

HAYWARDS HEATH TOWN COUNCIL

PLANNING COMMITTEE

Minutes of the meeting held on Monday, 19 November 2018

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

* Absent

** Apologies

Also present:

Councillor Mrs R de Mierre
Mr Eric Bassett, Chair of the Haywards Heath Society

Regarding application number DM/18/4293 – 5 Orchid Park:

The applicants, Mr Rod Hoffman and Mrs Shirley Hoffman, both of whom had registered to speak *in support of* their proposals;

Miss Rosemary Brown, Mr Michael Main and Mr Terry Hillman, all of whom had registered to speak *against* the application;
Mrs Selene Brown;
Mrs Pam Hillman.

87. Apologies

The following apology was received:

Member	Reason for Absence
Cllr Mrs C Cheney	Holiday

88. Minutes

The Minutes of the meeting held on Monday, 29 October 2018 were taken as read, confirmed as a true record and duly signed by the Chairman.

89. Substitutes

Councillor Mrs de Mierre substituted for Councillor Mrs Cheney.

90. 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."

cont.

90. Members' Declarations of Interest (cont.)

Other declarations were made as follows:

Member	Application No./ Agenda Item No.	Location	Nature of Interest
Cllr C N Laband	Agenda Item 7 – draft Order to stop up the highway (ref. SE/3495)	Outside 50 The Broadway	Lives in the vicinity of the application site and has exchanged correspondence on the matter with West Sussex County Council
Cllr R J R Clarke	Agenda Item 7 – draft Order to stop up the highway (ref. SE/3495)	Outside 50 The Broadway	Is a director of Savannah Café Bar, 44–46 The Broadway, which is located near to the application site

91. Planning Appeals

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

Date Lodged & References	Site	Description
13/11/2018 AP/18/0070 APP/D3830/W/18/3207917 (DM/17/4916 refers)	Land adjacent to 1 The Willows Colwell Road HAYWARDS HEATH RH16 4NA	Construction of one three bedroom dwelling.

Members also noted the following appeal **decisions**, the appeals having been lodged as a result of MSDC's decision to refuse permission:

Date Decided & References	Site	Description	Decision
01/11/2018 AP/18/0052 APP/D3830/D/18/3209607 (DM/18/2027 refers)	New Larchwood House, 1A Anscombe Woods Cres., RH16 4UJ	Loft conversion.	Dismissed
01/11/2018 AP/18/0051 APP/D3830/D/18/3206419 (DM/18/1030 refers)	50 Lewes Road, RH17 7SN	Provision of detached double garage and workshop/storage.	Dismissed
01/11/2018 AP/18/0053 APP/D3830/D/18/3209812 (DM/18/0968 refers)	82 Harlands Road, RH16 1LS	Two storey front and side extension, and a single storey rear extension. A new roof including loft room and dormer. New front porch. (Description amended 19/04/2018.)	Dismissed

92. Licensing Applications

There were none.

93. Comments and Observations on Planning Applications

Members made comments and observations on 24 planning applications as per Appendix 1 attached. It should be **noted** that the Town Council's representation regarding the following application was put to the vote because there were differing views as to what it should be:

DM/18/4293, 5 Orchid Park – proposed two storey extension to front, first floor extension to rear and single storey extension under lean-to style roof. Replace garden shed with brick built cycle store with same footprint. Votes recorded as: **5 in favour**, 1 against.

94. Draft Stopping Up Order at Forecourt Area Adjacent to 50 The Broadway

In advance of the meeting, Members had been emailed with documents which gave notice of a proposal to make an Order under Section 247 of the Town and Country Planning Act 1990 to authorise the stopping up of a south-eastern part width of The Broadway adjoining the north-western boundary of 50 The Broadway. If made, the Order would authorise the stopping up only to enable development as permitted by MSDC under application number DM/18/3066.

Councillor Laband proposed that the Town Council should **oppose** the making of the Order for the following reasons:

- a. the loss of public land (i.e. land owned by West Sussex County Council) would result in a loss of amenity for the wider public;
- b. it would be wrong for public land to be given up for private use;
- c. it would be detrimental to the sustainability of independent businesses, which rely on high turnover short-term parking in this locality;
- d. there was no forecourt parking on this side of The Broadway, which contrasted with the opposite side;
- e. MSDC felt that the wrong type of application had been made and that it should have been for a **temporary** stopping up Order to facilitate the development permitted under application number DM/18/3066.

In the unwelcome event of the Order being made, it should only permit a Right of Access in perpetuity and specifically **not** a Right of Way, which would allow vehicular access.

This proposed response was put to the vote and votes were recorded as: **5 in favour**, 1 abstention.

95. MSDC Consultations on Draft Planning Policy Documents

In advance of the meeting, Members had been emailed two draft consultations from MSDC relating to planning policy:

- a. **Statement of Community Involvement** (SCI), a 'code of practice' setting out how local communities would be engaged in planning processes; and
- b. advice on the use of **Planning Performance Agreements** (PPAs) in the District.

The deadline for the receipt of responses was 5:00pm on Thursday, 22 November 2018.

Members agreed the following general comment, which was put forward by Councillor Laband:

as an integral part of the pre-planning application stage, all developers will, in the first instance, be directed by MSDC to consult with town/parish councils.

96. Items Agreed as Urgent by the Chairman

There were none.

The meeting closed at 9:42pm.

APPENDIX 1

Week 1

DM/18/3626 – 98 Turners Mill Road

Heath

Two storey extension to rear of property. Single storey garage extension with new porch to front elevation. New dormer within catslide roof to front elevation.

No comment.

DM/18/4137 – Land north of Birchen Lane, Birchen Lane

Heath

Reserved Matters application for the approval landscaping pursuant to outline permission DM/15/3415.

The Town Council **objects** to this application to vary planning condition no. 2 pursuant to outline permission DM/15/3415 and approved reserved matters DM/17/0839. The original condition was imposed for good reason and must be rigorously adhered to in the interests of protecting the local community.

DM/18/4317 – 4 Firlands

Bentswood

Retrospective application for wooden decking area on top of garage.

The Town Council **objects** to this application on the grounds that the decking area represents an unneighbourly form of development which results in a loss of privacy for residents living nearby. Thus, it conflicts with elements of i) Policy E9 of the Haywards Heath Neighbourhood Plan, and ii) Policy DP26 of the Mid Sussex District Plan 2014–2031.

The Town Council would also like to state, for the record, its dislike of the submission of retrospective applications.

DM/18/4332 – Land adjacent to 15 Harlands Close

Lucastes

Proposed detached 3 bedroom chalet style bungalow located on land adjacent to 15 Harlands Close.

The Town Council notes that the number of bedrooms for this latest application, when compared to the earlier (withdrawn) application DM/18/2420, has been reduced. Overall, however, the Town Council fails to recognise any discernible difference between the two proposals and therefore **objects** to this application 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. the proposed new dwelling would, by virtue of its bulk, scale and elevated position, give rise to an overbearing and unneighbourly form of development which would be detrimental to the amenities and privacy of the residents of no. 16 Harlands Close;
3. it would be contrary to elements of Policies E9 and H8 of the Haywards Heath Neighbourhood Plan and Policy DP26 of the Mid Sussex District Plan 2014–2031.

Members also wish to point out that under application number DM/18/1912, permission has been granted for the existing property at no. 15 Harlands Close to be extended and remodelled. Completion of these works will result in a substantial four bedroom dwelling that will only occupy approximately 40% of the original site once it has been divided into two.

cont.

DM/18/4332 – Land adjacent to 15 Harlands Close (cont.)

Lucastes

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/18/4379 – 56 Sergison Close

Lucastes

1 x Holly (in grounds of 4 Lucas Way) – coppice to base in 5–7 year cycle in perpetuity. 1 x Hazel – coppice to base in 5–7 year cycle in perpetuity. Sycamore T2 – remove 3 lowest branches. Sycamore T3 – remove all epicormic growth and 2 lowest secondary limbs to trunk. Reduce back from garden of 54 by up to 2m. Holly T1 (in grounds of 4 Lucas Way) – trim back from boundary approx. 0.5m.

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

DM/18/4381 – 17 and 18 Manaton Close

Bentswood

T1 Oak – crown lift by removal of 3 lowest branches overhanging no. 18 Manaton Close and 3 lowest branches (from one main branch) overhanging Priory Way garden. T2 Oak – remove 2 branches overhanging shed back to knuckle and 5 secondary branches overhanging 17 Manaton Close back to trunk.

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

Week 2

DM/18/3838 – 4 Harlands Close

Lucastes

Demolition of existing conservatory. Proposed conversion of garage to create study. Create gable to rear roof and convert loft to create first floor with internal alterations at ground floor.

The Town Council notes the comments made by the neighbouring resident at no. 5 Harlands Close. However, the Town Council **supports** this application.

DM/18/4293 – 5 Orchid Park

Franklands

Proposed two storey extension to front, first floor extension to rear and single storey extension under lean-to style roof. Replace garden shed with brick built cycle store with same footprint.

The Town Council is cognisant of the lapsed planning permission from 2007 for a similar proposal. This latest application must comply with Policy DP26 of the adopted Mid Sussex District Plan 2014–2031 and Policy E9 of the adopted Haywards Heath Neighbourhood Plan, and whilst it meets many of the elements specified in these Policies, it does seem to conflict with others.

In order to support this proposal, the Town Council requests that the following conditions are imposed:

1. a satisfactory, independent professional light survey must be conducted prior to determination by the local planning authority (Mid Sussex District Council);
2. any windows on the east and west (side) elevations must be obscure glazed;
3. in order to protect the amenity of local residents, works of construction (including the use of plant and machinery, and deliveries or collection of plant, equipment or materials) shall not take place outside 0800 hours to 1800 hours Mondays to Fridays and 0900 hours to 1300 hours on Saturdays, nor at any time on Sundays or Bank Holidays or Public Holidays.

The Town Council is nevertheless deeply unhappy that neighbouring residents on either side of this property will face substantial expanses of flank wall.

DM/18/4378 – 3 Beech Hill

Franklands

Retrospective application for the creation of parking area and associated landscaping works. Revision to planning permission DM/17/4608.

No comment.

DM/18/4416 – Site of demolished Perrymount House, 38–42 Perrymount Road

Heath

Variation of condition no. 5 relating to planning application DM/17/1136 to substitute Ibstock Capital Multi Stock 0717 brick with First Quality Multi-Brick from Michelmersh.

No comment.

DM/18/4427 – 42 Lucastes Avenue

Lucastes

Conifers (T1 and T2) – fell.

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

DM/18/4443 – 7 Lucastes Avenue

Lucastes

Sycamore (T1) – crown reduction by 5 metres.

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

DM/18/4444 – Birchwood Grove, 64–66 Sydney Road

Heath

To install a fire escape to provide an escape route from the second floor to the existing fire escape.

No comment.

DM/18/4489 – 55 Greenways

Bentswood

Proposed summer house in rear garden.

No comment.

DM/18/4491 – 41–43 Kents Road

Ashenground

Construction of a single storey two bedroom detached dwelling.

The Town Council notes that this application for a single storey dwelling on this site follows an earlier (refused) application for a pair of semi-detached chalet bungalows (DM/18/0900 refers). Notwithstanding the reduction in the number of dwellings proposed and the reduction in height from two storeys to one storey, the Town Council **objects** to this application for the following reasons:

1. the proposal represents an opportunistic attempt at backland development;
2. taking into account the relationship of the site to existing properties, the proposal would give rise to an unneighbourly form of development, which would be detrimental to the amenities of neighbouring residents, particularly those living at number 1 Berry Mews. The new dwelling would be too close to this existing property, i.e. within 10 metres, resulting in an increased sense of enclosure. This would be contrary to elements of Policies H8 and E9 of the Haywards Heath Neighbourhood Plan;
3. the proposal would give rise to an overdevelopment of the site with inadequate provision for garden/amenity space, which would be contrary to Policy E13 of the Haywards Heath Neighbourhood Plan;

cont.

DM/18/4491 – 41–43 Kents Road (cont.)

Ashenground

4. the construction of another dwelling in Kents Road would lead to an increase in the number of vehicles using the road. This would have a negative impact on traffic flow in an already severely congested road and would be detrimental to resident amenity and highway safety;
5. the increased use of the existing vehicular access to the public highway would adversely affect the amenities of the occupiers of neighbouring properties.

DM/18/4492 – 4 Lucas Way

Lucastes

Eight hazel to coppice to base in a 5–7 year cycle in perpetuity.

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

Week 3

DM/18/3853 – 60 Barnmead

Heath

Proposed front extension to existing garage and raise the roof height by 300mm, to allow for the creation of a utility room with toilet at the rear of the garage.

No comment.

DM/18/3923 – 35 Muster Green South

Lucastes

T1 – Prunus (Cherry) – reduce to previous cut points. T2 – Norway Maple – remove 3 lowest lateral branches back and thin by up to 20%. T3 – Prunus (Cherry) – reduce to previous cut points. T4 – Prunus (Cherry) – remove secondary vertical limb (lowest) back to trunk.

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

DM/18/3933 – The Barn, Parkfield Way

Lucastes

Proposed fascia signage, two powder coated aluminium totem panels and two window stickers.

No comment.

DM/18/4463 – 48 Lucastes Avenue

Lucastes

Trees to the rear to 87 Harlands Road: Sycamore (T1 and T2) – Remove Cherry (T3) – remove secondary stems on rear cherry, leaving leading stem and cut this back to boundary. Hornbeam (T4) – reduce hornbeam limbs from overhanging boundary and cut back to boundary. Ash (T5, T6, T7) – remove two smaller dead ash trees. Trim overhanging branches on remaining ash back to boundary. Oak (T8) – reduce oak overhanging boundary and pointing towards house by 3m.

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

DM/18/4514 – 43 Balcombe Road

Heath

Proposed garage 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/18/4533 – 1 The Grove

Franklands

4 x Ash trees - fell ash trees nos (T1), (T3) and (T4) and replace. Ash (T2) – remove lowest limb to trunk.

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

DM/18/4620 – 17B Blunts Wood Road

Lucastes

T1 multi-stemmed Hornbeam – fell. T2 Holly – reduce height by up to 3m and lateral growth by 1m. T3 multi-stemmed Hornbeam (juvenile) – remove dead/diseased stem to base and reduce stem closest to shed back to first upright growth point. T4 Hornbeam – remove stubs and reduce secondary limb to first upright growth point.

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

DM/18/4625 – 9 Badger Drive

Lucastes

T1 Oak – reduce lower crown by up to 2m and remove epicormic growth.

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

DRAFT