

HAYWARDS HEATH TOWN COUNCIL

PLANNING COMMITTEE

Minutes of the meeting held on Monday, 11 February 2019

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 S R Hillier
Mr Eric Bassett, Chair of the Haywards Heath Society

Regarding application number DM/19/0260 – Tavistock and Summerhill School, Summerhill Lane (Lindfield parish):

Mr Jonathan Allen and Mr David Quickfall, both of whom had registered to speak *against* the application on behalf of the Friends of Summerhill Lane Area of Townscape Character;

Maxine Tyler, who had registered to speak *against* the application on behalf of The Lindfield Preservation Society;

Councillor Andrew Lea, West Sussex County Council Member for Lindfield and High Weald, and Mid Sussex District Council Member for Lindfield;

approximately 25 members of the public – mainly from Oak Bank, Summerhill Grange and Summerhill Lane – who were attending in order to observe the Committee's consideration of the proposals;

Regarding application number DM/19/0206 – Braydells, Hurstwood Lane:

Mr Edward Owen, who was attending in order to observe the Committee's consideration of the proposals.

122. Apologies

The following apology was received:

Member	Reason for Absence
Cllr Mrs C Cheney	Holiday

123. Minutes

The Minutes of the meeting held on Monday, 21 January 2019 were taken as read, confirmed as a true record and duly signed by the Chairman.

124. Substitutes

Councillor Hillier substituted for Councillor Mrs Cheney.

125. 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:

Member	Application No.	Location	Nature of Interest
Cllr R J R Clarke	DM/19/0260	Former Tavistock and Summerhill School, Summerhill Lane, Lindfield	Knows a number of residents who live near the application site, e.g. Summerhill Grange
Cllr S R Hillier	DM/19/0304	Land r/o 83 Bentswood Road	Has been in communication with neighbouring residents
Cllr C N Laband	DM/19/0390	12 Ashurst Place	Personal – knows and is a near neighbour of the applicant

126. 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
29/01/2019 AP/19/0003 APP/D3830/W/19/3220010 (DM/18/2093 refers)	Linden House Birch Avenue	Erection of detached 2 storey, 5-bed house with juliette balcony to front first floor elevation, 1 dormer window to rear first floor elevation, attached double garage and new access on to Birch Avenue. Proposed 1.8m high closed panel fencing to rear. (Amended plans received 28 th August and 4 th September 2018.)

cont.

126. Planning Appeals (cont.)

Members **AGREED** that the following covering note, which had been drafted by the Chairman, should accompany the Town Council's formal submission to the Planning Inspectorate:

'Following our previous detailed objections, Haywards Heath Town Council are profoundly disappointed that this persistent and opportunistic application is now elevated to Appeal. The failure to comply with Haywards Heath Neighbourhood Plan policies removes the presumption in favour of development, therefore the most demanding scrutiny should be applied. Any application, if approved for this site, would block and remove an essential green wildlife corridor used regularly by native deer and badgers. This would inflict permanent and irreversible damage to the local natural habitat.

The Appeal, if allowed, would eradicate part of our essential ecosystem which we all have an enduring responsibility to protect, therefore we hope the Inspectorate will deny the Appeal and finally terminate this process.'

127. Licensing Applications

There were none.

128. Comments and Observations on Planning Applications

Members made comments and observations on 20 planning applications as per Appendix 1 attached.

129. Conclusion of Boundary Issue in 'new' Bolnore (Ferry Croft)

Councillor McPherson was pleased to report to the Committee that the breach of planning control that had occurred last year in Ferry Croft had been resolved. The fence that had been erected around the piece of land in question – and had effectively changed its use to residential – had now been taken down. Members welcomed this news and thanked Councillor McPherson for his monitoring of the situation.

130. Items Agreed as Urgent by the Chairman

There were none.

The meeting closed at 8:31pm.

APPENDIX 1

Week 1

DM/19/0184 – 59 Pasture Hill Road

Lucastes

Proposed single storey rear and two storey side extensions, incorporating annexe accommodation.

No comment.

DM/19/0219 – 70 Wood Ride

Ashenground

Proposed removal of attached garage and construction of single/two storey rear/side extension.

No comment.

DM/19/0263 – 46 Western Road

Bentswood

Demolition of existing rear timber structure and erection of new single storey rear extension with internal alterations.

No comment.

Week 2

DM/19/0206 – Braydells, Hurstwood Lane

Franklands

Erection of four detached dwellings and detached garages; with modifications to the existing vehicular access.

Following approval for the construction of two dwellings on this site under application DM/17/3116, the Town Council regrettably acknowledges that the principle of development has now been established.

Nevertheless, the Town Council **objects** to this application for the following reasons:

1. the site is not allocated for development within the Haywards Heath Neighbourhood Plan (HHNP); on the contrary, under Policy E5, it is designated as part of the local gap between Haywards Heath and neighbouring parishes to create a landscape buffer.
2. it represents development of a site that is largely outside of the built-up area boundary of Haywards Heath;
3. it constitutes opportunistic rear garden (or backland) development;
4. the construction of another four dwellings in this locality would add to the number of vehicle movements along the southern part of Hurstwood Lane – which is already being used as a rat run – and would exacerbate the traffic problems that exist on this side of town. This proposal must be considered in the light of the Gamblemead development (DM/17/0331), the pending application for Hurst Farm (DM/17/2739) and the absence of delivery (by West Sussex County Council) of a comprehensive traffic management plan. The Town Council has been calling for this in order to address major concerns surrounding congestion and road safety, the junction of Hurstwood Lane and Fox Hill being one such concern;
5. the development and the associated access to/from Hurstwood Lane – which would replace the existing narrower driveway to Braydells – would result in the loss of hedgerow which would detract from the rural nature of the street scene;
6. the construction of dwellings with access on to the public highway where there is no footpath provision for pedestrians would add to the hazards faced by road users at this point; **cont.**

DM/19/0206 – Braydells, Hurstwood Lane (cont.)

Franklands

7. if permission were granted, it would set an unwelcome precedent that could precipitate more or less complete residential infill of this semi-rural location on the outskirts of town.

Lastly, the Town Council wishes to express its disappointment on two counts:

- the applicant/developer did not take the opportunity to consult with the Town Council prior to the application being submitted – Mid Sussex District Council's Senior Planning Officer recommended this in his pre-planning advice;
- the proposal demonstrates a lack of regard for the HHNP, despite the significant weight afforded to Neighbourhood Plans by both our local MP and Government.

DM/19/0278 – 78 Turners Mill Road

Heath

Oak tree (T5) – crown lift to 6 metres and thin major limb to south by up to 20%.

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

DM/19/0291 – 27 Lucastes Road

Lucastes

Proposed two storey extension to side and front and single storey extension to side.

No comment.

DM/19/0300 – 3 Amberley Close

Lucastes

Oak – reduce branch closest to house back to fork. Remove lowest drooping branch adjacent to driveway. Reduce lowest branch over neighbour's property back to fork. Remove lowest branches close to road. Remove epicormics growth.

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

DM/19/0304 – Land r/o 83 Bentswood Road

Benstwood

Proposed Lawful Development Certificate for the restart of building work which commenced in February 2016, to complete detached dwelling house for occupation. 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/19/0332 – 25 Lucastes Road

Lucastes

Beech tree – reduce crown by up to 1.5m. Cherry tree – thin by 20%.

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

DM/19/0341 – 27 Franklynn Road

Bentswood

Proposed loft conversion incorporating rear dormer and roof light to the front façade. 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.

Week 3

DM/19/0260 – Tavistock and Summerhill School, Summerhill Lane

Lindfield Parish

Proposed erection of 38 residential dwellings comprising 4 houses and 34 flats with associated internal access, surface-level car parking, landscaping with other infrastructure.

Although this application relates to a site that falls just outside of Haywards Heath in the neighbouring parish of Lindfield, it is right on the town's boundary and undoubtedly has an impact on those residents of the town who live in this locality. Haywards Heath Town Council therefore welcomes the opportunity to make representation in respect of this proposal.

The Town Council notes that when compared to the previous application for this site (DM/18/0733 refers), this latest application proposes a reduced number of dwellings, i.e. 38 as opposed to 48. Despite this revision and other changes that have been made to the proposals, the Town Council **objects** to the application and requests that the following objections, comments and observations are considered by Mid Sussex District Council (MSDC):

1. the current proposal would be out of keeping with the local environment, surrounded as it is by Areas of Townscape Character;
2. concern about the impact that the proposed blocks of apartments would have on the residential amenities of neighbouring properties – overbearing, loss of outlook, loss of sunlight;
3. inadequate screening to protect the privacy of existing residents from users of the proposed apartment balconies;
4. the adequacy of the proposed number of parking spaces is questionable;
5. the provision for recreational facilities is questionable;
6. the current proposal conflicts with the Lindfield Village Design Statement, the Lindfield and Lindfield Rural Neighbourhood Plan, and Policies DP6, DP26 and DP31 of the Mid Sussex District Plan 2014–2031;
7. the proposal represents an opportunistic attempt to overdevelop the site;
8. it is disingenuous and unacceptable that the proposal does not deliver a 30% affordable housing element. This deficit is contrary to both the Lindfield and Lindfield Rural, and Haywards Heath Neighbourhood Plans, and the Mid Sussex District Plan 2014–2031. The Committee notes the very strong resistance by MSDC applied to more sustainable sites elsewhere in Haywards Heath that do not deliver the 30% affordable housing requirement. It is even more important that it is applied on the Tavistock site without deviation from this policy;
9. the siting of the two blocks of three-storey apartments, to the front (western side) of the site and at its highest point, would give rise to an obtrusive and overbearing form of development, which would be out of keeping with the present character of the area and contrary to elements of Policy E9 of the Haywards Heath Neighbourhood Plan;
10. the construction of 34 apartments within three, three-storey blocks would constitute an undesirable intensification of residential development at a density which would be out of keeping with and would detract from the bordering Townscape Area, contrary to both the Lindfield and Lindfield Rural, and Haywards Heath Neighbourhood Plans;

cont.

DM/19/0260 – Tavistock and Summerhill School, Summerhill Lane (cont.) Lindfield Parish

11. there are three (BS5837) Category B trees – two limes and a Scots pine – that have been recommended for removal *'due to their proximity to the proposed landscaping requirements'*. The trees are an integral part of the natural heritage of the site and, by extension, of Lindfield itself and **must** be preserved. Haywards Heath Neighbourhood Plan Policy E9 6.30 requires 'in the townscape character areas, Haywards Heath Town Council expects developers to demonstrate how their proposals for development or redevelopment will reinforce the local character and thus meet Objective 6F of this Plan.

In particular, proposals should:

- retain trees, frontage hedgerows and walls which contribute to the character and appearance of the area;
 - retain areas of open space, (including private gardens) which are open to public view and contribute to the character and appearance of the area; and
 - avoid the demolition of existing buildings which contribute to the character and appearance of the area.'
12. the Town Council challenges the credibility of the Viability Report and does not accept the Report's conclusion that the Residual Site Value *'cannot support contributions to planning obligations beyond the £329,210 contributions already included'*. It is not the responsibility of the local planning authority to underwrite the profit objectives of the developer;
13. Members feel that the developer/applicant has not provided anything which delivers Haywards Heath Neighbourhood Plan Policies E8, E9 or E10 – listed below:

Policy E8 Critically the application does not demonstrate how it will contribute to the improvement of the health and well-being of the community.

Policy E9 Developers must demonstrate how their proposal will protect and reinforce the local character within the locality of the site. This will include having regard to the following design elements:

- height, scale, spacing, layout, orientation, design and materials of buildings or makes best use of the site to accommodate development;
- car parking is designed and located so that it fits in with the character of the proposed development.

Policy E10 Development proposals in an Area of Townscape Character will be required to pay particular attention to retaining the special character and to demonstrate how they support and enhance the character of the area in question.

This site in Lindfield abuts areas of significant and important Townscape Character; however, notwithstanding that the site itself was not identified within the extant Neighbourhood Plan, the Town Council feels its proximity and prominent location requires that effectively it be treated as if it were.

14. in terms of the implications for the local highway network, West Sussex County Council – through its local Members – should consider any potential development of this site in conjunction with other developments in the wider area, i.e. a holistic approach is required in order to assess the effect of development on the flow of traffic in roads such as Summerhill Lane, Portsmouth Lane and Gander Hill. Specifically, Haywards Heath Neighbourhood Plan Rural Setting Objective 6C applies in this area, together with Objective 6F with the location identified in section 6.29.

cont.

DM/19/0260 – Tavistock and Summerhill School, Summerhill Lane (cont.) Lindfield Parish

In the unwelcome event that permission is granted despite the Town Council's objections, it is requested that developer Section 106 contributions for local community infrastructure – approximately £27,600 – are allocated towards developing and improving the streetscape on the route between the development and the Haywards Heath Station Quarter. Furthermore, it must be a condition that if the development is to be serviced by larger, Eurobin facilities – which will be collected by a commercial waste operator – no collections shall be permitted before 0700 hours in order to protect resident amenity.

In common with Lindfield Parish Council and the Friends of Summerhill Lane Area of Townscape Character, the Town Council is open to the principle of development on this newly created brownfield site. However, to have any prospect of gaining support, a scheme would have to consist of houses starting with two bedrooms upwards and **not** flats, and therefore be of a lower density than that currently proposed and would be expected to be in keeping with the surrounding Townscape Character environment of the area.

Lastly, it should be noted that The Rt Hon. Sir Nicholas Soames MP has continued to provide very strong support for our Neighbourhood Plans.

DM/19/0284 – 38 Gordon Road Heath

Proposed two storey side extension, single storey rear extension, loft conversion, demolition of existing porch and new canopy to replace. The side fence to be replaced by a 2.11m (7ft) high fence.

No comment.

DM/19/0298 – 30 Bridge Road Heath

Change of use from Class B1 to Class B8 (Storage & Distribution) with ancillary trade counter.

No comment.

DM/19/0346 – Rookery View, Rocky Lane Franklands

To vary the S106 Agreement Mortgagee in Possession clause.

Deferred until the meeting of the Planning Committee scheduled for Monday, 4 March 2019 – pending further information relating to Mortgagee Exclusion Clauses.

DM/19/0377 – 78 Franklynn Road Ashenground

Ground floor WC extension and new porch to side elevation.

No comment.

DM/19/0383 – Grosvenor Hall, Bolnore Road Lucastes

Oak (T2) – reduce crown by 2.5–3m. Ash (T3) – fell. Oak (T5) – remove lowest limb growing towards new building. Oak (T14) – cut back by 2m growth towards new building.

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

DM/19/0388 – 15 Wickham Close Heath

Demolition of existing ground floor conservatory at rear and erection of single storey extension. Extensions to front of property at first floor level over existing porch and garage. Removal of existing chimney stack and internal alterations.

No comment.

DM/19/0390 – 12 Ashurst Place

Heath

Replacement of (x 6) double glazed windows.

No comment.

DM/19/0397 – 7 Farlington Avenue

Bentswood

Proposed two storey rear extension and alterations and formation of new front dormer window and front porch.

The Town Council notes the representation (dated 04/02/2019) objecting to this application, but has no comment to make.

DM/19/0480 – 5 Lucastes Avenue

Lucastes

(T1) Multi-stemmed alder tree – fell.

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

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