

# HAYWARDS HEATH TOWN COUNCIL

## PLANNING COMMITTEE

### Minutes of the meeting held on Monday, 16 September 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

\* Absent  
\*\* Apologies

Also present: Councillor Mrs S M Ellis

Regarding application number DM/19/3017 – 70 Wood Ride:  
Mr David Barnes and Mr Stephen Fisher, both of whom had registered to speak *against* the application.

#### 52. Apologies

The following apology was received:

Member	Reason for Absence
Cllr Mrs C Cheney	Holiday

#### 53. Minutes

The Minutes of the meeting held on Tuesday, 27 August 2019 were taken as read, confirmed as a true record and duly signed by the Chairman.

#### 54. Substitutes

Councillor Mrs Ellis substituted for Councillor Mrs Cheney.

#### 55. 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."

**cont.**

**55. 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."

**56. Planning Appeals**

There were none.

**57. Licensing Applications**

There were none.

**58. Comments and Observations on Planning Applications**

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

**59. 'Destination Haywards Heath' – Recommendation of the Planning Working Group**

Further to a meeting of the Planning Working Group (PWG) held on 3<sup>rd</sup> September 2019, Members had been provided with a copy of 'Destination Haywards Heath' – the Town Council's aspirational Business Plan – with a recommendation from the PWG to the Planning Committee to **recommend the 'Destination Haywards Heath' document, as presented, for adoption by Full Council on 30<sup>th</sup> September 2019.**

Councillor Laband informed Members that the first sentence under the heading **New Homes and Jobs** needed amending; the figure of 15,000 (new jobs) should be 2,500.

Subject to this amendment, Members **AGREED** unanimously to recommend the 'Destination Haywards Heath' document, as presented, for adoption by Full Council on 30<sup>th</sup> September 2019.

**60. Items Agreed as Urgent by the Chairman**

There were none.

The meeting closed at 8:54pm.

## APPENDIX 1

### Week 1

#### **DM/19/3292 – St. Francis Sports and Social Club, Colwell Road**

**Franklands**

Additions to existing building to create new single storey Community Hall with ancillary meeting room facilities, site museum, WC facilities plus parking and external works (amended scheme to that approved under DM/17/0852).

The Town Council fully **supports** this application which, like the earlier proposal approved under Mid Sussex District Council (MSDC) reference DM/17/0852, ties in with Policy L8 of the Haywards Heath Neighbourhood Plan. The provision of additional and enhances facilities for use by the local community is to be welcomed.

Whilst the representations made by members of the public are duly noted, most of the concerns raised have already been addressed during the consideration and determination of the extant approved scheme. However, the Town Council concurs with the correspondence dated 13 June 2019 from MSDC's Team Leader (Major Development and Enforcement) to the architects, particularly where he comments *'in the submission of any revised application, very careful consideration is given to the matters that arise through the determination of the previous application, particularly in respect of the representations received.'*

The Town Council also wishes to highlight the conclusions of RF Environmental regarding the noise impact of this new proposal, which state *'it can be concluded that the noise impact from the newly proposed building will be less than originally assessed at the properties to the west of the site, while there would no increase in noise at properties to the north of the site. Noise impact at properties to the east of the site would also be low due to distance. The noise control conditions included on the original planning consent would be adequate in controlling noise from the newly proposed development and no further assessment of noise impact is deemed to be necessary.'*

The Town Council requests that all apposite comments and observations that it submitted in respect of application DM/17/0852 are taken into account when considering this latest proposal. For the record, these are laid out below.

#### **Comments/observations submitted re DM/17/0852**

The enhancement of the existing facilities at the St. Francis Sports Site is covered under Policy L8 of the Haywards Heath Neighbourhood Plan and the Town Council welcomes the opportunity to comment on this planning application which seeks to make various additions to the existing building.

The Town Council is mindful of the sensitivities of the site in relation to its proximity to existing residential properties and its setting beneath the Grade II listed former St. Francis Hospital buildings, now known as Southdowns Park. After due consideration of the proposals, the Town Council **supports** this application in principle, subject to the following caveats:

- there should be a comprehensive review/investigation of any restrictive covenants that may apply to the site;
- an existing car park – not part of this application – near to the bowls club shall be made available as an overflow car park for the new facility and shall remain so in perpetuity;
- a Noise Management Plan shall be implemented in order to monitor and control any noise that may be generated as a result of events being held at the facility. Section 6.0 (Noise Management and Control) of the Noise Assessment and Noise Management Plan (Technical Report: RFE-130-17-02) that accompanies the application would seem to cover the requirements necessary in order to safeguard resident amenity;

**cont.**

- whilst acknowledging that an independent Traffic Report has been prepared in support of the application, it is requested that a 'site visited' traffic survey – as opposed to a desktop study – be carried out by West Sussex County Council in its capacity as local highway authority;
- in advance of any development taking place on the site, there must be 'official' sight of any legal Agreement that confirms the St. Francis Social and Sports Club's (SFSSC's) right of access over the road network within the Princess Royal Hospital site;
- where necessary, and particularly at the western boundary of the site, i.e. that nearest to Bowden Way, SFSSC shall erect fencing to prevent any external (and unauthorised) pedestrian access to the site other than by the permitted formal entrance and the public footpath close to the bowling green car park;
- the area of woodland at the south-western corner of the site shall be supplemented by additional planting in order to help close any gaps in the landscape screen and thus protect resident amenity in Bowden Way, etc.;
- regarding commercial deliveries and collections (including the removal of waste/refuse bins), there shall be none on Bank/Public Holidays or at any other time except between the hours of 08:00 and 18:00 Mondays to Fridays, and 09:00 and 13:00 Saturdays and/or Sundays; reason – to safeguard the amenities of nearby residents and to accord with Policies B3 and B23 of the Mid Sussex Local Plan and Policy DP27 of the draft Mid Sussex District Plan;
- the proposal shall be tested against all relevant policies contained within the Haywards Heath Neighbourhood Plan, with particular focus being given to Policy E9;
- there shall be no movement of glass within, to or from the facility ('bottling out') outside the hours of 08:00 to 20:00 daily; reason – to safeguard the amenities of nearby residents and to accord with Policies B3 and B23 of the Mid Sussex Local Plan and Policy DP27 of the draft Mid Sussex District Plan;
- throughout the construction period, the hours of works and any associated deliveries shall be restricted to 08:00 to 18:00 hours Monday to Fridays, 09:00 to 13:00 hours Saturdays, and no works on Sundays or Bank/Public Holidays; reason – to safeguard the amenities of nearby residents and to accord with Policies B3 and B23 of the Mid Sussex Local Plan and Policy DP27 of the draft Mid Sussex District Plan;
- with regard to the private road network serving the site, i.e. within the Princess Royal Hospital/Southdowns Park complex, there should be a fair and transparent Agreement between all permitted users of the road – which would include SFSSC – to ensure that they contribute their fair share to a separate fund, established and ring-fenced for road maintenance and road replacement in due course. All stakeholder interests in the road and its sustainability should be agreed as a planning condition in order to protect the wider public interest of continuity of access, the investment of public resources and to deliver the fiduciary duty of care to the Section 106 funding secured via the Mid Sussex District Council (MSDC) Cabinet Grants Panel;
- any proposed exterior lighting installations, e.g. street lights, shall have a warm LED light with a correlated colour temperature of between 2700K and 3000K; reason – to safeguard the amenities of nearby residents and to accord with Policy B24 of the Mid Sussex Local Plan and Policy DP27 of the draft Mid Sussex District Plan;

**cont.**

- no development shall take place until a Construction Management Plan (CMP) has been submitted to and approved by MSDC. The approved CMP shall be implemented and adhered to throughout the construction period and shall stipulate that all construction traffic must access and leave the application site via the main entrance to the Princess Royal Hospital, i.e. from the roundabout on the B272. Use of the access off Colwell Road, through Southdowns Park, shall be prohibited. SFSSC shall arrange for directional signposts to be installed at key points throughout the Princess Royal Hospital road network so as to clearly inform construction traffic of the direction of travel.

Looking at the proposed layout of the site, and in the interests of resident amenity in Bowden Way in particular, Members would like to know whether there would be any merit in repositioning the 4 (staff) parking spaces and the refuse bin store away from the south-western side of the site. However, this would have to be achieved without being detrimental to residents elsewhere, e.g. in Southdowns Park.

*Further comments from Haywards Heath Town Council following the applicant's submission of amended drawings and supporting documents to Mid Sussex District Council (dated 5 June 2017).*

The Town Council's position regarding this application remains one of **support** in principle. This accords with Policy L8 of the Haywards Heath Neighbourhood Plan.

The Town Council acknowledges that these amended plans go some way towards addressing concerns and issues that were raised when the application was first considered on 27 March 2017. At that time, there was particular focus on safeguarding the amenities of residents living in Bowden Way and Southdowns Park. However, Members are of the opinion that even with the amendments and additional documentation (traffic report), the application is lacking in crucial information relating to the predicted flow and management of traffic throughout the private road network serving the site (i.e. within the Princess Royal Hospital/Southdowns Park complex), not only during the construction period but beyond.

The Town Council was disappointed that a detailed traffic management report still remains outstanding and so requests that an all-embracing traffic management scheme is produced and that all stakeholders, the NHS Trust in particular, are formally consulted on the proposals. It must be obligatory for all traffic, construction or otherwise, to access and leave the application site via the main entrance to the Princess Royal Hospital, i.e. from the roundabout on the B272. Use of the access off Colwell Road, through Southdowns Park, should be prohibited.

Remaining on the subject of traffic management, the Town Council further requests that West Sussex County Council, in its capacity as highway authority, assesses the likely impact of construction traffic on the public highway in the locality. This should be by means of a 'site visited' traffic survey as opposed to a desktop study. In the interests of highway safety in what is a busy and densely populated area, construction traffic must be directed to arrive at and leave the Princess Royal Hospital main entrance via the Haywards Heath relief road (A272) roundabout to the east. This would prevent heavy goods vehicles from using other roads to the west – e.g. Franklynn Road, Colwell Road and Wivelsfield Road – as a short cut. Indeed Colwell Road, which is always heavily congested with on-street parking on its northern side, must be designated as off-limits to construction traffic at all times.

The Town Council remains concerned regarding the adequacy of parking facilities and how any overflow of cars will be debarred from parking in the Southdowns Park residences parking or surrounding roads.

**cont.**

**DM/19/3292 – St. Francis Sports and Social Club, Colwell Road (cont.)**

**Franklands**

The Town Council welcomes the inclusion of a 2 metre high close boarded fence along the entire length of the western boundary of the application site. However, Members understand that this may not extend far enough to prevent unauthorised pedestrian access to and from the site via Bowden Way. Therefore, the Town Council asks the St. Francis Social and Sports Club to revisit this issue in order to come up with a solution that would be acceptable to all parties. It may be helpful to consult with residents of Bowden Way to establish what their expectations are.

The Town Council asks that all comments and observations that remain apposite from its original submission dated 5 April 2017 are taken into consideration by Mid Sussex District Council when determining the application. The proposals must be tested against all relevant policies contained within the Haywards Heath Neighbourhood Plan, notably Policies L8 and E9:

**Policy L8**

Land is allocated at the St. Francis Sports Site for the enhancement of the existing facilities. Proposals will have to demonstrate:

- that the height, scale, design and materials of any proposed buildings are appropriate to the site and its location;
- the height, scale, design and materials of the development will not harm the setting of the adjacent listed building;
- there is no harm arising to the adjoining ancient woodland;
- that satisfactory vehicular arrangements and servicing are secured;
- that there will be no unacceptable levels of light, noise, air or water pollution to the nearby residential properties;
- that adequate car and cycle parking can be provided on site;
- that the development will safeguard the amenities of the neighbouring properties.

**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;
- the scale, design and materials of the development (highways, footways, open space and landscape), and is sympathetic to the setting of any heritage asset;
- respects the natural contours of a site and protects and sensitively incorporates natural features such as trees, hedges and ponds within the site;
- creates safe, accessible and well-connected environments that meet the needs of users;
- will not result in unacceptable levels of light, noise, air or water pollution;
- 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.

Proposals affecting a listed building, conservation area, building of local interest or public park of historic interest or their setting should preserve or enhance their special interest and/or distinctive character.

**DM/19/2087 – Busy Bees Childcare, St. Francis Chapel, Southdowns Park**

**Franklands**

Proposed 2 totem signs and 1 building sign (revised plans received 22<sup>nd</sup> August).

Despite the revisions to the proposed signage (received by Mid Sussex District Council on 22/08/2019), the Town Council **remains opposed** to this application and reiterates the reasons for this as follows:

**cont.**

### **DM/19/2087 – Busy Bees Childcare, St. Francis Chapel, Southdowns Park (cont.) Franklands**

1. the proposed signage is too garish and would be discordant with the architectural merits of the St. Francis Chapel, which is a Grade II Listed Building. This conflicts with elements of Policy E9 of the Haywards Heath Neighbourhood Plan (HHNP) and elements of Policy DP34 of the Mid Sussex District Plan (MSDP) 2014–2031;
2. the proposed signs would give rise to unduly prominent and incongruous features in the street scene to the detriment of visual amenity;
3. the proposed signs, by reason of their prominence and proximity to the mini roundabout in Southdowns Park, would form a source of distraction to drivers thereby constituting a hazard to highway users.

Furthermore, the proposed signage would have an intrusive, overbearing and negative effect upon the street scene and the two significant Grade II Listed Buildings that it would be proximate to. The amended signage *still* fails to deliver a positive contribution to the current or future development of this location as required by the HHNP and MSDP and significantly, the Mid Sussex Design Guide Supplementary Planning Document (Consultation Draft July 2019) refers to (Section 1.4) 'The value of good design' and this predominantly garish red signage fails to deliver upon the wider design aspirations outlined in this strategic document. Bearing in mind visitors know this nursery business is in one of our best heritage locations, the need for advertising to passing traffic on a private road is commercially insensitive to the location and redundant. One, much less intrusive sign would be enough to allow a visible locator for deliveries, etc.

### **DM/19/3260 – Car Park, Hayworth House, 2 Market Place**

**Heath**

Alterations to car park including new barriered entrance and exit, and signage. New external lighting and bin/cycle store facility.

The Town Council notes that between the proposed site layout plan (drawing number 103) and the (Kingfisher Lighting) lighting spread plan (drawing number D36332/LC/C), there is a discrepancy in the location of the bin store. On the site layout plan, it is located in the south-western corner whereas on the lighting spread plan, it is to be found midway along the western boundary.

If the application is permitted, the Town Council requires, for the absence of doubt, that the bin store should be permitted only as per the site layout plan, i.e. situated in the south-western corner. This would be to protect neighbouring resident amenity. Furthermore:

- any lighting installed should be a warm LED light with a correlated colour temperature of 2700K or lower to comply with Town Council lighting quality requirements (Policy E9 of the Haywards Heath Neighbourhood Plan refers);
- lighting column heights should be reduced to a level where nearby residents are not affected by any resultant light pollution;
- all emitted light should be focused solely downward, in order to protect the natural habitat and environment.

Nearby residents have a fundamental right to enjoy the comfort of their own homes without the need to close curtains or blinds to protect their internal environment from intrusive light pollution.

### **DM/19/3375 – 10 Elizabeth Place, 13 Heath Road**

**Heath**

Thuja (T1) – reduce by 4m.

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

**DM/19/3396 – Merrion, 21 Muster Green South**

**Lucastes**

Sweet cherry – reduce crown by 3m.

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

**Week 2**

**DM/19/2160 – 47 Lucastes Avenue**

**Lucastes**

Demolish existing garage and replace with a two storey side extension.

No comment.

**DM/19/3399 – 97 Western Road**

**Bentswood**

New pitched roof loft extension to create further habitable accommodation above existing extents. Associated internal and external alterations.

No comment.

**DM/19/3415 – Old Granary, Bridgers Mill**

**Heath**

To dismantle Ash tree. Reduce smaller Oak by 2m all over. Reduce larger Oak by 1.5–2m.

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

**DM/19/3427 – 15 Harlands Close**

**Lucastes**

Variation of Condition 2 of planning application DM/18/1912 – amend the dormer and rainwater goods material finishes.

No comment.

**DM/19/3473 – Oathall House, 68–70 Oathall Road**

**Bentswood**

T1 Silver Birch – fell. T2 Silver Birch – fell. T3 Silver Birch – fell. T4 Robinia – thin crown by 20%.

The Town Council **objects** to this application on the grounds that two of the silver birches – T2 and T3 – do not appear to warrant destruction.

The Town Council would like to ensure that this prime location within the important Heath Conservation Area is protected and that any tree removal is balanced by a replacement programme close to the existing tree growing area to protect and enhance the environment. Policies relevant to the application are:

- Haywards Heath Neighbourhood Plan Policy E9 – '...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: ...respects the natural contours of a site and protects and sensitively incorporates natural features such as trees, hedges and ponds within the site';
- Mid Sussex District Plan 2014–2031 Policy DP35 – Conservation Areas;
- Mid Sussex District Plan 2014–2031 Policy DP37 – Trees, Woodland and Hedgerows (to maintain biodiversity).

The Town Council therefore politely requests a site visit by Mid Sussex District Council's Tree Officer in order to verify and address these issues.

**DM/19/3478 – 11 Hurstfield Close****Franklands**

T1 Oak – reduce crown by 6m.

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

**DM/19/3495 – 17 Willow Park****Franklands**

(T1) English Oak – remove epicormic growth from lower stem up to 5 metres height. (T2) Silver Birch – reduce lateral spread by up to 2 metres heading east. Crown lift by 2.5 metres.

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

**DM/19/3514 – 8 The Droveaway****Lucastes**

T1 Hornbeam – reduce crown by approximately 3 metres. T2 Oak – remove deadwood. T3 Hornbeam – remove laterally crossing branch. T4 Hornbeam – cut back lower branches by approximately 1 metre.

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

**DM/19/3516 – 32 Lucastes Road****Lucastes**

Oak Tree (T1) – reduce crown by 3m. Lift canopy to a maximum of 2m. Thin crown by 10%. Spruce Tree (T2) – reduce crown by 7.62m.

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

**DM/19/3017 – 70 Wood Ride****Ashenground**

Resubmission of planning application DM/19/0219 for the removal of attached garage and construction of single/two storey rear/side extension incorporating changes to the proposed integral garage. Amended plans received 28.08.2019 showing side door and ramp removed.

The Town Council notes the serious concerns raised by two local residents, one of whom lives next door to the application property. It is alleged that the build has not proceeded in accordance with the extant planning permission granted on 1 April 2019 under Mid Sussex District Council (MSDC) application reference DM/19/0219, and is instead moving towards a development that has not been approved.

The Town Council takes a dim view of this and requests that an officer from MSDC's Planning Investigation and Enforcement Team visits the site as a matter of urgency prior to determination.

The following policies are relevant to the application that has been permitted:

- Haywards Heath Neighbourhood Plan – Policies E9 and H9;
- Mid Sussex District Plan 2014–2031 – Policy DP26.

Any amended proposals must be thoroughly scrutinized to ensure that they too accord with these policies.

### Week 3

#### **DM/19/3302 – 23 Rushwood Close**

**Franklands**

Demolish existing garage and erect a single storey side/rear extension with associated alterations.

Whilst the Town Council makes no comment regarding the proposed extension per se, there is concern that it would appear to overstep the boundary of the neighbouring property – no. 24 Rushwood Close – in that it extends beyond the eaves of that property. Has this been addressed with the owner(s)/occupier(s) of no. 24? Also, whilst not a material planning consideration, it should be noted that a Party Wall Agreement may be required on account of the wall of the proposed utility room abutting the flank wall of no. 24.

#### **DM/19/3517 – 31 Sergison Close**

**Lucastes**

Proposed first floor side extension, a single storey rear extension and an extension to the front porch area. (Revision to permitted application DM/19/0580 to complete the external facades with a lighter render than originally intended.)

No comment.

#### **DM/19/3592 – 80 Harlands Road**

**Lucastes**

To demolish the conservatory and erect a single storey rear extension with a pitched roof over the existing and new extension with two dormer windows above. Resubmission of permitted application DM/18/4056 to maintain first floor right side elevation window as an opening window.

No comment.

#### **DM/19/3653 – 50 Gower Road**

**Ashenground**

Proposed replacement of existing rear conservatory with a 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/19/3670 – 12 Lucastes Road**

**Lucastes**

Variation of condition 4 relating to planning application DM/17/0578 to permit a raft type of foundation.

No comment.