

HAYWARDS HEATH TOWN COUNCIL

PLANNING COMMITTEE

Minutes of the meeting held on Monday, 28 October 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
S Wickremaratchi

* Absent

** Apologies

Also present:

Councillor R S Bates
Councillor Mrs S M Ellis
Councillor J D Knight
Councillor H A Mundin

Regarding agenda item 8 – MSDC consultation on the release of Section 106 monies for a grant to Haywards Heath Tennis Club:

Mr Andy Crook, Mr Stephen Mills and Mr Paul Smith, members of the Club who were attending in order to give a short presentation on proposals to replace their clubhouse and to answer any questions that Members may have;

Regarding application number DM/19/3619 – Beech Hurst Depot, Bolnore Road:

Mr Clive Bremner and Mr Brian Higginson, both of whom had registered to speak regarding the application;
Mrs Sheila Higginson.

The Chairman welcomed Councillor Mundin to the meeting, following his re-election to the Town Council at the Franklands Ward by-election on 17 October 2019.

69. Apologies

The following apologies were received:

Member	Reason for Absence
Cllr M J Pulfer	Training session in connection with his role as a Member of Mid Sussex District Council
Cllr Mrs S J Inglesfield	Holiday
Cllr A C McPherson	Holiday

70. Minutes

The Minutes of the meeting held on Monday, 7 October 2019 were taken as read, confirmed as a true record and duly signed by the Chairman.

71. Substitutes

Councillor MUNDIN substituted for Councillor PULFER, Councillor BATES substituted for Councillor Mrs INGLESFIELD and Councillor KNIGHT substituted for Councillor McPERSON.

In the absence of Councillor PULFER (Vice Chairman), Councillor LABAND nominated Councillor WICKREMARATCHI to act as Vice Chairman for the meeting. This was seconded by Councillor KNIGHT and **AGREED** unanimously by the Committee.

72. Members' Declarations of Interest

Councillor Clive Laband 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) District Planning Committee. I further reserve the right to alter my views should the applications come before the District Planning Committee, based on contributions from the public, other Members or reports from MSDC Officers."

Councillor Richard Bates confirmed the same interest.

Other declarations were made as follows:

Member	Application No./ Agenda Item No.	Location	Nature of Interest
Cllr R S Bates Cllr Mrs S M Ellis Cllr J D Knight Cllr C N Laband	DM/19/3619	Beech Hurst Depot, Bolnore Road	Are Members of Mid Sussex District Council, which owns the application site
Cllr S Wickremaratchi	DM/19/3619	Beech Hurst Depot, Bolnore Road	Is a Member of West Sussex County Council (WSCC) and Senior Adviser to the WSCC Cabinet Member for Highways
Cllr C N Laband	DM/19/4194	60 The Broadway	Personal – lives behind and close to the application site
Cllr R S Bates	Agenda Item 8 – re Haywards Heath Tennis Club	Victoria Park	Knows members of Haywards Heath Tennis Club <i>Cllr Bates took no part in the consideration of this item</i>

73. Planning Appeals

There were none.

74. Licensing Applications

There were none.

75. MSDC Consultation on the Release of Section 106 (s106) Monies for a Grant to Haywards Heath Tennis Club

As well as receiving a presentation from members of Haywards Heath Tennis Club and having the opportunity to ask them questions, Members had before them a report giving details of the Club's application to MSDC for a grant of £65,040 towards a £110,000 (approx.) project to replace its clubhouse in Victoria Park. This would provide a modern facility with, amongst other things, electricity, hot and cold running water and an accessible toilet to cater for all.

MSDC's Community Facilities Project Officer was recommending that the full amount of the grant be funded by the release of 'Formal Sport' s106 contributions from four specific developments in Haywards Heath. MSDC was keen to work in partnership with the Club to increase use of the (MSDC-owned) tennis courts and since their resurfacing last year, there had been an increase in public play. The Town Council was being asked to consider whether it would support the release of the funds.

After due discussion and consideration, Members felt that a project such as this should receive the full backing of the Town Council and it was **AGREED**, therefore, to wholeheartedly support the release of £65,040 of Haywards Heath-related s106 monies for 'Formal Sport' in the form of a grant to Haywards Heath Tennis Club for the replacement of its clubhouse. The Committee did request, however, that release of the monies should be made conditional on the following:

- appropriate scrutiny of the application by MSDC;
- the Club being able to secure funding for the entire project within a one year time limit;
- the Club obtaining three or more written tenders for the project.

It should be noted that at this point (8:00pm approx.), Councillor Bates left the meeting and took no further part in proceedings.

76. Comments and Observations on Planning Applications

Members made comments and observations on 17 planning applications as per Appendix 1 attached.

77. MSDC Consultation on Licensing Policy relating to Animal Welfare – (Licensing of Activities Involving Animals) (England) Regulations 2018

In advance of the meeting, Members had been emailed with consultation documents from MSDC regarding the introduction of a new Licensing Policy relating to the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018. The Policy would set out how MSDC would exercise its functions under the Regulations.

cont.

77. **MSDC Consultation on Licensing Policy relating to Animal Welfare – (Licensing of Activities Involving Animals) (England) Regulations 2018 (cont.)**

The aim was to ensure that MSDC, current and potential licence holders and the public were familiar with how the Regulations were administered within the District. The Policy would be reviewed at least every 5 years following first approval, and at other times where considered necessary, for example, to reflect significant changes in relevant legislation or guidance.

Based on the comments/observations received from those Members who *had* responded to the consultation, Councillor Laband had drafted the following proposed response on behalf of the Town Council. This had been included in the agenda for Members to consider:

**Haywards Heath Town Council comments relate to:
Regulation for Breeding, Boarding, Transportation, Revocation of licences,
Collaboration**

11.2. Detailed policy should specify minimum acceptable standards required to transport animals safely and humanely. This is an intrinsic part of licensable activity. For example, transportation of show animals or livestock for sale/slaughter.

17.7./17.8. What penalties apply in case of the license being revoked?
If enforcement measures are taken because of animal neglect or abuse, then safe custody of the animals must be ensured by clear policy requirements until issues logged are resolved. Requirement for an audit trail of enforcement delivery?

3.0. We note that dogs seemed to be the only species singled out for special regulation. **This should apply to all animals, whether classified as pets, show animals or livestock.**

Equine: Should the Animal Welfare Policy apply safety requirements to regulate horse riders and/or Public Rights of Way/bridle paths? If so, what are they?

Collaborative Reporting/Support/Enforcement/Intervention

The Town Council would like to see collaborative networking practices adopted to include scope to involve Community Wardens for intervention if required, to broaden protection coverage for vulnerable animals in the district.

Summary:

The Town Council supports the most stringent policies possible for the protection and control of animal welfare and appreciates the opportunity to provide comment during the consultation period, prior to consideration/adoption.

Members **AGREED** to support the introduction of a Licensing Policy relating to the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 and it was further **AGREED** to submit the proposed Town Council response to MSDC's Licensing Team without further amendment.

78. Urgent Item – Flooding Issues at Gamblemead Development Site

Councillor Laband informed the Committee that Members had received complaints from residents of Cape Road – part of the Gamblemead residential development – detailing serious flooding issues in the proximity of the restricted build area. The flooding had necessitated the emergency removal of surface water by tankers in order to prevent contamination of the nearby water course with foul/raw sewage.

In light of this problem and its relationship to the Gamblemead development site where an additional 19 dwellings had recently been proposed (application DM/19/2764 refers), Councillor Laband proposed that the Town Council should ask MSDC to defer any decision to approve the application, pending receipt of a full drainage report on how the problem was going to be rectified.

Members **AGREED** that this would be an appropriate course of action to take and that MSDC should be contacted as a matter of urgency.

The meeting closed at 8:59pm.

APPENDIX 1

Deferred from the previous meeting held on 7 October 2019

DM/19/3619 – Mid Sussex District Council, Beech Hurst Depot, Bolnore Road **Lucastes**

Demolition of existing buildings and redevelopment to provide 18 dwellings comprising 2 no. 1-bed flats, 4 no. 2-bed flats, 5 no. 2-bed houses, 3 no. 3-bed houses and 4 no. 4-bed houses with associated access, landscaping and car parking.

This site is earmarked in the Haywards Heath Neighbourhood Plan (HHNP), detailed in Policy H5, and thus the principle of development is already established for approximately 15 housing units. The Town Council welcomes the provision of additional affordable housing in excess of policy requirements; however, the Town Council notes ongoing concerns relating to density on the site.

The overriding concern raised by residents is the poor condition of Bolnore Road and the potential for further damage from the construction process. The Town Council critically notes representations from residents and specifically the West Sussex County Council Public Rights of Way (WSSC PROW) requirement for a planning condition as follows:

'if planning permission is granted for this development a condition should be included for resurfacing of Bolnore Road from the end of the D classified section through to the access road for the development site. This is the request of WSSC PROW to ensure that the future increases in private use of this route does not result in a deteriorating surface of the PROW. WSSC Highways have also been consulted on this application and any comments regarding the section carrying D status will be included by the Highways Officer.'

The Town Council wishes to reinforce this condition by requesting that the entire western end of Bolnore Road, i.e. from Saddlers Way westwards, is brought up to a WSSC Highways adoptable standard which includes the provision of a footway. The highway is to be constructed using materials of the appropriate grade, i.e. nothing substandard.

For the absence of doubt, if this planning condition is not delivered, the Town Council OBJECTS to the application.

In addition to the above condition – which the Town Council considers non-negotiable – any permission granted must also be subject to the following:

- no development shall take place, including any works of demolition, until a Construction Management Plan (CMP) has been submitted to and approved by Mid Sussex District Council (MSDC). The CMP shall follow the access and working hours restrictions that applied to the development of Phase 5 of Bolnore Village and shall include but not be limited to the following:
 1. in the spirit of neighbourliness, community engagement and to demonstrate best practice, the developers must consult with local residents and notify them in advance of the key stages of development. They must provide a meaningful liaison forum with and for residents for the duration of the build;
 2. the developers must be required to fund pre-commencement (of works) and post-completion surveys of the condition of Bolnore Road and verges and must be obligated to rectify, on an ongoing basis, any defects that are attributable to construction traffic. A post-completion survey must be approved by WSSC Highways and/or MSDC prior to first residential occupation of the development;

cont.

DM/19/3619 – Mid Sussex District Council, Beech Hurst Depot, Bolnore Rd (cont.) Lucastes

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 be limited to the following times:

Monday–Friday	08:00–18:00 hours;
Saturday	09:00–13:00 hours;
Sunday and Bank/Public Holidays	No work permitted;

4. access to the site for HGVs over 7.5 tonnes and for articulated vehicles shall be limited to the following times:

Monday–Friday	09:15–15:30 hours;
Saturday, Sunday and Bank/Public Holidays	No access permitted;

5. access to the site for heavy plant shall be limited to the following times:

Monday–Friday	11:00–15:00 hours;
Saturday, Sunday and Bank/Public Holidays	No access permitted;

6. no construction or supply vehicles shall exceed a speed limit of 10mph along Bolnore Road. Advisory 10mph speed restriction signs shall be erected in Bolnore Road by the developers (subject to approval by WSCC Highways);

7. in order to ensure the safety of all highway users, there shall be no parking of contractors', developers' or visitors' vehicles on the BOAT (byway open to all traffic) section of Bolnore Road. There are no enforceable parking restrictions here and the developers must therefore be required to erect temporary barriers to prevent parking on the verge.

The Town Council urges colleagues within the higher tiers of local government to engage in all steps necessary to get the western end of Bolnore Road brought up to standard and adopted once and for all. This could coincide with the implementation of traffic calming measures, and parking restrictions (say weekdays between 09:00 and 10:00 hours, and 13:00 and 14:00 hours) to prevent commuter parking.

The Town Council requests that developer Section 106 contributions for local community infrastructure are allocated towards the proposed Country Park on land off of Hurstwood Lane.

Week 1

DM/19/4036 – 8 Chapman Way

Franklands

Proposed single storey rear extension with flat roof and 2 no. lantern style roof lights, and the partial conversion of the integral garage (amended description 04.10.19).

The Town Council notes the amended description dated 04/10/19 and has no comment to make.

DM/19/4191 – 34 Oathall Road

Bentswood

2 x Beech trees (T1) and (T2) – reduce crown height and spread by approximately 2m to 2.5m.

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

DM/19/4220 – 49 Lucastes Avenue

Lucastes

(T1) Western Red Cedar – fell to ground level. (T2) – fell to ground level. (T3) Hazel – coppice.

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

Week 2

DM/19/3395 – Rosina, College Road

Heath

Proposed single storey porch to the front elevation.

No comment.

DM/19/3459 – Premier Inn, 38–42 Perrymount Road

Heath

Installation of cycle store.

The Town Council **supports** the provision of additional cycle racks. However, for the avoidance of doubt, use should be available to all users of the building, i.e. both staff and guests.

DM/19/3942 – Parkmead House, 13 Birchen Lane

Heath

Demolish existing garage and conservatory and erect a replacement double detached garage. Front, rear and side, two storey extensions and roof conversion. Glazed balconies to first floor rear elevation and velux rooflights to all roof elevations. New front porch.

The Town Council notes that there are seven Category C trees proposed for removal and therefore asks that any permission granted is conditional on a tree replacement/replanting scheme being agreed with Mid Sussex District Council's Tree Officer.

DM/19/4048 – 55 Gordon Road

Heath

Erection of conservatory

No comment.

DM/19/4154 – Fox and Hounds, Fox Hill

Franklands

T1 Willow – reduce crown by 2m away from the roof.

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

DM/19/4194 – 60 The Broadway

Heath

New extract system to existing restaurant.

Neighbours have complained informally of odour from this installation, evidenced by black smoke and cooking smells, together with noise from fans when operating. It is very noticeable that there is a considerable level of ambient noise in the vicinity, emerging potentially from several installations. For transparency and in order to be fair to all businesses and to protect resident amenity, all installations should comply with environmental health legislation. These are: Turquoise Kitchen (60 The Broadway), Orange Square (52–54 The Broadway), Goa Inn (50 The Broadway), Savannah Café Bar (44–46 The Broadway) and Capital House (1–5 Perrymount Road). All operate large fan installations and in order to be fair and transparent, the Town Council asks that all these installations are checked and certified for compliance to protect nearby residential amenity.

DM/19/4240 – 32 Lucastes Lane

Lucastes

Replace conservatory with a single storey extension and replace existing first floor rear dormer with new enlarged pitched roof dormer.

No comment.

DM/19/4244 – New Larchwood House, 1A Anscombe Woods Crescent

Franklands

Proposed rear single storey extension.

The Town Council makes no comment other than to note that an earlier proposal for a rear and side single storey extension, permitted under application number DM/15/1188, expired in 2018.

DM/19/4273 – 30 Lucastes Road

Lucastes

Demolition of existing garage. New orangery to rear.

Whilst the Town Council makes no comment regarding the proposals themselves, it does ask that the applicants give due consideration to the comments made by the neighbour, Mr Finbow, of 11 Sherwood Drive.

Week 3

DM/19/3059 – Shell Birch, 5 Lewes Road

Franklands

Proposed single storey side extensions, new timber-fenced bin store and creation of 3 no. parking spaces. (Amended plans and description received 16.10.2019.)

The Town Council notes the submission of amended plans and an amended description (received by Mid Sussex District Council on 16/10/2019) and has no comment to make.

DM/19/3853 – 26 Lucastes Lane

Lucastes

Proposed two storey side extension. (Amended plans received 18.10.2019.)

The Town Council notes the submission of amended plans (received by Mid Sussex District Council on 18/10/2019) and has no comment to make.

DM/19/4345 – Hayworthe House, Market Place

Heath

Consent to display 1 x non-illuminated hoarding advertisement.

No comment.

DM/19/4400 – Muster Green South

Heath

See tree schedule.

The Town Council has submitted this application in its capacity as custodian of this much-loved community asset. It therefore defers this decision to Mid Sussex District Council's Tree Officer.