



HAYWARDS HEATH TOWN COUNCIL

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30th May, 2019

To all Councillors on the Planning Committee and others for information

Dear Councillor,

You are hereby requested to attend a meeting of the **Planning Committee** to be held on **Monday, 3rd June 2019 at 7:30pm** in the Council Chamber, 40 Boltro Road, when the following business will be transacted.

Yours sincerely,
Steven Trice
Town Clerk

AGENDA

1. To receive apologies for absence.
2. To confirm the minutes of the meeting of the Planning Committee held on Tuesday, 14th May 2019.
3. To note Substitutes.
4. To receive Declarations of Interest from Members in respect of any matter on the agenda.
5. To note any appeals lodged or appeal decisions made, and licensing applications.

Appeals Lodged/Decided: **None**;

Licensing Applications: **None**.

6. To consider planning applications for comments and observations to be submitted to Mid Sussex District Council (MSDC).
7. To consider a consultation from MSDC on the release of Section 106 monies towards a grant for the redevelopment of the Haywards Heath Rugby Football Club clubhouse.
8. To consider any items that the Chairman agrees to take as urgent business.

*'During this meeting the public are allowed to film the Committee and officers only from the front of the public gallery, providing it does not disrupt the meeting. **Any items in the Exempt Part of the agenda cannot be filmed.** If another member of the public objects to being recorded, the person(s) filming must stop doing so until that member of the public has finished speaking. The use of social media is permitted but all members of the public are requested to switch their mobile devices to silent for the duration of the meeting.'*

Committee Members: C Laband (Chairman), M Pulfer (Vice Chairman), Mrs C Cheney, C Evans, Mrs S Inglesfield, A McPherson, R Nicholson, C Pitt.

HAYWARDS HEATH TOWN COUNCIL

PLANNING COMMITTEE

Minutes of the meeting held on Tuesday, 14 May 2019

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

* Absent

** Apologies

Also present: Regarding application number DM/19/1624 – Barn Cottage Pavilion:
the applicant, Mr Tony Pearson, who had registered to speak in order to give an overview *in support of* the proposal;

Regarding application number DM/19/0684 – 14 Harlands Close:
Mr Peter Paige and Mrs Maralyn Paige, who had registered to speak *against* the application.

1. **Apologies**

There were none.

2. **Minutes**

The Minutes of the meeting held on Monday, 15 April 2019 were taken as read, confirmed as a true record and duly signed by the Chairman.

3. **Substitutes**

There were none.

4. **Members' Declarations of Interest**

There were none.

5. **Planning Appeals**

Members noted that the following appeal had been **lodged** in respect of Mid Sussex District Council's (MSDC's) decision to refuse planning permission:

Date Lodged & References	Site	Description
29/04/2019 AP/19/0034 APP/D3830/D/19/3226435 (DM/19/0291 refers)	27 Lucastes Road HAYWARDS HEATH	Proposed two storey extensions to side and front and single storey extension to side

5. Planning Appeals (cont.)

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

Date Decided & References	Site	Description	Decision
03/05/2019 AP/19/0003 APP/D3830/W/19/3220010 (DM/18/2093 refers)	Linden House Birch Avenue HAYWARDS HEATH	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 August and 4 September 2018.)	Dismissed

6. Licensing Applications

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

Application No. & Applicant	Application Type	Premises Address	Nature of Application/ Variation
LI/19/0563 Casual Dining Services Ltd	Premises	Café Rouge 33 The Broadway	Variation – extend hours for sale of alcohol and regulated entertainment
LI/19/0607 Magical Productions Community Interest Company (Ansty and Staplefield Parish)	Premises	Borde Hill Parkland Borde Hill Lane	New premises licence

7. Comments and Observations on Planning Applications

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

8. Items Agreed as Urgent by the Chairman

There were none.

The meeting closed at 8:42pm.

APPENDIX 1

Week 1

DM/19/1097 – 46 Penland Road

Lucastes

Proposed erection of a 1.8m close board fence along boundary line adjacent to footpath to side of property, with new gates at rear access to driveway and garage.

The Town Council **supports** this application subject to the condition that the close board fence must be erected in the proper manner, i.e. with arris rails on the **inside** of the fence. This is to safeguard local amenity and the appearance of the street scene.

Regarding the new fence to the boundary with no. 1 Penland Close and the concerns that the resident of that property has raised, Members understand that the applicant has spoken to her and has explained that this section of fence will be the same height as the existing chain-link fence and will consist of a material on which they both agree. Members welcome the likely resolution of this issue by means of neighbourly discussion and cooperation.

DM/19/1417 – 3 Amberley Close

Lucastes

Demolition of existing conservatory and erection of single storey rear extension.

No comment.

DM/19/1420 – 21 Manaton Close

Bentswood

Oak tree (T1) – reduce height by 3 metres and reduce lateral spread by 2 metres.

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

DM/19/1427 – 10 Barnmead

Heath

Oak tree – reduce by 1.5 metres to 2 metres.

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

DM/19/1442 – 25 Farlington Close

Bentswood

Single storey side extension.

No comment.

Week 2

DM/19/1455 – 32 Edward Road

Ashenground

Single storey rear and side extension.

No comment.

DM/19/1469 – 3 George Avenue

Franklands

Retrospective application for raised decking to a maximum height of 500mm.

No comment.

DM/19/1495 – 11 Old Wickham Lane

Heath

Garage conversion to a two bedroom annexe.

No comment.

Week 3

DM/19/0684 – 14 Harlands Close

Lucastes

Two storey side and rear extension and new decking. (Revised plan received 29/04/2019.)

The Town Council notes the submission of a revised plan for this application (received by Mid Sussex District Council on 29/04/2019) but this does nothing to alter the Council's opposition to the proposals. Therefore, the Town Council **objects** to the application and reiterates the following reasons for doing so:

1. the proposed extension would, by virtue of its bulk, scale and proximity to the boundary with no. 13 Harlands Close, give rise to an overbearing and unneighbourly form of development which would be detrimental to the amenities and privacy of the residents of no. 13 Harlands Close;
2. 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.

Further scrutiny of the plans has also raised concerns amongst Members about what impact the proposed decking would have on the residents of no. 13 Harlands Close. Given the topography of the application site and its relationship to no. 13, the decking has the potential to be detrimental to their amenities by virtue of overlooking and loss of privacy.

Finally, because of the way in which the properties at nos 13 and 14 Harlands Close are positioned relative to each other, Members are concerned that the proposed (gable end) bedroom window on the south-west elevation and the proposed dormer window (to the same bedroom) on the south-east elevation would overlook no. 13 to the detriment of the amenities of its residents.

DM/19/1580 – 54 Sydney Road

Heath

Demolition of existing single storey rear extension and erection of new single storey extensions to form new kitchen/dining/wet room.

No comment.

DM/19/1603 – 82 Sunnywood Drive

Ashenground

Front porch and infilling of the existing rear single storey extension.

No comment.

DM/19/1638 – 2 Ridgeway

Franklands

Two Oaks (T1 and T2) – to crown thin by 15–20%. One Horse Chestnut (T3) – to reshape the crown.

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

Week 4

DM/19/1033 – 11 Syresham Gardens

Bentswood

T1 Oak – reduce 2 metres and crown lift by 4.5 metres. T2 Sycamore – fell. (Revised description 08/05/2019.)

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

DM/19/1165 – 62 Gower Road**Ashenground**

Proposed construction of an external staircase to rear elevation.

Whilst the Town Council is cognisant of the previous approval for an external staircase at the rear of this property (expired application DM/15/3970 refers), it **objects** to this latest application for the following reasons:

1. the way in which the proposed staircase has been designed and sited means that it would obscure the rear window of the ground floor flat (no. 62A Gower Road) and would result in an unneighbourly and intrusive form of development;
2. it would be detrimental to the amenities and privacy of the residents of no. 62A Gower Road and would therefore conflict with Policy DP26 of the Mid Sussex District Plan 2014–2031 ('development does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP29)').

There is also concern that the staircase would be too close to the boiler flue of no. 62A Gower Road and this would result in conflict with Policy DP29 of the Mid Sussex District Plan 2014–2031. The proximity of the staircase to the flue may require gas safety certification.

DM/19/1246 – 1 Harlands Close**Lucastes**

Demolition of existing garage with 2 storey side extension to create annexe ancillary to the main dwelling. Erection of new double garage.

No comment.

DM/19/1544 – 37 Allen Road**Bentswood**

Proposed rear extension – part single storey, part two storey. 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/19/1624 – Barn Cottage Pavilion, Barn Cottage Lane**Bentswood**

New purpose-built community centre with joining tunnel to existing pavilion.

The Town Council fully **supports** this application which, if successful, would make a welcome and much needed addition to the provision of community facilities in this part of Haywards Heath. The building is of a sustainable design and the Planning Statement accompanying the application indicates compliance with the following policies of the Mid Sussex District Plan 2014–2031: DP1, DP2, DP3, DP24, DP25, DP28 and DP39. With regard to the Haywards Heath Neighbourhood Plan, the Town Council believes that the proposal meets Objective 6A (coordinate and improve green infrastructure in the town) paragraph 6.1 and complies with elements of Policies E1 and E9.

The Town Council requests that any permission granted is subject to the following conditions:

1. 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;

cont.

DM/19/1624 – Barn Cottage Pavilion, Barn Cottage Lane (cont.)

Bentswood

2. in accordance with the recommendation of Mid Sussex District Council's Senior Environmental Health Officer (email dated 09/05/2019 refers), a separate wash hand basin shall be fitted in the kitchen in addition to the main kitchen sink;

3. in the event that the centre is 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;

4. in order to protect local residents from undue noise and disturbance, all users shall vacate and secure the building by 2300 hours at the latest. This shall apply on all days of the week and on Bank Holidays and Public Holidays.

Furthermore, as the project evolves and progresses, those responsible for its delivery are asked to consider the following:

a. the installation of an effective and robust CCTV system in order to safeguard the centre against vandalism and to deter antisocial behaviour;

b. any proposals to install an air conditioning system (with its associated heat exchanger(s)) would have to ensure compliance with Mid Sussex District Council's environmental health requirements;

c. any proposals to introduce a lighting scheme for the exterior of the centre must be sympathetic to the locality and must safeguard local residents from unacceptable levels of light and disturbance. Advice on 'warm white' LED lighting should be sought from Mid Sussex District Council.

DM/19/1627 – 36 Updown Hill

Lucastes

Retrospective application for demolition of existing conservatory and replacement single storey rear extension.

No comment.

DM/19/1634 – 38 Gordon Road

Heath

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/19/1642 – 71A Western Road

Bentswood

Erection of first floor on existing bungalow to create a new 2 bedroom flat with a Juliette Balcony at the front of the property.

No comment.

DM/19/1644 – Land rear of 14 High Trees

Bentswood

T1 Oak – crown lift up to 7 metres.

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

DM/19/1689 – 1 Kingfisher Drive

Lucastes

Replacement pitched roof to existing rear conservatory.

No comment.

ITEM 6

Week 1

DM/19/1648 - Land Adjacent To Old Wickham Lane Wickham Way **Heath**

Change of use of agricultural land for the keeping of horses, the erection of a stable block with associated hardstanding, fencing and access track.

DM/19/1711 - 98 Harlands Road **Lucastes**

Convert the existing attached garage to form an office to include the removal of the garage door and insertion of window with wall below. Window and wall all to match existing. 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.

DM/19/1712 - 2 Aspen Walk **Franklands**

Proposed single storey front/side extension.

DM/19/1728 - 28 Ferny Croft **Lucastes**

Garage conversion and internal alterations.

DM/19/1742 - The Heath Recreation Ground Perrymount Road **Heath**

Installation of a 75m x 12m high ball stop fence along the northern boundary of Haywards Heath Cricket Club pitch

DM/19/1746 - 1 Washington Road **Bentswood**

External ramp and level platform to front and side of building, creating a level access.

DM/19/1760 - Ashton House Residential And Nursing Home Bolnore Road **Lucastes**

Training/Study building to sit on existing concrete hardstanding.

DM/19/1797 - 9 Elizabeth Place 13 Heath Road **Heath**

Row of conifers - reduce height by 3m

Week 2

DM/19/1759 - Alternative Healthcare Annexe Oathall House **Bentswood**
68 - 70 Oathall Road

Change of use from D1 (non-residential institutions) to B1 (Office- other than those within A2).

DM/19/1811 - 40 Lucastes Road **Lucastes**

Cherry (T1) reduce overall by 6m.

DM/19/1818 - 74 Haywards Road **Ashenground**

New rear extension to adjoin existing extension with raised roof height across both and flat skylight. (Revision to approved application DM/18/2654)

DM/19/1822 - 27 Bridgers Mill **Heath**

Extend garage forward at front elevation

DM/19/1828 -30 Edward Road **Ashenground**

Proposed single storey rear extension.

DM/19/1829 - 47 Harlands Road **Lucastes**

Single storey extension to rear, extending kitchen area.

DM/19/1830 - Denbre 5 Holly Road

Bentswood

Rear part two-storey/single storey extension with internal alterations.

DM/19/1885 - 31 Oathall Avenue

Bentswood

Detached single garage and workshop.

DM/19/1908 - Grosvenor Hall Bolnore Road

Lucastes

English Oak (T21) reduce limb to NorthEast by approximately 9m to fork union.

Week 3

DM/19/1881 - Linden House Birch Avenue

Franklands

Erection of detached 2-storey, 5-bed house with juliette balcony to front first floor elevation. Creation of new access point onto Birch Avenue, with associated landscaping.

DM/19/1913 - 66 Edward Road

Ashenground

Demolition of existing chimney stack, porch, glazed lean to and rear first floor dormer. Erection of single storey extensions to front and rear of property. Roof conversion including hip to gable works with a pitched roof front dormer and flat roof rear dormer.

DM/19/1932 - 23 Sergison Road

Lucastes

Replacement of flat roof with pitched roof. Bathroom extension to front elevation. New garage door and window to front elevation.

Committee Meeting: Planning
Report of: Responsible Financial Officer (RFO)
Date: 29th May 2019
Subject: Haywards Heath Rugby Football Club (HHRFC) – Section 106 (s106) Funding

1. At the meeting of the Town Council's Planning Committee held on 6th March 2017, Members considered a report giving details of a grant application from Haywards Heath Rugby Football Club (HHRFC) to Mid Sussex District Council (MSDC) for the release of £100,000 of Section 106 (s106) monies towards a £750,000 project to redevelop their clubhouse at Whitemans Green, Cuckfield. The report included a breakdown of the proposed Haywards Heath-related s106 contributions for 'Formal Sport' that MSDC had identified as being appropriate to allocate towards the grant. These amounted to £46,819.
2. At that time, there was general agreement amongst Members that a project such as this should be supported since it would give rise to improved facilities for those wishing to play rugby in the local area. It was acknowledged that whilst the Club was based outside of Haywards Heath, a significant number of its members would almost certainly come from the town. It also had an active youth section, which was something that should be encouraged and promoted.
3. After due consideration, Members agreed to **support** the release of the s106 monies but requested that this be made conditional on the following:
 - i. the grant application receiving an appropriate level of scrutiny by MSDC;
 - ii. HHRFC being able to secure funding for the entire project within a one year time limit;
 - iii. Cuckfield Parish Council agreeing to release a proportion of its s106 allocation towards the grant;
 - iv. HHRFC making the new facility available for use by other clubs/groups that used the Whitemans Green sports ground;
 - v. some form of acknowledgement that the Town Council was investing the financial resources available to it for the benefit of the town's residents.
4. The grant application was subsequently withdrawn.
5. The Community Facilities Project Officer (Community Services, Policy and Performance) at MSDC has now received a new application for a grant of £350,000, which will be considered by the Cabinet Grants Panel on 18th June 2019. She is proposing a grant of up to £100,000 towards this latest project from 'Formal Sport' s106 contributions received in respect of the following developments:

Haywards Heath Locations	Application No.	Amount
Land west of Beech Hurst	11/02123/OUT	£3,665.61
Land at Penland Farm	DM/16/1806	£46,334.39
Total		£50,000.00

cont.

5. (cont.)

Cuckfield Locations	Application No.	Amount
Land at Chatfield Road	10/00516/FUL	£37,982.47
Land at Bylanes Close	09/03857/out	£12,017.53
Total		£50,000.00

6. The amount of grant being proposed has been guided by the funds available and the work that MSDC has undertaken recently to draft a new Playing Pitch Strategy for the District. This has identified Whitemans Green as a priority site and supports the redevelopment of the rugby changing facilities plus a number of other improvement projects. The final draft of the Playing Pitch Strategy will be available this summer.
7. The Town Council is being asked to consider whether it would support the release of the above mentioned **Haywards Heath** total, i.e. £50,000, towards this project. Members need to think about how many Haywards Heath residents belong to the Club, use its facilities and would benefit from the proposed redevelopment of the clubhouse. The number is likely to be notable given there are no recreational rugby pitches in the town and Whitemans Green is the nearest sports ground for those who want to play.
8. Another factor that needs to be taken into account, not just for this particular application but in respect of all s106 contributions, is the date by which funds must be spent in order to avoid them potentially being forfeited. s106 Agreements normally include clauses stating when and how funds will be used by and allow for their return, after an agreed period of time, when they are not. It could be argued that putting both amounts together towards a single project would achieve a better outcome for the community than using them on an individual or piecemeal basis.

Recommendation:

9. It is recommended that:

Members AGREE to the release of £50,000 of Haywards Heath-related 'Formal Sport' Section 106 monies towards a £100,000 grant being proposed for Haywards Heath Rugby Football Club for the redevelopment of their clubhouse at Whitemans Green, Cuckfield. The funds are to be drawn from the following two developments:

Haywards Heath Locations	Application No.	Amount
Land west of Beech Hurst	11/02123/OUT	£3,665.61
Land at Penland Farm	DM/16/1806	£46,334.39
Total		£50,000.00

This is conditional on the following:

- i. the grant application receiving an appropriate level of scrutiny by MSDC;
- ii. HHRFC being able to secure funding for the entire project within a one year time limit;

cont.

- iii. Cuckfield Parish Council agreeing to release a proportion of its s106 allocation towards the grant;**
- iv. HHRFC making the new facility available for use by other clubs/groups that use the Whitemans Green sports ground;**
- v. some form of acknowledgement that the Town Council is investing the financial resources available to it for the benefit of the town's residents.**