

HAYWARDS HEATH TOWN COUNCIL

PLANNING COMMITTEE

Minutes of the meeting held on Monday, 19 October 2020

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

* Absent

** Apologies

Also present: Councillor R S Bates

58. Apologies

There were none.

59. Minutes

The Minutes of the meeting held on Monday, 28 September 2020 were taken as read, confirmed as a true record and duly signed by the Chairman.

60. Substitutes

There were none.

61. Members' Declarations of Interest

Councillor Clive Laband made the following declaration:

"I declare a personal interest in all licensing applications under agenda item 5 as an elected Member of Mid Sussex District Council (MSDC) and as an appointed Member of the (MSDC) Licensing Committee.

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 Licensing Committee or the District Planning Committee, based on contributions from the public, other Members or reports from MSDC Officers."

cont.

61. Members' Declarations of Interest (cont.)

Councillor Mike Pulfer 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) 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."

Other declarations were made as follows:

Member	Application No.	Location	Nature of Interest
Cllr H A Mundin	DM/20/3501	4 Haywards Villas Colwell Road	Personal but non-prejudicial – lives in the locality of the application site
Cllr C N Laband Cllr M J Pulfer	DM/20/3644	The Heath Recreation Ground Perrymount Road	Are Members of MSDC, which owns the application site

62. 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
28/08/2020 AP/20/0041 W/4001818 (DM/20/1924 refers)	47 Wivelsfield Road HAYWARDS HEATH RH16 4EN	Construction of a three bedroom dwelling with associated landscaping

63. Licensing Applications

Members noted that the following premises licence application had been **lodged** with MSDC:

Application No. & Applicant	Application Type	Premises Address	Nature of Application/ Variation
LI/20/1041 No. 1 Broad Street Ltd	Premises	65 The Broadway HAYWARDS HEATH RH16 3AS	New premises licence

On the recommendation of Councillor Laband, as Ward Member for the application site, Members **AGREED** to **support** the application subject to the following conditions being imposed:

1. any outside patio/garden areas shall not be used by the public beyond 23:00 hours. This is to comply with Section 9 (Licensing Hours) paragraph 9.6 of the Mid Sussex District Council Statement of Licensing Policy (Licensing Act 2003), which commenced on 5 January 2020; **cont.**

63. Licensing Applications (cont.)

2. security staff/door supervisors shall be employed (normally on Thursday, Friday and Saturday evenings) and CCTV shall be in operation on all late evenings, i.e. after 23:00 hours.

This response would be submitted to MSDC's Licensing Team.

64. Comments and Observations on Planning Applications

Members made comments and observations on 32 planning applications as per Appendix 1 attached.

Re DM/20/3310, 23–25 Bolnore Road – the demolition of 25 Bolnore Road and garage to 23 Bolnore Road, and the erection of a 67 bedroom residential care facility, with associated access works, car parking, servicing, private amenity space, landscaping and boundary treatment.

Because Members had differing views as to what the Town Council's response to the above mentioned application should be, it was moved that it should be opposed on the grounds that it would give rise to an overdevelopment of the site. This was put to the vote and votes were recorded as: **5 in favour**, 1 against and 1 abstention. The application was therefore **opposed**.

65. Street Naming for Residential Development at Former MSDC Beech Hurst Depot, Bolnore Road

Members had before them a brief report outlining the requirement for one new road name for the residential development of 18 dwellings at the former MSDC Beech Hurst Depot off Bolnore Road, permitted under application number DM/19/3619. The developer had put forward the suggestions of Bluebell, Longheath and Parkside. Council Officers had already discounted Bluebell and Parkside because of their similarity to pre-existing road names in Haywards Heath and the potential for causing address management problems. Members had also been provided with the Town Council's two 'reserve' lists of names, which were compiled of unused suggestions arising from previous street naming exercises.

After due consideration, Members **AGREED** to accept the developer's suggested road name of **Longheath**.

66. Item Agreed as Urgent by the Chairman – Changes to Shopfront/Business Premises Signage

The Chairman informed the Committee that Councillor Mrs Inglesfield had raised concerns that 112 South Road had changed its signage. Councillor Mrs Inglesfield explained her concern: if she noticed that, for instance, a shop had changed its fascia, was it the Town Council's responsibility to point it out/flag it? Was a planning application needed every time? She was wondering what the rules were.

Councillor Laband explained that this was a difficult issue to answer inasmuch as a shop or premises could rename its business as frequently as it wished and was free to put up signage that reflected whatever name it wanted to call it, provided it did not promote racial hatred, undermine diversity and anything else that was offensive.

cont.

66. Item Agreed as Urgent by the Chairman – Changes to Shopfront/Business Premises Signage (cont.)

So, the Council did not have any powers even if the sign appeared somewhat garish.

Councillor Laband went on to say that it might be possible for the (MSDC) Draft Mid Sussex Design Guide Supplementary Planning Document to come into play if, in design terms, the signage undermined the street scene. There could then be a discussion in terms of whether or not it complied with the Design Guide objectives but from a planning perspective, at the moment, there was no power.

Councillor Laband thanked Councillor Mrs Inglesfield for raising the matter.

The meeting closed at 9:02pm.

This meeting was conducted and recorded using the Zoom video conferencing application.

APPENDIX 1

Deferred from previous meeting

DM/20/3460 – Lyoth Cottage, Lewes Road

Franklands

Second storey side extension over existing garage and rear extension to form link to existing annexe. Potting shed in garden.

No comment.

Week 1

DM/20/3044 – The Priory, Syresham Gardens

Bentswood

Conversion of part of the former Chapel to 1 x 1 bedroom residential apartment on the second floor with internal and external alterations.

No comment.

DM/20/3048 – The Priory, Syresham Gardens

Bentswood

Conversion of part of the former Chapel to 1 x 1 bedroom residential apartment on the second floor with internal and external alterations.

No comment.

DM/20/3310 – 23–25 Bolnore Road

Lucastes

The demolition of 25 Bolnore Road and garage to 23 Bolnore Road, and the erection of a 67 bedroom residential care facility, with associated access works, car parking, servicing, private amenity space, landscaping and boundary treatment.

The Town Council **OBJECTS** to this application on the basis that the proposal would give rise to an overdevelopment of the site and would conflict with certain elements of Policies E9 and H8 of the Haywards Heath Neighbourhood Plan. Members are also concerned about the availability of parking on site.

DM/20/3456 – Land West of Kilnwood Apartments, Rocky Lane

Ashenground

Erection of 9 apartments within a single three storey building, along with access, parking and landscaping.

Notwithstanding the fact that the principle of development on the site is effectively allowed, the Town Council **OBJECTS** to this application. As tabled, it would give rise to an overdevelopment of the site, it would reduce agreed landscape amenity and green space for existing residents and would result in parking congestion issues that would spill over on to the public space outside in the roadway. More significant than anything else is that the agents, DMH Stallard LLP, are very persistent in their disingenuous argument promoting that this cumulative unused windfall development land should not be subject to affordable housing or Section 106 funding for the community. Members are quite disappointed to see a developer bring forward something so blatantly wrong that would undermine both the Mid Sussex District Plan 2014–2031 and the Haywards Heath Neighbourhood Plan. The planning requirement to provide affordable housing is very clear – this is a cheap shot to undermine that and Members do not like it.

The Mid Sussex District Council Case Officer for the application has acknowledged that in purely design terms, the proposed block would be considered acceptable, but she has significant concerns regarding its location and visual prominence. The Town Council believes that the building would result in an overbearing form of development which would be too near the A272 relief road and a monstrous feature at one of the key entry points into the town.

cont.

DM/20/3456 – Land West of Kilnwood Apartments, Rocky Lane (cont.)

Ashenground

The majority of the Town Council's response to the previous application for this site (DM/19/4731) remains relevant to this latest application and is reiterated below for the avoidance of doubt:

The Town Council **objects** to this application on account of there being no provision for affordable housing, which is contrary to Policy DP31 of the Mid Sussex District Plan (MSDP) 2014–2031. Whilst Members accept the applicant's contention that the site is unused windfall development land, they believe it is effectively an extension to the adjacent development of three blocks of apartments which was permitted under application references DM/15/5107 (outline) and DM/16/5547 (reserved matters). In other words, this latest proposal and the development of apartments each represent constituent parts of a 'cumulative' application for the entire site and, therefore, should both be subject to the same planning policy obligations. The Town Council has concerns that the Planning Supporting Statement prepared by DMH Stallard LLP conveniently omits any reference to the affordable housing liability for this site extension.

In the event that the application is granted permission, the Town Council requests that it is subject to the following conditions:

1. in view of the likely increase in vehicle movements to and from the apartments, the short stretch of Old Rocky Lane leading from the roundabout on the A272 relief road to the development must be upgraded so that it provides a proper continuous pavement for pedestrians as far as the footpath to Bolnore Village. At present, the pavement ceases shortly after exiting the A272, compelling motorists and pedestrians to use the same part of the highway, which is potentially hazardous and detrimental to highway safety;
2. street lighting provision along the short stretch of Old Rocky Lane should be improved for the benefit of pedestrians and highway safety in general. Care must be taken to ensure that any scheme does not cause undue light pollution for nearby residents;
3. the number of proposed on-site car parking spaces is inadequate and must be increased to ensure that parking does not spill out of the development on to Old Rocky Lane;
4. the design of the apartments should incorporate a scheme for solar panels (as unobtrusive as possible);

Reason: to accord with Policy DP39 of the MSDP 2014–2031;

5. electric vehicle charging points should be provided in the allocated parking area and ducting should be laid in order for any remaining parking spaces to be upgraded in the future;

Reason: in the interests of sustainability and as a result of the Government's 'Road to Zero' strategy, and to accord with Policy DP39 of the MSDP 2014–2031;

6. developer Section 106 contributions for local community infrastructure are allocated towards the proposed Country Park on land off of Hurstwood Lane.

Finally, the Town Council asks that Mid Sussex District Council reviews the ecological status of the site, given its previous status first as a reptile receptor site and then as a site from which reptiles – mainly slow worm and common lizard – were translocated.'

DM/20/3468 – 24 Penland Road

Lucastes

Retrospective application for landscaping works to rear garden.

No comment.

DM/20/3499 – 11 Bentswood Road

Bentswood

3m single storey rear extension. 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/20/3501 – 4 Haywards Villas

Ashenground

Removal of existing conservatory. Replacement single storey rear and side extension with a flat roof and rooflight.

No comment.

DM/20/3506 – 4 Firlands

Bentstwood

Close off front door and replace with a window and fit an additional window to the side elevation.

No comment.

DM/20/3514 – 44 Allen Road

Bentswood

Single storey rear extension and infill side extension to incorporate existing outbuilding.

No comment.

DM/20/3549 – 14 Barnmead

Heath

Ash tree – reduce crown back to previous cut points and cut back overhanging branches to level with boundary fence.

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

DM/20/3551 – 28 Farlington Avenue

Bentswood

Replacement of rear store room roof with flat roof. Replacement of external rear terrace and stairs.

No comment.

DM/20/3574 – 17 Augustines Way

Bentswood

Two storey side extension to form annex and single storey rear extension.

No comment.

DM/20/3579 – 8 Redwood Drive

Ashenground

Sweet chestnut (T19 – 4 stems). Trunk overhanging 9 Redwood Drive, removal of lower growth to first fork, reduce by 2m. Trunk left front – overall thin of 10–15%. Trunk back right – removal of lower growth. Overall crown thin of 10–15%. Crown reduction overall of 2m and removal of growth in central bowl of tree.

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

DM/20/3602 – 41 Sergison Close

Lucastes

Extension to existing ground floor lean-to at the rear of property, part conversion of existing garage for utility room and associated landscaping works.

No comment.

DM/20/3625 – 19 Lewes Road**Franklands**

Hazel Tree – coppice to 1.2metres. Ash Trees x 6 – fell. Beech Tree – crown lift by 3–5 metres and reduce overall by 3 metres.

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

Week 2**DM/20/1470 – Workshop and Garages, North Road****Bentswood**

Demolition of existing buildings and cessation of existing commercial uses (B1/B8 use) and redevelopment of site to provide 6 new dwellings (C3 use), comprising 5 x terraced units and 1 x detached unit, together with associated car parking and landscaping. Existing accesses from Eastern Road and North Road to be retained. (Amended drawings received on 13.08.2020 to include angled window to bed 1 of plot 6, full hipped roofs to plots A and E and section to show the south-west elevation of plot 6.) Additional information received on 29.09.2020.

The Town Council notes the submission of additional information – a Reptile Survey Report – received by Mid Sussex District Council on 29/09/2020. This does nothing to alter the Town Council's opposition to the application and once again, therefore, it reiterates the apposite comments and observations that were previously submitted on 11/09/2020. For the avoidance of doubt, these are as follows:

The Town Council notes the submission of amended drawings (received by Mid Sussex District Council (MSDC) on 13/08/2020) which include angled window to bed 1 of plot 6, full hipped roofs to plots A and E, section to show the south-west elevation of plot 6, and three additional parking spaces. Members also note the following documents on MSDC's Online Public Register, which are of particular significance:

- the series of comprehensive and valid objections raised by local resident Mr Jones;
- the email dated 05/08/2020 from MSDC's Senior Planning Officer to the applicant's agent in which she expresses the opinion that the revised drawings have not adequately overcome her original concerns regarding 'overdevelopment and coverage of proposed buildings across the site on this elevated backland location', and impact on residential amenity;
- the consultation responses from West Sussex County Council (WSSCC) Highways dated 17/06/2020 and 20/07/2020 which raise no objection, **contrary** to the objection raised (by a different WSSCC Officer) in respect of the earlier, similar application for the site (DM/17/2492 refers). At that time, the Officer concluded that *'the proposed development fails to provide safe and suitable access for all users, contrary to paragraph 32 of the National Planning Policy Framework, by virtue of substandard visibility and access width'*. Nothing has changed in this regard.

The Town Council concludes that these latest revisions do nothing to alter its opposition to the application and it therefore reiterates the apposite comments and observations that were previously submitted on 02/06/2020. For the avoidance of doubt, these are as follows:

The Town Council notes that when compared to the previous application for this site (DM/17/2492 refers), this latest proposal has the following significant differences:

- there are six properties as opposed to seven;

cont.

- the orientation of the five terraced houses has been shifted by 90°;
- the detached dwelling has its own private driveway via a second, existing access point located beside no. 2 North Road and behind no. 140 Western Road.

Whilst the proposal may be more visually attractive in design terms, the Town Council believes the outcome would be the same as before and therefore **OBJECTS** to the application for the following reasons:

1. it does not accord with Policies E9 and H8 of the Haywards Heath Neighbourhood Plan;
2. the point at which the proposed vehicular/pedestrian access to/exit from the site meets the public highway in North Road is considered dangerous and unsuitable for the likely number of vehicle movements that would occur as a result of the development. The access is located on a bend in North Road and because of this, sight lines for vehicles emerging from the development would be inadequate and therefore detrimental to road safety;
3. apart from a 'draw-in' space at the entrance of the proposed vehicular/pedestrian access, it is not wide enough to accommodate two-way traffic. This would be likely to attract standing vehicles which would interrupt the free flow of traffic on the public highway (i.e. North Road) and thereby add to the hazards faced by road users at this point;
4. summing up points 2. and 3. above, the vehicular/pedestrian access is unsatisfactory to serve the proposed development by virtue of inadequate width and visibility;
5. the proposal that pedestrian access to/from the development would be indistinguishable from/shared with the vehicular route – as opposed to a dedicated raised footway – would increase the risks faced by all users of the access;
6. having regard to the limited area of the site, its relationship to existing residential properties and the incidental use of the proposed means of access, the proposal would give rise to an overdevelopment of the site which would be unneighbourly and detrimental to the amenities of those living nearby;
7. the overdevelopment of the site, together with the insufficiently wide access from North Road, would preclude the dwellings from being properly serviced by refuse, goods and emergency services vehicles, all of which would find it difficult to manoeuvre on site;
8. the siting of the proposed refuse bin store for two of the plots, adjacent to the rear boundary of number 18 North Road, would be unneighbourly and detrimental to the amenities of residents living there. This would be by virtue of the noise and disturbance created by the opening and closing of bin lids and the depositing of rubbish;
9. the proposed access meets the public highway in a locality which is heavily used by parents and schoolchildren en route to and from St. Wilfrid's Primary School in Eastern Road. The intensification of use of the access would therefore add to the hazards faced by highway users and would undermine the Safe Routes to Schools initiative advocated by West Sussex County Council.'

In the unwelcome event that planning permission is granted, the Town Council requests that developer Section 106 contributions for local community infrastructure are allocated towards the supply and installation of energy efficient LED lighting in the footpaths/twittens located in and around the Bentswood Ward of the town.

DM/20/3480 – 6 Rushwood Close

Franklands

Oak – reduce height of oak tree and trim branches by no more than 4 metres.

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

DM/20/3516 – Maxwelton House, 41–43 Boltro Road

Heath

Demolition of existing office building and provision of 56 apartments with associated parking and landscaping.

The Town Council **SUPPORTS** this application but does have concerns relating to the number of on-site parking spaces provided. The Town Council requests that any permission granted is subject to compliance with the following conditions:

1. in order to protect resident amenity, works of construction or demolition (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. developer Section 106 contributions should be directed to provide a new cycleway from the rear of Clair Hall and the Premier Inn Hotel up towards The Orchards Shopping Centre via Heath Road and Church Road (the cycleway to be lit);
3. in the interests of sustainability and to accord with Policies DP39 and DP40 of the Mid Sussex District Plan 2014–2031, electric vehicle charging points should be provided and there should be provision for future-proofing so that additional points can be added in the future without undue disruption to the development.

DM/20/3524 – Land at Penland Farm, Hanlye Lane, Cuckfield

Lucastes

Variation of planning condition nos 3, 7, 8, 9, 10, 14, 16, 17 and 26 attached to planning permission ref. DM/19/0535 (pursuant to the approved permission DM/18/0194 and DM/16/1803) to allow for the relocation of a drainage pond and play area, and a revised platform design.

No comment.

DM/20/3626 – 81–83 South Road

Ashenground

Consent to display 1 x illuminated fascia sign and 2 x illuminated projecting signs.

No comment.

DM/20/3634 – Heath House, Birch Avenue

Franklands

Remove Laurels at east side of house.

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

DM/20/3644 – The Heath Recreation Ground, Perrymount Road

Heath

Trees 07SL Larix Decidua – section fell dead tree. 0717 Acer Pseudoplatanus – remove broken branches. 07T5 Acer Pseudoplatanus – reduce height down by 4m to mitigate against damage to adjacent properties. 07SQ Pinus Sylvestris – section fell to ground level. 07U2 Pinus Nigra – section fell dead tree. 07TW Salix Caprea – section fell dead tree. 07TS Pinus Sylvestris – section fell dead tree. 07SA, 07SB, 07SC Thuja Plicata – crown lift over parking bays by 2.5m. 07S8 Taxus Baccata – reduce crown by 1m on west face only to clear gateway. 07PD Sorbus Aria – crown lift to 2.5m to clear car park and access road. 07PG Taxus Baccat – crown reduction by 0.5–1m to clear road sign. 07PR Fagus Sylvatica – cut back to clear street lamp by 1.5m and crown lift to 2.5m to clear car parking spaces.

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

DM/20/3655 – 40 Lewes Road

Franklands

T1 – Large Fir (Leylandii) – fell to ground level. (T2) – Maple – cut out dead wood as it is dying back and overhanging electricity lines.

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

DM/20/3672 - Oakwood House, 120 Lewes Road

Franklands

Sycamore Tree – remove.

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

Week 3

DM/20/2203 – 115 South Road

Ashenground

Proposed additional storey to existing three storey building to create a one bedroom flat. Amended plans received 13.10.2020 showing reduced scheme.

The Town Council notes the submission of amended plans (received by Mid Sussex District Council on 13/10/2020) showing a reduced scheme, and has no further comment to make.

DM/20/2971 – 1 Lower Village

Lucastes

Amended plans received 12.10.2020 showing orangery relocated to side of house.

The Town Council notes the submission of amended plans (received by Mid Sussex District Council (MSDC) on 12/10/2020) showing the proposed orangery relocated to the side of the house. Whilst the Town Council accepts the principle of development, it **OBJECTS** to this latest proposal as it still undermines Principle DG50 (Front and side extensions) of the (MSDC) Draft Mid Sussex Design Guide Supplementary Planning Document with its flat roof and lack of sympathetic glazing which would all be visible in a negative way from the public realm.

DM/20/3539 – 45B Wood Ride

Ashenground

Demolition of existing detached garage. Erection of 1 x 6 bedroom, 3 storey detached property and a pair of 4 bedroom, 3 storey semi-detached properties with detached garaging and associated surface parking. Erection of new gates.

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

1. it represents an overdevelopment of the site;
2. it would be overbearing;
3. it would result in a loss of privacy for the surrounding properties;

cont.

DM/20/3539 – 45B Wood Ride (cont.)

Ashenground

4. it would be contrary to Policy E13 of the Haywards Heath Neighbourhood Plan.

However, if the application is approved despite these objections, the Town Council requires that this is subject to compliance with the following conditions:

a. in order to protect resident amenity as this is in the midst of a residential area and the build is a commercial build for profit, works of construction or demolition (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;

b. electric vehicle charging points should be provided on each property.

DM/20/3646 – 46 St Pauls on The Green

Bentswood

Replace existing conservatory with new single storey rear extension and associated landscaping.

No comment.

DM/20/3685 – 25 Summerhill Close

Heath

Proposed loft conversion with dormer windows to the rear and side elevations and a part garage conversion with a new lean-to roof.

No comment.

DM/20/3745 – 45 Haywards Road

Ashenground

T1 Oak – overall crown reduce to old points by approx. 1.5m.

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

DM/20/3782 – 28 Lucastes Road

Lucastes

x2 Beech – fell. x1 Oak – fell.

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