

# HAYWARDS HEATH TOWN COUNCIL

## PLANNING COMMITTEE

### Minutes of the meeting held on Monday, 6 August 2018

C N Laband (*Chairman*)  
M J Pulfer (*Vice Chairman*)  
Mrs C Cheney  
R J R Clarke  
A C McPherson \*\*  
H A Munda

\* Absent

\*\* Apologies

Also present:

Councillor Mrs S M Ellis  
Councillor L S Wickremaratchi  
Mr Eric Bassett, Chair of the Haywards Heath Society

Regarding application number DM/18/2581 – 21–23 Perrymount Road:

Mr Jamie Duff, Senior Architect, and Mr Ian Dollamore, Director, from Urban Infill (architects), and Ms Grace Packard and Mr Dan Fenton, from TTP Consulting (transport planning specialists), all of whom had registered to speak in order to give an overview of the proposals;

Regarding application number DM/17/2384 – NCP Car Park, Harlands Road:

Mr Andrew Somerville, Associate Director for Nexus Planning, who had registered to speak in order to make a short presentation *in support of* the application;  
Mr Brendan Coakley;  
Mr Richard Chitty, who had registered to speak *against* the application;  
Mrs Sally Chitty.

#### 43. Apologies

The following apology was received:

Member	Reason for Absence
Cllr A C McPherson	Holiday

#### 44. Minutes

The Minutes of the meeting held on Monday, 16 July 2018 were taken as read, confirmed as a true record and duly signed by the Chairman.

#### 45. Substitutes

Councillor Wickremaratchi substituted for Councillor McPherson.

**46. Members' Declarations of Interest**

Councillor Howard Mundin 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) appointed to Planning Committee A. I further reserve the right to alter my views should the applications come before Planning Committee A, based on contributions from the public, other Members or reports from MSDC Officers."

Other declarations were made as follows:

<b>Member</b>	<b>Application No./ Agenda Item No.</b>	<b>Location</b>	<b>Nature of Interest</b>
Cllr R J R Clarke	Agenda Item 5 – Licensing Application LI/18/0690	St. Francis Social & Sports Club (SFSSC), Colwell Road	Is a Mid Sussex District Councillor who is Outside Body Appointee to SFSSC; is a director of Savannah Café Bar, 44-46 The Broadway, which, also being a licensed premises, could be considered a competitor of SFSSC
Cllr H A Mundin	Agenda Item 5 – Licensing Application LI/18/0690	St. Francis Social & Sports Club (SFSSC), Colwell Road	Is a Mid Sussex District Councillor who sits on the (MSDC) Licensing Committee and (MSDC) Scrutiny Committee for Customer Services and Service Delivery

**47. Planning Appeals**

There were none.

**48. Licensing Applications**

Members considered the following application to vary a Club Premises Certificate, which had been lodged with MSDC.

<b>Application No. &amp; Applicant</b>	<b>Application Type</b>	<b>Premises Address</b>	<b>Nature of Variation</b>
LI/18/0690  St. Francis Social and Sports Club	Club Premises Certificate	Colwell Road	To extend the hours of the licence. Changes to the layout of the premises.

They **AGREED** that the following representation should be made to MSDC's Licensing Team:

**cont.**

**48. Licensing Applications (cont.)**

Nearby residents have lodged complaints about instances of noise and disturbance that have originated from the Club under the existing terms of the licence, and have had numerous unreported discussions underlining the ongoing problems with noise and antisocial behaviour.

Haywards Heath Town Council submits the following representation in respect of this application:

1. it **objects** to the extension of the hours of the licence as proposed;
2. it **supports** licensing of the patio area, restricted to 20:00 on all days of the week;
3. it **objects** to any licensing of the rear beer garden at any time.

Mid Sussex District Council Licensing Policy states:

9.5 Future applicants for licensable activities beyond 23:00 will be expected to specifically demonstrate how they intend to address the licensing objectives of Crime and Disorder and Public Nuisance.

9.6 The Licensing Authority is not prepared to grant permission for outside patio/garden areas to be used by the public beyond 2300 hours throughout the district other than in exceptional circumstances. We do not consider a record of good management or financial considerations to constitute exceptional circumstances.

9.7 The Licensing Authority believes that this measure is necessary to address the licensing objective of Public Nuisance.

The Town Council refers to these specific policies outlined above and therefore believes this representation addresses the policy requirements for 'prevention of a public nuisance' licensing objectives. We believe they would be compromised if the application as tendered were to be granted.

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

Members made comments and observations on 28 planning applications as per Appendix 1 attached. It should be **noted** that the following application was put to the vote as there were differing views relating to the adequacy of the on-site car parking provision:

**DM/18/2581, 2123 Perrymount Road – demolition of existing 2,995sqm office building and replace with 7,575sqm office building with parking for approximately 91 vehicles and landscaped public realm.** Votes recorded as: **5 in favour** (Councillors Cheney, Clarke, Laband, Mundin and Wickremaratchi), **1 against** (Councillor Pulfer).

**50. MSDC Public Consultation on Changes to the Hackney Carriage and Private Hire Licensing Convictions Policy**

In advance of the meeting, Members had been emailed with consultation documents from MSDC regarding updates to its Hackney Carriage and Private Hire Convictions Policy. Recent recommendations from the Local Government Association regarding such policies and a national consultation regarding Convictions Policies had highlighted the need for the current policy to be updated. This would require an amendment to the Taxi Licensing Policy.

Members **AGREED** to support of the Draft Licensing Convictions Policy and the changes proposed.

**51. MSDC Consultation on the Gambling Act 2005 Policy (Statement of Licensing Principles)**

In advance of the meeting, Members had been emailed with consultation documents from MSDC regarding a review of its Gambling Act 2005 Policy (Statement of Licensing Principles). The Policy, once approved, would take effect from 31 January 2019 for three years.

Members **AGREED** to support the Draft Statement of Principles.

**52. Street Naming for Residential Development on Land South of Sunte House**

Members had before them a request for a road name for a residential development – in Heath Ward – of eight new dwellings on land south of Sunte House, allowed on appeal under MSDC application number DM/15/4862. The developer had put forward the suggestion of Sunte Park, although MSDC's Street Naming and Numbering Officer had pointed out that there were a number of 'Sunte' based road names in the local area already; the similarity of the suggested road name to the pre-existing road names had the potential to cause address management problems. As Ward Councillor, Councillor Laband took the lead on this matter and whilst acknowledging the MSDC Officer's observation, he felt that in light of the proximity of the development to Sunte House itself, Sunte Park was a fitting name. Members therefore **AGREED** to put forward **Sunte Park** as the Town Council's formal submission.

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

There were none.

The meeting closed at 9:42pm.

## APPENDIX 1

### Week 1

#### **DM/18/2581 – 21–23 Perrymount Road**

**Heath**

Demolition of existing 2,995sqm office building and replace with 7,575sqm office building with parking for approximately 91 vehicles and landscaped public realm.

The Town Council **supports** the application to deliver a high-quality office building in this prominent, sustainable location, subject to the following conditions:

1. Euro-bin facilities – these will be collected by a commercial waste operator – no collections shall be permitted before 07:00 hours, to protect nearby resident amenity;
2. the building shall be future-proofed to provide plug in provision for additional electric car charging points, as required;
3. provision of drinking water/drinking fountains on every floor to reduce use of single use plastic bottles.

The application complies broadly with the aspiration of our extant Neighbourhood Plan, and the Town Council makes the following comments in relation to the application:

- it complies with Policy B3 of the Haywards Heath Neighbourhood Plan, however Members raised concerns relating to the adequacy of the on-site car parking provision;
- we note the proposals were considered by Mid Sussex District Council's Design Review Panel (DRP) in November 2017, however we are disappointed that the Town Council was not made aware of such an important upcoming scheme until the recent submission of the formal application. Notwithstanding this omission, Members are encouraged by and indeed supportive of the proposed contemporary design;
- the intent of the Localism Act, and the Town Council's role as a statutory consultee are further validated by the National Planning Policy Framework (NPPF), which underlines in the Pre-Application Advice Section 40. "*..... should also, where they think this would be beneficial, encourage any applicants who are not already required to do so by law to engage with the local community and, where relevant, with statutory and non-statutory consultees, before submitting their applications.*" We welcome early discussions with all developers and look forward to working closely with the District Council to achieve this objective;
- lastly, given the significance placed upon the input from the DRP and Urban Design Team by the local planning authority (LPA), we feel that their reports commenting upon significant applications would greatly assist the Town Council, and it would be appreciated if they were provided at a more timely stage in the application process, before formal consideration by the Town Council.

#### **DM/18/2237 – The Priory, Syresham Gardens**

**Bentswood**

Single storey ground floor extension and internal alterations to convert the former Chapel to 9 residential apartments (7 no. 1-bed & 2 no. 2-bed units) on the ground and first floors.

***Deferred until the meeting of the Planning Committee scheduled for Tuesday, 28 August 2018 – pending further enquiries relating to affordable housing and Section 106 contributions.***

**DM/18/2248 – The Priory, Syresham Gardens**

**Bentswood**

Single storey ground floor extension and internal alterations to convert the former Chapel to 9 residential apartments (7 no. 1-bed & 2 no. 2-bed units) on the ground and first floors.

***Deferred until the meeting of the Planning Committee scheduled for Tuesday, 28 August 2018 – pending further enquiries relating to affordable housing and Section 106 contributions.***

**DM/18/2251 – The Priory, Syresham Gardens**

**Bentswood**

Internal and external alterations to create third floor and convert the Chapel roof space to create 2 no. residential apartments (1-bed duplex).

***Deferred until the meeting of the Planning Committee scheduled for Tuesday, 28 August 2018 – pending further enquiries relating to affordable housing and Section 106 contributions.***

**DM/18/2254 – The Priory, Syresham Gardens**

**Bentswood**

Internal and external alterations to create third floor and convert the Chapel roof space to create 2 no. residential apartments (1-bed duplex).

***Deferred until the meeting of the Planning Committee scheduled for Tuesday, 28 August 2018 – pending further enquiries relating to affordable housing and Section 106 contributions.***

**DM/18/2679 – 24 Lucastes Road**

**Lucastes**

T1 – Poplar – remove reversion at top of tree. T2 – Liriodendron Tulipifera – raise crown to 4.4m to south-west side. T3 – Field Maple – remove branch overhanging roof of house. T4 – Yew – remove branches lying on roof of house. T6 – Beech – remove one large branch on south-west side.

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

**DM/18/2795 – 23 Gander Hill**

**Heath**

Proposed garage conversion into habitable rooms. 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/18/2817 – 16 Park Road**

**Ashenground**

Rear extension to replace existing conservatory. Rear extension behind garage and conversion of garage to home office.

No comment.

**DM/18/2824 – 11 Penland Road**

**Lucastes**

Proposed front porch.

No comment.

**DM/18/2828 – 53 Lucastes Avenue**

**Lucastes**

Single storey front extension with lean-to style roof extending over and replacing existing garage flat roof. Single storey rear extension. Removal of existing chimney to south-east elevation. Reconstruction of former chimney to south-west elevation, together with renovation of existing building exterior fabric.

No comment.

**DM/18/2847 – Kyrenia, 3 Petlands Road**

**Ashenground**

Single storey rear extension and redesigning the front of the property, loft conversion to create first floor and internal alterations.

No comment.

**DM/18/2851 – Lloyds Pharmacy, Haywards Heath Health Centre, Heath Road**

**Heath**

Proposed 3 x internally illuminated folded aluminium fascia and 1 x internally illuminated projecting sign.

No comment.

**DM/18/2865 – 11 Park Road**

**Ashenground**

Sycamore – overall crown reduction of up to 3m.

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

**DM/18/2913 – 37 Ashenground Road**

**Ashenground**

Retrospective application for additional gable for stairs following planning approval (reference DM/16/4419) for a single storey extension to front of property.

No comment.

**DM/18/2915 – 35 Farlington Avenue**

**Bentswood**

Construction of dormer window as a part of a loft conversion. 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/18/2931 – 19 Wickham Close**

**Heath**

First floor extension over existing single storey extension to rear of property (amendment to approval reference DM/16/5570 to reduce size of extension).

No comment.

**DM/18/2932 – Brambletyne, 5 The Rushes**

**Franklands**

Oak (T1) – reduce the lowest long limb by 3 metres (growing over the garden) back to the first main growth point.

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

**Week 2**

**DM/17/2384 – NCP Ltd Harlands Road Car Park, Harlands Road**

**Lucastes**

The clearance of the site; and the construction of a building containing 40 residential apartments (17 x 2-bed, 21 x 1-bed and 2 x studios), with associated access, car parking, landscaping and ancillary works (amended description and plans received 23 July).

Haywards Heath Town Council (HHTC) **objects** to this application.

The Town Council's Planning Committee supports the development in principle of this brownfield site, as detailed in Policy H6 of the Haywards Heath Neighbourhood Plan (HHNP) and this latest amended proposal meets the requirement of Policy E9, evidenced by the reduced massing, height and number of dwelling units.

**cont.**

## **DM/17/2384 – NCP Ltd Harlands Road Car Park, Harlands Road (cont.)**

**Lucastes**

*(Point 3 under Previous Comments refers)* Design comments are as before: we still believe that the original designs submitted in late 2016 to the initial Mid Sussex Design Review Panel presented the best aesthetic option, and that successive amendments reduced the design appeal to blend in with previous mistakes, rather than providing a fresher more modern design in this prominent central location.

We are concerned by the objections raised by neighbouring residents Mr & Mrs Chitty, specifically relating to a loss of privacy and overlooking from the proposed development, which has been exacerbated by moving it further up the incline and will negatively affect their own outlook, the latter of which is regrettable, but is not specifically a material planning consideration.

In the unwelcome event of permission being granted, we request that this is subject to the following conditions:

- a. the development must have a gated access, the purpose of which would be to safeguard resident amenity by preventing unauthorised parking by commuters and others;
- b. Euro-bin facilities – these will be collected by a commercial waste operator – no collections shall be permitted before 07:00 hours, to protect nearby resident amenity;
- c. we note that the size of the plot remains unchanged, as does the building footprint, however HHTC is disappointed that the number of parking spaces has been reduced from 45 down to 30. We would prefer to see provision increased to 40 spaces, including future-proofing for electric vehicle charging points.

Developer Section 106 contributions should be adjusted down proportionately.

### **Pedestrian School Route**

We believe there are significant highways issues due to the volume and speed of traffic at this busy through route to the industrial area of Burrell Road and the northern areas of town. We would require developer support for a Section 278 contribution to deliver a safe pedestrian crossing solution from the proximity of the development towards the Sainsbury's side of Harlands Road.

### **Affordable Housing**

However, whilst we note the provision of 3 affordable housing units, HHTC believes this figure is too low and fails to meet the requirement of the respective HHNP and Mid Sussex District Plan Policies. For this reason also, HHTC **objects** to the application.

### **Previous Comments** *(submitted to the MSDC Online Public Register on 15/2/18)*

The Town Council notes the amended plans received by Mid Sussex District council on 5/1/18. However, they do nothing to address the reasons for objecting to this application when it was considered the first and second time round, i.e. on 19/6/17 and 13/11/17. Therefore, the Town Council **objects** to this application and reiterates the reasons for this as follows:

1. the construction of a building containing 65 apartments would be contrary to Policy H6 of the Haywards Heath Neighbourhood Plan (HHNP). Whilst this policy supports the principle of residential development on this site, it places a restriction of 'approximately 40' on the number of dwellings that would be acceptable. Clearly, 65 is nowhere near 40 and therefore the proposal is too big, too tall and would give rise to an overdevelopment of the site;
2. leaving aside the fact that the proposal undermines the integrity of the HHNP, the provision of only 45 parking spaces for 65 apartments (35% of which are to be 2-bed) is inadequate and unrealistic. There is no disputing that the site is in an accessible and convenient location; nevertheless, it is

**cont.**

**DM/17/2384 – NCP Ltd Harlands Road Car Park, Harlands Road (cont.)**

**Lucastes**

probable that most residents from the development would have a car and, with insufficient parking capacity on site, this would lead to overspill parking in the wider neighbourhood. This is in an area where parking is already at a premium because of existing on-street restrictions. On-site parking should be provided at a ratio of one space per dwelling;

3. Members dislike the appearance of the proposed development because it 'blends in' too closely with other buildings in the vicinity that lack architectural merit. Members expressed a preference for the architects' original 2016 design, before it evolved through the Mid Sussex Design Review Panel.

Moreover, Members are appalled at the assertion that the result of a Financial Viability Assessment *'leads to a conclusion that it is financially unviable to provide any affordable housing as part of the proposed development or make any financial contribution in lieu.'* This is simply not acceptable. It is not the responsibility of the local planning authority to underwrite the profit objectives of the developer.

In the unwelcome event of permission being granted, the Town Council requests that this be conditional on the development having a gated access. The purpose of this would be to safeguard resident amenity by preventing unauthorised parking by commuters and others. Finally, and with regard to developer Section 106 contributions, the Town Council requests that allocations are made as follows:

- local community infrastructure (LCI)      public realm improvements to South Road;
- art in the community – town centre      £5,000;
- support for Haywards Heath library      £5,000;
- Independent Works Programme (IWP) – community infrastructure      £15,000;
- highways/transport      £5,000.

**DM/18/2097 – Land at Birchen Lane**

**Heath**

Variation of planning condition number 2 relating to planning permission DM/17/0839 – vary the condition in order to allow a slightly later delivery of the LEAP, so to present a safe environment after 50% occupancy.

The Town Council **objects** strongly to this application and requests that the condition is enforced without variation. Other sites in the town delivered by the same developers have not been completed satisfactorily and so the local planning authority must ensure that there is no slippage in this particular scheme. The developers must fulfil their obligations as prescribed.

**DM/18/2420 – 15 Harlands Close**

**Lucastes**

Proposed detached 4 bedroom chalet style bungalow on 3 levels located on land adjacent to 15 Harlands Close. Amended plans received 23.07.2018 showing relocation of dwelling to accommodate public sewer which runs through the site.

This new submission moves the application property nearer to the frontage and towards the neighbouring no. 16 Harlands Close, so is considered by the Town Council's Planning Committee to be worse. The Town Council therefore **objects** to the application as before, for the following reasons:

1. whilst an aerial view of the site indicates that the proposed development would be viable and in keeping with the existing mix of properties in the immediate locality, the reality is that in terms of its bulk and scale it would be significantly larger;
2. information provided by Southern Water suggests that the proposed dwelling would be compromised by the public sewer that crosses the site and the extensive works that would be required to divert it;

**cont.**

**DM/18/2420 – 15 Harlands Close (cont.)**

**Lucastes**

3. the proposed position of the new dwelling would result in a loss of amenity and privacy for the residents of no. 16 Harlands Close by virtue of overlooking;
4. it would be contrary to Policies E9 and H8 of the Haywards Heath Neighbourhood Plan.

In the unwelcome event that Mid Sussex District Council grants permission – despite the location and topography of the site and the overdevelopment that the dwelling would create – the Town Council requests that this is conditional on any windows/doors at any levels on the east and west (side) elevations being obscure glazed.

**DM/18/2949 – 5 Pondsides**

**Lucastes**

Rear single storey extension.

No comment.

**DM/18/2961 – 12 Pasture Hill Road**

**Lucastes**

Proposed single storey rear/side kitchen extension.

No comment.

**DM/18/2967 – Site of Demolished Perrymount House, 38–42 Perrymount Road**

**Heath**

Proposed 1 projecting internally illuminated vertical panel sign. 1 internally illuminated wall mounted panel sign. 1 double sided post mounted directional sign. 1 internally illuminated entrance totem pole sign. 1 wall mounted directional sign.

No comment.

**DM/18/2977 – 1 Rumbolds Lane**

**Ashenground**

Remove existing hedge and replace with new timber fence.

No comment.

**DM/18/3026 – 3 Lucastes Lane**

**Lucastes**

Proposed car port to the front of the property.

No comment.

**DM/18/3047 – 60 Hoblands**

**Franklands**

Single storey rear extension.

No comment.

**DM/18/3064 – 7 Bluebell Close**

**Bentswood**

(T1) Oak situated at number 8 Bluebell Close – reduce canopy overhanging garden of number 7 by 1.5m. (T2) Hornbeam situated at number 7 Bluebell Close – reduce canopy by 1m.

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

### Week 3

**DM/18/2719 – Redrow Homes Development Site, Hanlye Lane, Cuckfield** **Lucastes**

Six proposed advertisement signs to be erected as follows: Welcome Sign, Site Manager Sign, Current Developments Sign, Commitment to Sustainability Sign, 4 x 3 Mastermove and HTB panes inc. lifestyle to closeboarded fence, Visitor Parking Sign and Redrow Homes Flags.

No comment.

**DM/18/2992 – 10 Nursery Close, Haywards Heath** **Lucastes**

Single storey side and rear extension.

No comment.

**DM/18/3057 – 28 Updown Hill** **Lucastes**

The creation of a habitable room to the existing loft space and installation of six roof windows to the roof slopes. 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/18/3110 – 1 The Grove** **Franklands**

T1 and T2 Oak Trees – to reduce the branches by 2 metres and to shape the tree to ensure future good growth.

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

**DM/18/3137 – 48 Lucastes Avenue** **Lucastes**

T1 Hornbeam – cut back branches overhanging garden at 89 Harlands Road by approximately 3.0–3.6 metres. T2 Oak – cut back branches overhanging garden at 89 Harlands Road by approximately 3.0–3.6 metres.

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