

HAYWARDS HEATH TOWN COUNCIL

PLANNING COMMITTEE

Minutes of the meeting held on Monday, 25 June 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: Mr Eric Bassett, Chair of the Haywards Heath Society

Regarding application number DM/18/2327 – 4 Calbourne:
the applicants, Mr Peter Burman and Mrs Fiona Burman, both of whom had registered to speak in order to give an overview of their proposals;

Regarding application number DM/18/2464 – The Sales Barn, Parkfield Way:
Mr Paul Evans, on behalf of Perfect Start Children's Day Nursery and Pre-School, who had registered to speak *in support of* the application;
Ms Michelle Richardson;

Regarding application number DM/18/2093 – Linden House, Birch Avenue:
Mr Peter Drake, Mrs Charlotte Drake and Mr Ian Greg, all of whom had registered to speak *against* the application;
Mrs Heather Greg.

24. Apologies

There were none.

25. Minutes

The Minutes of:

- a. the Extraordinary meeting held on Monday, 21 May 2018, **and**
- b. the meeting held on Monday, 4 June 2018,

were taken as read, confirmed as a true record and duly signed by the Chairman.

26. Substitutes

There were none.

27. 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."

One other declaration was made as follows:

| Member | Application No. | Location | Nature of Interest |
|--------------------|-----------------|----------------------------------|---|
| Cllr A C McPherson | DM/18/2464 | The Sales Barn, Parkfield Way | Chair of the Bolnore Village Community Partnership, which manages the Woodside community building |

28. Planning Appeals

There were none.

29. Licensing Applications

Members noted that the following application to vary a premises licence had been **lodged** with Mid Sussex District Council:

| Application No. & Applicant | Application Type | Premises Address | Nature of Variation |
|--------------------------------------|------------------|------------------|---|
| LI/18/0676 Grahams Newsagents | Premises | 5 The Broadway | <u>Minor variation:</u> changes to opening hours (change of latest date for representations, from 4 June to 14 June 2018) |

30. Comments and Observations on Planning Applications

Members made comments and observations on 22 planning applications as per Appendix 1 attached.

31. Change to Date of (Early) October 2018 Planning Meeting

The Chairman asked Members to note that the meeting of the Planning Committee scheduled for Monday, 8 October 2018 had been moved to Wednesday, 10 October 2018 (usual start time of 7:30pm).

32. Boundary Issue in 'New' Bolnore

Councillor McPherson informed Members of an issue in 'new' Bolnore that had been brought to his attention. It appeared that a piece of land, adjacent to one of the properties in Ferny Croft and forming part of the wildlife corridor running through this part of the Bolnore Village development, had been sold by the developers, Crest Nicholson, to the owners of that property who had subsequently erected a fence around it and incorporated it into their garden. The concern was that Crest Nicholson had had no right to do this on the basis that they already had a pre-existing agreement

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32. Boundary Issue in 'New' Bolnore (cont.)

with MSDC designating the land as a wildlife corridor. Councillor McPherson confirmed that one of MSDC's Planning Enforcement Officers had been made aware of the situation and that the outcome of his investigations was awaited.

The meeting closed at 8:59pm.

DRAFT

APPENDIX 1

Week 1

DM/18/1505 – 118–124 Franklands Village

Franklands

Amendments to existing driveways and access paths to house numbers 118–124.

No comment.

DM/18/1960 – Delta House, 16 Bridge Road

Heath

The external refurbishment of the front and flank elevations of the property to include the replacement of existing windows with PVCu units and increase the size of the windows to the first floor front and flank elevations of the building. The removal of profiled cladding to the front and its replacement with a smooth render surface. Removal of existing comfort cooling condenser units to the flank and rear elevations of the building and their replacement with new units to be located within the existing unused roof top plant room. Provision of a clock to the front of the building at high level. Demolition of existing entrance area and replacement with new enclosure to contain new stairs and platform lift to the first floor. Provision of 10 no. Sheffield bike racks to rear of building.

No comment.

DM/18/2093 – Linden House, Birch Avenue

Franklands

Proposed detached 3 storey house with juliette balconies to front and rear first floor elevations, two dormer windows to rear elevation, attached double garage and new access onto Birch Avenue. Proposed 1.8m high closed panel fencing to rear.

The Town Council notes that this latest application for this site seeks permission for the construction of a single dwelling, as opposed to the two proposed under previous (outline) application number DM/17/2764 (permission refused by Mid Sussex District Council (MSDC)). However, this does nothing to alter the Town Council's stance regarding development on this site and, therefore, the Town Council **objects** to the application in the **strongest terms possible**. The reasons for this are as follows:

1. the application is contrary to Policies E9, E13 and H8 of the Haywards Heath Neighbourhood Plan;
2. the application is contrary to Policies DP26, DP37 and DP38 of the Mid Sussex District Plan (MSDP) 2014–2031. The adoption of the MSDP in March 2018 reinforces the decision made by MSDC to refuse permission for previous application number DM/17/2764 – the Town Council concurs with the MSDC Officer report that was prepared for that application;
3. it constitutes overdevelopment of the site in the form of opportunistic rear garden development;
4. the provision of a minimum 15 metre 'non-garden' buffer zone between the development and the area of ancient woodland to the south is tenuous. If the buffer zone is to remain within the curtilage of the dwelling, how would it be properly managed and what safeguards would be in place to ensure that it did not ultimately become incorporated into the private amenity area? Not only would the proposed 1.2 metre high boundary fence act as a barrier to the free movement of wildlife, it is also questionable how long it would remain in situ;
5. the development of a major portion of the rear garden of Linden House would destroy part of a valuable 'green corridor' for wildlife in the locality. Habitats for creatures such as badgers, deer and great crested newts would be eroded and compromised. Members are concerned that wildlife activity, as reported in 'Phase 2 Ecology Surveys Rev 01' prepared by The Ecology Co-op Environmental Consultants and dated 21 May 2018, has been grossly misrepresented. This is

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5. (cont.)

because the integrity of the results of a terrestrial hand search carried out on 28 March 2018 is likely to have been undermined following tree felling and clearance works in the search area which, it is understood, took place on 16 March 2018;

6. having regard to the relationship of the site to existing residential properties, the proposed dwelling would give rise to an overbearing and unneighbourly form of development which would be detrimental to the amenities of neighbouring residents by virtue of intrusion, loss of privacy and overlooking;
7. development of the site by the construction of a dwelling of this scale would constitute an undesirable intensification of residential development which would be out of keeping with the rest of Birch Avenue. This would detract from the present character and charm of the locality, it would detract from its environmental quality and it would be detrimental to the amenities of neighbouring residents;
8. the formation of a long access drive between Shepherds Barn and Linden House itself would adversely affect the peace and quiet that residents of those properties currently enjoy in their rear gardens. This would be because of vehicular noise and disturbance;
9. the Town Council notes that local residents remain extremely concerned about consistent inaccuracies/incorrect measurements contained within the application relating to boundaries, neighbouring dwellings and trees. It is essential that these issues are reviewed and resolved to the satisfaction of all parties to ensure that a decision is based on accurate information.

Members of the Town Council are extremely disappointed that another application for the development of this site has been submitted; indeed, they are of the opinion that it is wholly unsuitable for development of any kind at any time. They are also disappointed that the applicant was not represented at the meeting of the Town Council's Planning Committee on 25 June 2018, despite him being invited to attend. This would have provided an opportunity for him to outline the proposals and possibly to clarify any points of uncertainty.

DM/18/2155 – Zenith House, Market Place

Heath

Prior approval for change of use from B1 Office to C3 (17 apartments).

After due consideration, the Town Council **supports** this application, albeit somewhat reluctantly and subject to the following conditions:

1. the development must deliver a 30% affordable housing element in order to comply with Policy DP31 of the Mid Sussex District Plan 2014–2031;
2. demolition or construction works, including any associated deliveries, 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;
3. if the development is to be serviced by larger, Eurobin facilities – which will be collected by a commercial operator – no collections shall be permitted before 0700 hours, in order to protect resident amenity.

Members are disappointed that a more imaginative proposal, possibly involving mixed commercial/residential use, has not been submitted, and are moreover concerned that the proposal under-develops the valuable potential of this sustainable gateway town centre location.

DM/18/2170 – Aventis House, 2 Market Place

Heath

Prior approval for change of use from B1 Office to C3 (12 apartments).

After due consideration, the Town Council **supports** this application, albeit somewhat reluctantly and subject to the following conditions:

1. the development must deliver a 30% affordable housing element in order to comply with Policy DP31 of the Mid Sussex District Plan 2014–2031;
2. demolition or construction works, including any associated deliveries, 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;
3. if the development is to be serviced by larger, Eurobin facilities – which will be collected by a commercial operator – no collections shall be permitted before 0700 hours, in order to protect resident amenity.

Members are disappointed that a more imaginative proposal, possibly involving mixed commercial/residential use, has not been submitted, and are moreover concerned that the proposal under-develops the valuable potential of this sustainable gateway town centre location.

DM/18/2202 – 20A Mill Green Road

Heath

Proposed loft conversion.

No comment.

DM/18/2272 – 2 Culross Avenue

Lucastes

(T1) Sycamore – fell to ground level.

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

Week 2

DM/18/2219 – 68 Allen Road

Bentswood

Two storey side extension.

No comment.

DM/18/2225 – 17 Blunts Wood Road

Lucastes

Retrospective application for proposed rear decking and screening.

No comment.

DM/18/2257 – 15 Bruce Close

Ashenground

Proposed loft conversion including hip to gable roof extension to side, flat roof dormer to rear and two roof lights. 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/18/2263 – Franklands Village Club, Franklands Village

Franklands

Installation of external ventilation equipment to kitchen.

No comment.

DM/18/2280 – 1 Nightingale Close **Bentswood**
To erect a 6m x 4m x 3.1m timber building at the rear of the garden and to remove, replace and reposition the existing wooden shed.

No comment.

DM/18/2287 – 33 Wickham Way **Heath**
Two storey extension to rear and flank elevations and single storey extension to rear.

No comment.

DM/18/2327 – 4 Calbourne **Heath**
New ground floor extension to side of main entrance and new first floor extension to front.

The Town Council notes the comments that neighbours have submitted to Mid Sussex District Council's Online Public Register in support of this application (up to and including 25 June 2018). The Town Council endorses their overall view that these proposals would enhance the property and would be sympathetic to the present character of Calbourne. The Town Council therefore **supports** the application on condition that demolition or construction works, including any associated deliveries, do 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 reason for this would be to safeguard the amenities of nearby residents.

Week 3

DM/18/2221 – 17B Blunts Wood Road **Lucastes**
Retrospective application for proposed rear decking and screening.

No comment.

DM/18/2303 – 22 Sheppeys **Ashenground**
Proposed two storey side extension.

No comment.

DM/18/2341 – 25 Fairfield Way **Heath**
Retrospective application for the erection of a summer house with decking in the back garden.

No comment.

DM/18/2371 – Cherrytree Cottage, Lucastes Road **Lucastes**
Demolition of existing lean-to and construction of single storey side extension incorporating catslide roof and insertion of 1 no. new dormer together with associated internal and external alterations.

No comment.

DM/18/2448 – 26 Oathall Road **Bentswood**
Cedar tree (T1) – remove overhanging branches (1 and 2).

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

DM/18/2464 – The Sales Barn, Parkfield Way

Lucastes

Change of Use from Office (Class B1) to Children's Day Nursery (Class D1); erection of bin and cycle stores; external plant; erection of railings around the site and surfacing of garden area. Changes to existing car park to increase parking spaces from 15 to 25; creation of separate points of access/egress; alteration to bunding; additional landscaping and provision of low level lighting.

The Town Council is aware that the last application for change of use to a children's day nursery (application number DM/17/0857) was refused by Mid Sussex District Council on the grounds of inadequate parking provision and the effect that the intensification of the commercial use of the Sales Barn would have on resident amenity in terms of noise and disturbance. With regard to this latest application, which has been submitted by the same applicants as before, the Town Council believes that they (the applicants) have made a considered attempt to address and mitigate those issues. The day nursery facility would be of benefit to the local community and, therefore, the Town Council supports this application, conditional on the following:

1. if the nursery is to be serviced by larger, Eurobin facilities – which will be collected by a commercial operator – no collections shall be permitted before 0700 hours, in order to protect resident amenity. The nursery shall give strict instructions to its waste carrier that this time restriction must be adhered to;
2. in respect of the low level lighting, a correlated colour temperature (CCT) of 2700K (warm white light) is preferable to the 4000K (cool white light) proposed. The warmer light would have less of an adverse effect on any nocturnal wildlife;
3. in consultation with West Sussex County Council Highways, the provision of double yellow lines on Parkfield Way shall be secured as part of any planning approval.

DM/18/2529 – Land adjacent to 1 Shire Lane

Lucastes

Oak tree – lateral reduction of branches by 2.5 metres over the rear garden of no.1 Shire Lane.

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

DM/18/2534 – Brambletyne, 5 The Rushes

Franklands

Four oak trees – reduce all growth overhanging garden of 41 Marlow Drive up to 2 metres. Reduce crown by up to 2 metres.

The Town Council defers this decision to Mid Sussex District Council's Tree Officer. Members are aware that the trees are located in a Conservation Area and that covenants apply to them which they do not believe would be withheld.