



HAYWARDS HEATH TOWN COUNCIL

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24th October, 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, 28th October 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 Monday, 7th October 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 MSDC consultation on the Statement of Licensing Policy relating to Animal Welfare – (Licensing of Activities involving Animals) (England) Regulations 2018.
8. To consider a consultation from MSDC on the release of Section 106 monies for a grant towards the replacement of the Haywards Heath Tennis Club clubhouse.
9. 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), C Cheney, C Evans, S Inglesfield, A McPherson, R Nicholson, S Wickremaratchi.

HAYWARDS HEATH TOWN COUNCIL

PLANNING COMMITTEE

Minutes of the meeting held on Monday, 7 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

The Chairman welcomed Councillor Wickremaratchi on to the Planning Committee. His appointment had been confirmed at the meeting of the Council held on Monday, 30 September 2019.

61. Apologies

The following apology was received:

Member	Reason for Absence
Cllr R A Nicholson	Travelling for work

62. Minutes

The Minutes of the meeting held on Monday, 16 September 2019 were taken as read, confirmed as a true record and duly signed by the Chairman.

63. Substitutes

There were none.

64. 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.

64. 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."

65. 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
18/09/2019 AP/19/0067 APP/D3830/W/19/3236156 (DM/19/1881 refers)	Linden House Birch Avenue HAYWARDS HEATH	Erection of detached 2-storey, 5-bed house with Juliette balcony to front first floor elevation. Creation of new access point on to Birch Avenue, with associated landscaping.

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
27/09/2019 AP/19/0031 APP/D3830/W/19/3224139 (DM/18/3856 refers)	Westwick 45 Lewes Road HAYWARDS HEATH	Demolition of existing side garage and construction of a 4 bedroom dwelling with associated landscaping works.	Dismissed

66. Licensing Applications

There were none.

67. Comments and Observations on Planning Applications

Members made comments and observations on 18 planning applications as per Appendix 1 attached.

68. Items Agreed as Urgent by the Chairman

There were none.

The meeting closed at 7:47pm.

APPENDIX 1

Week 1

DM/19/3008 – 12 Aster Way

Lucastes

Erection of a single storey rear conservatory.

No comment.

DM/19/3761 – 6 Pineham Copse

Bentswood

Oak – crown reduce by 1.5 metres and epicormic growth removed up to crown break.

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

DM/19/3768 – 10 Boltro Road

Heath

Proposed two storey side/ rear extension.

The Town Council notes the concerns raised by the neighbouring residents at no. 8 Boltro Road and draws them to the attention of the Case Officer for the application. If the application is approved, it is requested that the bathroom window (roof light) is glazed with obscure glass. The Town Council presumes that the owners of no. 8 will do likewise in order to protect mutual privacy in a bilateral manner.

DM/19/3770 – 3 Petlands Gardens

Ashenground

Proposed loft conversion to include 2 roof lights to the front elevation and a dormer to the rear elevation, internal alterations and amendments to windows and doors. 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/19/3780 – 24 Petlands Road

Ashenground

Proposed single storey rear extensions.

No comment.

DM/19/3789 – 119 Beech Hill

Franklands

Oak tree – remove two lowest (approximately 6ft from the ground) branches and relatively young branches overhanging neighbouring garden and roof of shed. Reduce crown by up to 2 metres all around.

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

Week 2

DM/19/3733 – Harlands Farmhouse, Bridgers Mill

Heath

(T1) Sycamore – raise canopy 2–3m and thin by 20%. (T2) Cherry – reduce canopy by 2–3m. (G3) – fell 13 conifers. (T4) Sycamore – reduce limbs hanging over number 66 Turners Mill Road by 4m. (T5) Ash – raise canopy by 2–3m and remove over reaching limbs to balance canopy by 3m.

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

Week 3

DM/19/2764 – Gamblemead, Fox Hill

Franklands

Full planning application to revise the approved and implemented permission (DM/17/0331) at land at Gamblemead, Fox Hill, to provide for 19 additional dwellings including 6 affordable units with associated landscaping, road layout, access and parking. Amended plans received 20 September showing revised designs to proposed dwellings.

The Town Council notes the submission of amended plans (received by Mid Sussex District Council on 20/09/2019) and reiterates the comments made when this application was first considered in early August 2019. These are as follows:

'The Town Council has **NO OBJECTION** to this application, as the principle of development had already been approved, by the planning authority, for the site prior to the adoption of Haywards Heath Neighbourhood Plan. The application is therefore in line with policy H8 of the Neighbourhood Plan as a Brownfield site being used to support the best use of already developed land. However, the Town Council still has concerns relating to the site being an unsustainable edge of Town development. The site remains cut off from the Town with poor transport linkages for cycling and for travel by bus. Furthermore, the need for traffic lights in the area is exacerbated by the increase in housing. The Town Council would also ask that an appropriate amount of car parking provision is made to support the uplift in housing.

With regards to the section 106 Local Community Infrastructure contributions the Town Council is unclear if the contribution generated from the additional 19 dwellings will be added to the original allocation or sit as a separate allocation of monies. This is on the grounds that the Town Council recognises pooling restrictions for the collection of monies for the development of a Country Park, Allotments and Cemetery off Hurstwood Lane. The Town Council asks to be informed on how the money is being allocated before confirming its requirement for the allocation of the monies so not to allocate to already fully pooled funded projects.'

In view of a change in Government guidance regarding Section 106 planning obligations, the Town Council requests that funds for Local Community Infrastructure are allocated towards pump-priming road safety improvements, i.e. the installation of traffic lights, at the junction of Hurstwood Lane with Fox Hill.

DM/19/2814 – 12 Pasture Hill Road

Lucastes

Proposed two storey rear/side extension (revised plans received 18.09.2019).

The Town Council notes the submission of revised plans (received by Mid Sussex District Council on 18/09/2019), which appear to have addressed the concerns raised by the resident at no. 8 Pasture Hill Road. The Town Council has no further comment to make.

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.

To enable Members of the Committee to properly familiarise themselves with all aspects of this application, it was agreed that consideration of the application would be deferred until the meeting scheduled for Monday, 28 October 2019.

DM/19/3853 – 26 Lucastes Lane

Lucastes

Proposed two storey side extension.

No comment.

DM/19/3972 – Lucaste Place, 2 Lucastes Road

Lucastes

Erection of new entrance gates.

No comment.

DM/19/3988 - Land adj. to Anerley, 1 Shire Lane

Lucastes

T1 Turkey Oak – crown lift lateral lower canopy branches up to 4 metres from ground level; on west aspect over property boundary by up to 2 metres to appropriate pruning points.

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

DM/19/4021 – 47 Wivelsfield Road

Ashenground

Row of Sycamore interspersed with Holly along length of boundary. Reduce overall height by 5 metres. Reduce back lateral branches to west to back previous pruning points.

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

DM/19/4036 – 8 Chapman Way

Franklands

Single storey rear extension with flat roof and 2 no. lantern style roof lights.

No comment.

DM/19/4051 – 15 Lucastes Road

Lucastes

T1 Ash – fell.

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

DM/19/4057 – Land opposite 43 to 61 Victoria Road

Bentswood

T1 Poplar – reduce crown by 10m. T2 Poplar – fell. T3 Oak – fell. T4 Poplar – fell (description amended 03.10.2019).

The Town Council **objects** to the felling of the oak (T3) and would prefer for it to be pruned instead. It is therefore requested that Mid Sussex District Council's Tree Officer carries out a site visit in order to inspect the tree and assess the situation.

DM/19/4058 – 49 Oathall Road

Heath

Liquidambar (T1) – reduce crown by 2m. Hazel (T2) – cut back to give 2m clearance from property.

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

DM/19/4111 – Franklands Village Housing Association, The Estate Office

Franklands

Various works to trees on Franklands Village as outlined on works schedule.

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

ITEM 6

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.

Members are reminded that this site has been identified in the Haywards Heath Neighbourhood Plan (HHNP) under **Policy H5**. Please refer to the following extract:

Paragraph 9.19 (page 41 of HHNP)

This site in Bolnore Road has been identified for development and is currently a mixed use site, partly in use as a depot/storage area for Mid Sussex District Council. It has prominent frontage to Bolnore Road and adjoins Beech Hurst Gardens. The character of Bolnore Road is mixed with a number of larger detached properties, sheltered accommodation together with some new housing development. The existing strong hedge and tree boundaries should be retained and reinforced by new planting and the mature individual specimen native trees should be retained as part of the development.

Policy H5 – Beech Hurst Depot, Bolnore Road (Site Area: 0.8 Hectares)

- Capacity: The site should provide for approximately 15 dwellings;
- Form, Layout and Landscaping: Proposals should respect the character of Bolnore Road and the form, scale, layout and landscaping of the development should ensure that it responds sensitively to its setting alongside Beech Hurst Gardens;
- Infrastructure: Sustainable drainage systems (SUDS) should be used to minimise run off from this development;
- Maintain access to the Sussex Miniature Locomotive Society site.

Week 1

DM/19/4036 - 8 Chapman Way

Franklands

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

DM/19/4191 - 34 Oathall Road

Bentswood

2 x Beech Trees (T1) and (T2)- Reduce crown height & spread by approximately 2m to 2.5m

DM/19/4220 - 49 Lucastes Avenue

Lucastes

(T1) Western Red Cedar - Fell to ground level. (T2) - Fell to ground level.
(T3) Hazel - Coppice

Week 2

DM/19/3395 - Rosina College Road

Heath

Proposed single storey porch to the front elevation.

DM/19/3459 - Premier Inn 38 - 42 Perrymount Road

Heath

Installation of cycle store.

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.	
DM/19/4048 - 55 Gordon Road	Heath
Erection of conservatory	
DM/19/4154 - Fox And Hounds Fox Hill	Franklands
T1 Willow - Reduce crown by 2m away from the roof.	
DM/19/4194 - 60 The Broadway	Heath
New extract system to existing restaurant.	
DM/19/4240 - 32 Lucastes Lane Haywards	Lucastes
Replace conservatory with a single storey extension and replace existing first floor rear dormer with new enlarged pitched roof dormer.	
DM/19/4244 - New Larchwood House 1A Anscombe Woods Crescent	Franklands
Proposed rear single storey extension	
DM/19/4273 - 30 Lucastes Road	Lucastes
Demolition of existing garage. New orangery to rear.	

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).	
DM/19/3853 - 26 Lucastes Lane	Lucastes
Proposed two storey side extension. (Amended Plans Received 18.10.2019)	
DM/19/4345 - Hayworthe House Market Place	Heath
Consent to display 1 x non illuminated hoarding advertisement	
DM/19/4400 - Muster Green South	Heath
See tree schedule.	

CONSULTATION – ANIMAL WELFARE POLICY

NB In preparation for this meeting of the Planning Committee, the draft Statement of Licensing Policy relating to Animal Welfare was emailed to all Members on Tuesday, 1 October 2019.

The Policy is new to Mid Sussex District Council (MSDC) and has been specifically prepared to take account of the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018. It sets out how MSDC will exercise its functions under the Regulations.

The aim is to ensure that MSDC, current and potential licence holders and the public are familiar with how the Regulations are administered within the District

The Policy will 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.

Any comments on the Policy are to be received by the Licensing Team no later than 3 November 2019. A final version will be written taking into account the results of the consultation exercise.

Based on the comments/observations received from those Members who have responded to the consultation so far, Councillor Laband has drafted the following response on behalf of the Town Council, which Members are asked to consider and agree:

HHTC Comments relate to:-

Regulation for Breeding, Boarding, Transportation, Revocation of licences, Car/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 AWP/Animal Welfare Policy apply safety requirements to regulate horse riders and/or Public ROW Bridle pathways? If so, what are they?

Collaborative Reporting/Support/Enforcement/Intervention

HHTC 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:

HHTC supports the most stringent possible policies for protection and control of Animal Welfare and appreciates to opportunity to provide comment during the consultation period, prior to consideration/adoption.

Committee Meeting: Planning
Report of: Responsible Financial Officer (RFO)
Date: 24th October 2019
Subject: Haywards Heath Tennis Club – Section 106 (s106) Funding

1. The Community Facilities Project Officer at Mid Sussex District Council (MSDC) has advised the Town Council that she has received a Facility Grant application for £65,040 from Haywards Heath Tennis Club. The application will be considered by MSDC's Cabinet Grants Panel on 29th October 2019.
2. The grant would contribute towards an overall £150,000–£200,000 (approx.) project to replace the existing clubhouse with a modern facility that would meet the Club's needs and aspirations. Obviously, the Club will have to apply for funding from other sources and it is also planning to hold its own fund-raising activities. It has identified the following potential sources of funding:

local authorities;
Sport England/National Lottery;
the Lawn Tennis Association (loan);
local businesses;
local developers.

Any award made by MSDC would be subject to a one year time limit for the Club to secure funding for the other £84,960–£134,960 required for the project.

3. The Club is based in Victoria Park and uses three MSDC-owned tennis courts, which were resurfaced last year. It currently has around 60 members across a wide range of age groups and abilities, and is keen to increase membership and accessibility to a more diverse audience. Coaching is provided by two coaches who particularly look to develop young players.
4. The existing clubhouse is over 30 years old and has no electricity, no hot water and no toilet facilities. The Club would like to replace it with a modern facility which is sympathetic to its surroundings and more welcoming to existing and potential members alike. The intention is for the new clubhouse to occupy a larger footprint and to have the following facilities:

electricity;
hot and cold running water;
kitchen area to allow the preparation of light food and drink;
accessible toilet to cater for all;
level access, including to the tennis courts;
folding doors opening on to the courts, covered by a veranda;
storage area.
5. MSDC's Community Facilities Project Officer is 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. These are as follows:

Location	Amount
Land south side of Rocky Lane	£38,583.56
Land at The Mayflower public house, America Lane	£7,072
17–21 Boltro Road	£11,094
The Oaks, 36 Paddockhall Road	£8,290.44
Total	£65,040

6. The Town Council is being asked to consider whether it would support the release of the above mentioned total towards this project. MSDC would like to work in partnership with the Club to increase use of the courts and since they were resurfaced, there *has* been an increase in public play. The District Council is also trialling a pay-as-you-play keypad/online booking system at Ashurst Wood and if this proves successful, the intention is that it will be rolled out across the District. In the case of Haywards Heath, this would enable power to be brought to the site. It could be argued that putting all four amounts together towards a single project would achieve a better outcome for the community than using them on an individual or piecemeal basis.
7. 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.

Recommendation:

8. It is recommended that:

Members AGREE to the release of £65,040 of 'Formal Sport' Section 106 monies to Haywards Heath Tennis Club towards a project to replace their existing clubhouse in Victoria Park. The funds are to be drawn from the following four developments:

Location	Amount
Land south side of Rocky Lane	£38,583.56
Land at The Mayflower public house, America Lane	£7,072
17–21 Boltro Road	£11,094
The Oaks, 36 Paddockhall Road	£8,290.44
Total	£65,040

This is conditional on appropriate scrutiny of the grant application by Mid Sussex District Council and the Club being able to secure funding for the entire project – estimated at between £150,000 and £200,000 – within a one year time limit.