected to the public sewerage system.

**DM/22/0695 – 45B Wood Ride**

**Ashenground**

Erection of one detached property with detached garaging and associated surface parking on land adjacent to 45B Wood Ride.

Whilst the Town Council has no comment to offer on the build itself, it does have concerns relating to the number of trees being removed from the site to facilitate the development. If the application is approved, the Town Council asks that it be conditional on the delivery of additional tree planting and landscaping in order to meet the environmental and biodiversity objectives on the site and to replace the trees lost.

**DM/22/0730 – Chandos Lodge, 50 Paddockhall Road**

**Lucastes**

Proposed loft conversion. Single storey rear extension. Two storey rear infill extension between existing structures. Removal of existing detached garage.

No comment.

**DM/22/0763 – 40 Lucastes Avenue**

**Lucastes**

Replacement of all the windows on the back of the property only – to include anthracite grey aluminium frames. Change kitchen window to a doorway. Smooth rendering to cover pebble dash at ground floor only, to match front.

No comment.

**DM/22/0803 – Collingwood Batchellor, Units 34 and 35 The Orchards**

**Heath**

Amendments to fenestration.

No comment.

**DM/22/0805 – Red Cross Hall, 29 Paddockhall Road**

**Lucastes**

Variation of Condition 2 relating to DM/18/4841.

No comment.

**DM/22/0814 – Clarkes Stationers, 106–108 South Road**

**Heath**

To confirm that the additional works to Flat A and Flat E which were associated with the change of use of the first floor from commercial space to residential flats (ref: DM/16/0390 and 12/01253/FUL), and were completed more than four years ago are now lawful.

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/22/0816 – 15 Orchard Way**

**Heath**

Proposed two storey extension to north-east elevation, attached garage, enlarged front dormer.

No comment.

**DM/22/0829 – 25 Lucastes Avenue**

**Lucastes**

Alterations to façade, entrance and roof including dormer to rear and rooflights to front, replacement of windows and reconfiguration of rear elevation. Provision of new air source heat pump.

No comment.

**DM/22/0839 – 3 Rushwood Close**

**Franklands**

Proposed two storey rear extension and side window.

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/22/0841 – Land adj. to 47 Wivelsfield Road**

**Ashenground**

Proposed construction of a new 2 no. bedroom dwelling.

The Town Council **OBJECTS** to this application, which is the fourth relatively recent proposal for this site, after application numbers DM/20/0146 and DM/20/1924 were refused and DM/21/4244 was withdrawn. The Town Council believes the Planning Inspector's main reason for dismissing the appeal following Mid Sussex District Council's refusal of DM/20/1924 remains valid for this latest application and that it should therefore be refused because the proposed development would be harmful to the living conditions of the occupiers of numbers 51 and 53 Wivelsfield Road and of the residents of Rowan House, 55 Wivelsfield Road. The proposed development would conflict with Policy DP26 of the Mid Sussex District Plan 2014-2031 and would also be contrary to Policy H8 of the Haywards Heath Neighbourhood Plan. These policies, amongst other things, protect the living conditions of existing nearby residents.

The Town Council further **OBJECTS** to the application because it represents a back garden (or 'backland') development which would give rise to an overdevelopment of the site.

It is requested that the following comments and observations submitted in respect of the Town Council's objection to previous application number DM/20/1924 be applied to this latest application because they remain relevant:

'Mid Sussex District Council has previously rejected poorly configured application projects due to the lack of clarity, especially when plans with artistic impressions are inadequate and substandard. This application, as configured, does not provide the confidence required to support development in this cramped location.

**cont.**



**DM/22/0841 – Land adj. to 47 Wivelsfield Road (cont.)****Ashenground**

This is a commercial build for profit, even though it is billed as a self-build venture, and it is surrounded by neighbouring residential properties.

Should the local planning authority seek to approve this application, despite clear opposition and the lack of sound planning principles, the following conditions must be set in order to balance and protect neighbouring residential amenity:

1. works of construction (including the use of plant and machinery, and deliveries or collection of plant, equipment or materials) shall be limited to the following times:

Monday to Friday	08:00–18:00 hours;
Saturday	09:00–13:00 hours;
Sunday and Bank/Public Holidays	No work permitted;

2. any conditions required by Mid Sussex District Council's Tree Officer must be fully complied with;
3. given the 'backland' location and limited area of the site – in amongst existing residential properties – and the constraints of the existing access which runs between numbers 45 and 49 Wivelsfield Road, a Construction Management Plan (CMP) shall be submitted for approval by Mid Sussex District Council. The CMP shall include details regarding provision for **a)** the parking of contractors' vehicles and **b)** the safe manoeuvring of construction vehicles from Wivelsfield Road into and along the access to the site, and back again;
4. any damage caused to the access driveway during the course of construction shall be repaired upon completion of the development;
5. adequate provision shall be made for the storage of refuse bins. At no time shall they be stored so as to be permanently on view from Wivelsfield Road and thereby detrimental to the streetscape. This is to accord with Principle DG21 of Mid Sussex District Council's Mid Sussex Design Guide Supplementary Planning Document.'

**DM/22/0847 – 16 Sheppeys****Ashenground**

Proposed single storey rear extension.

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/22/0850 – 15 Portsmouth Lane****Heath**

Proposed 2-storey side extension, single storey rear extension. New gables over existing dormers and new porch canopy.

No comment.

**DM/22/0858 – 2 Bramber Close****Lucastes**

Variation of condition no. 2 relating to planning application DM/21/3193 to allow for revised drawings due to the proposed rear extension to be reduced at ground floor to prevent the requirement of a build over of an existing drain.

No comment.

**DM/22/0860 – Tennis Courts, Victoria Park, South Road**

**Ashenground**

Proposal is to retain the existing timber-framed clubhouse with minor elevational changes to incorporate new windows and doors.

The Town Council **SUPPORTS** this application, and obviously shares the applicants' disappointment that their original aspiration to deliver a larger, improved clubhouse could not be delivered for financial reasons.

**DM/22/0870 – 82 New England Road**

**Bentswood**

Proposed two storey rear extension over existing and front elevation dormer window.

No comment.

**DM/22/0875 – Unit 1, 1 Clair Road**

**Heath**

Proposed fascia signs, totem signage, projector signs, signage to windows, car park direction signpost.

The Town Council welcomes the final addition to this gateway (to the town centre) mixed use development in a sustainable location and thinks it will be an asset to the town.

**DM/22/0878 – Silverdene, 20 Fox Hill Village**

**Franklands**

Heightened tiled roof over existing flat roof and new front dormer windows.

No comment.

**DM/22/0881 – Martlet Manor, Butlers Green Road**

**Lucastes**

Oak Tree (T74) – fell to 10m monolith. Ash (T75) – fell to ground level. Beech (T87) – fell to ground level. Willow (T90) – crown lift to give 3m clearance over car park. Willow (T91) – fell to ground level.

The Town Council defers this decision to Mid Sussex District Council's Tree Officer.

**DM/22/0889 – 57 Haywards Road**

**Ashenground**

Demolition of existing conservatory, ground floor bathroom 'lean-to' and bay window to side and rear of existing house. To be replaced with proposed pitched roof single storey extension with associated internal alterations, landscape and drainage works.

No comment.

**DM/22/0910 – Highwood, 10 Paddockhall Road**

**Lucastes**

Norway maple (T1) – fell. Hazel group (T2) – coppice. Strawberry tree (T3) – remove left hand stem leaning on wall, reduce remainder of crown by 1.5m. Yew (T4) – remove branches overhanging from no. 8 Paddockhall Road. Hazel group (T8) – coppice.

The Town Council defers this decision to Mid Sussex District Council's Tree Officer.