

# HAYWARDS HEATH TOWN COUNCIL

## PLANNING COMMITTEE

### Minutes of the meeting held on Monday, 15 July 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: Councillor L S Wickremaratchi

#### 26. Apologies

The following apologies were received:

| Member                   | Reason for Absence |
|--------------------------|--------------------|
| Cllr C C J Evans         | Away               |
| Cllr Mrs S J Inglesfield | Holiday            |
| Cllr C A Pitt            | Holiday            |

#### 27. Minutes

The Minutes of the meeting held on Monday, 24 June 2019 were taken as read, confirmed as a true record and duly signed by the Chairman.

#### 28. Substitutes

Councillor Wickremaratchi substituted for Councillor Mrs Inglesfield.

#### 29. Members' Declarations of Interest

Councillor Clive Laband made the following declaration:

"I declare a personal interest in all licensing applications under agenda item 5 as an elected Member of Mid Sussex District Council (MSDC) and as an appointed Member of the (MSDC) Licensing Committee. I also declare a personal interest in all planning applications under agenda item 6 as an elected Member of MSDC and as an appointed Member of the (MSDC) District Planning Committee. I further reserve the right to alter my views should the applications come before the Licensing Committee or the District Planning Committee, based on contributions from the public, other Members or reports from MSDC Officers."

**cont.**

**29. Members' Declarations of Interest (cont.)**

Councillor Mike Pulfer made the following declaration:

"I declare a personal interest in all planning applications under agenda item 6 as an elected Member of Mid Sussex District Council (MSDC) and as an appointed Member of the (MSDC) Planning Committee. I further reserve the right to alter my views should the applications come before the Planning Committee, based on contributions from the public, other Members or reports from MSDC Officers."

Other declarations were made as follows:

| <b>Member</b>                      | <b>Application No.</b> | <b>Location</b>  | <b>Nature of Interest</b>   |
|------------------------------------|------------------------|--|---|
| Cllr C N Laband<br>Cllr M J Pulfer | DM/19/2158             | Mid Sussex District Council,<br>Oaklands,<br>Oaklands Road | Are elected Members of Mid Sussex District Council, which is the applicant and which owns the site to which the application relates |

**30. Planning Appeals**

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

| <b>Date Decided &amp; References</b>                                      | <b>Site</b>   | <b>Description</b>                                  | <b>Decision</b> |
|---|---|---|-----------------|
| 28/06/2019<br>AP/18/0070<br>APP/D3830/W/18/3207917<br>(DM/17/4916 refers) | Land adjacent to<br>1 The Willows<br>Colwell Road<br>HAYWARDS HEATH<br>RH16 4NA | Construction of<br>one three<br>bedroom<br>dwelling | Dismissed       |

**31. Licensing Applications**

There were none.

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

Members made comments and observations on 21 planning applications as per Appendix 1 attached.

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

There were none.

The meeting closed at 7:57pm.

## APPENDIX 1

### Week 1

#### **DM/19/2147 – 51 Victoria Road**

**Bentswood**

Two storey side extension and single storey rear extension.

No comment.

#### **DM/19/2176 – 5 Willow Park**

**Franklands**

Oak (T31) – crown reduction by 1.5–2.5 m. Crown lift by 5 metres.

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

#### **DM/19/2205 – Cameron House, 60A Lewes Road**

**Franklands**

Retrospective application for the erection of a new 5 bedroom house and garage rear of 60 Lewes Road. Plans show house as built, with design alterations to that previously approved under DM/16/2983.

No comment.

#### **DM/19/2247 – 3A Butlers Green House, Butlers Green Road**

**Lucastes**

Knock down stud wall between the kitchen and hallway.

No comment.

#### **DM/19/2249 – 26 Western Road**

**Bentswood**

Demolition of existing garage and the erection of a two storey side extension, two storey rear extension with rear first floor Juliet balconies. Internal alterations and roof windows to the south-east (rear) elevation. Removal of existing chimney. (Amended description 26/06/2019.)

No comment.

#### **DM/19/2253 – 87 Farlington Avenue**

**Bentswood**

Demolition of existing rear conservatory, proposed loft conversion with first floor front extension and front dormer with associated works.

No comment.

#### **DM/19/2268 – 70 Lewes Road**

**Franklands**

Unknown tree (T1) – fell, Holly (T2) – fell, Unknown (T3) – fell, Fruit tree (T4) – fell, Fruit tree (T5) – fell, Fruit tree (T6) – fell, Holly tree (T7) – fell, bush branches trim to fence.

Whilst the Town Council defers this decision to Mid Sussex District Council's Tree Officer, Members ask that if no objection to the proposals is raised, the Tree Officer be mindful of the fact that the felling of the holly trees would result in the loss of a very slow growing species.

#### **DM/19/2279 – 6 Lucas Grange**

**Lucastes**

Two storey side extension incorporating existing garage.

No comment.

**DM/19/2320 – 69 Western Road****Bentswood**

T1 Oak – reduce height by 1.5m, reduce crown by 2m and thin by 15%.

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

**DM/19/2332 – Lyoth Cottage, Lewes Road****Franklands**

Remove Holly trunks to ground level. Remove Apple and Hawthorn. Remove 2 x Conifers, Silver Birch and Cherry (native replacement planting).

Whilst the Town Council defers this decision to Mid Sussex District Council's Tree Officer, Members ask that if no objection to the proposals is raised, the Tree Officer be mindful of the fact that the removal of the holly trunks would result in the loss of a very slow growing species.

**DM/19/2359 – 61 Farlington Avenue****Bentswood**

Holly – fell.

Whilst the Town Council defers this decision to Mid Sussex District Council's Tree Officer, Members ask that if consent is given, the Tree Officer be mindful of the fact that the removal of the holly would result in the loss of a very slow growing species.

**Week 2****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. (Amended layout plan 27/06/2019.)

The Town Council notes the submission of an amended layout plan (received by Mid Sussex District Council (MSDC) on 27/06/2019) but is of the opinion that this makes no material difference to the application or to the Town Council's reasons and concerns for objecting to it the first time around. In particular, Members ask that MSDC's Conservation Officer considers the Town Council's response and determines whether it affects her view on the impact of the proposal on the two Grade II\* listed buildings, Sunte House and Wickham Farmhouse.

For the reasons and concerns listed below – which are backed by relevant local and national planning policies – the Town Council **OBJECTS** to this application in the strongest terms possible.

**Background – National Planning Policy Framework (NPPF)/Department for Environment, Food and Rural Affairs (Defra)**

This application is for a change of use and thus will be assessed upon how development would affect public amenity and public space outlook for a significant green open space.

Wickham Fields is a much-loved informal green open space used extensively by the local community, with extensive views northwards towards Haywards Heath golf course. The site itself is largely classified as Grade 3a agricultural land by Defra.

**Relevant Haywards Heath Neighbourhood Plan (HHNP) Policies**

The site is proximate to a cherished designated Area of Townscape Character, with access only via a single entry point for agricultural use. This gateway faces a semi-rural residential location, with extensively used public footpaths and Wickham Way to the south and Old Wickham Lane to the west. Both are private right of access roads, the latter approached via a weight-limited bridge owned by Network Rail. The weight restriction and condition of the bridge over the main London to Brighton line is critical infrastructure and Network Rail should be consulted.

**Policy E9** requires that 'developers must demonstrate how their proposal will protect and reinforce the local character within the locality of the site.' The application lacks compliance with this policy.

**cont.**

**Policy E1** requires that 'planning applications which would result in the loss of existing open spaces of public value will generally be resisted except where:

- they are supported by an open space assessment that demonstrates the open space is no longer needed, or
- there is a proven need for essential utility infrastructure where the benefits outweigh any harm or loss and it can be demonstrated that there are no reasonable alternative sites available.'

**Relevant Mid Sussex District Plan 2014–2031 (MSDP) Policies**

The map on page 12 of the MSDP confirms the site as being in an area of 'protected countryside', outside of the built-up area boundary of Haywards Heath.

**Policy DP12: Protection and Enhancement of Countryside**

'...It is therefore necessary that all development in the countryside, defined as the area outside of built-up area boundaries, must seek to maintain or enhance the intrinsic beauty and tranquillity of the countryside.' This policy is supported and reinforced by the HHNP.

**Policy DP37: Trees, Woodland and Hedgerows**

'Development that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or character of an area, and/or that have landscape, historic or wildlife importance, will not normally be permitted.'

**Policy DP38: Biodiversity**

'Strategic Objectives: 3) To protect valued landscapes for their visual, historical and biodiversity qualities; and 5) To create and maintain easily accessible green infrastructure, green corridors and spaces around and within the towns and villages to act as wildlife corridors, sustainable transport links and leisure and recreational routes.'

**NPPF Section 15 – Conserving and enhancing the natural environment**

**Paragraph 170** states that 'Planning policies and decisions should contribute to and enhance the natural and local environment by:

(b) recognising the intrinsic character and beauty of the countryside, ...and other benefits of the best and most versatile agricultural land, and of trees and woodland.'

Furthermore, **NPPF Section 2, Paragraph 12 – Achieving sustainable development**, states that 'The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.'

**Animal Welfare**

The site, due to its proximity alongside the main London to Brighton railway line, is adversely affected by noise and more importantly, vibration from passenger and freight trains. Any equine activity on this site will potentially place vulnerable animals at risk.

**Access**

Notwithstanding that access is not a relevant planning consideration, access via private roads, potentially with no permitted right of way could lead to social conflict in the community and with road owners, with the sole entrance approached by a plethora of public footpaths and private, concrete/flint surfaced paved roads. There is specifically no accessible bridle path within easy reach.

*cont.*

**DM/19/1648 – Land adjacent to Old Wickham Lane, Wickham Way (cont.)**

**Heath**

In short, the location due to its infrastructure isolation, does not appear to be sustainable for the purpose stated in the application.

**Previous Planning Applications**

It appears that five previous applications for development of the site have been refused, which is a relevant and material planning consideration.

**Impact on Sunte House and Wickham Farmhouse, both of which are Grade II\* Listed Buildings**

Given the proximity of the site to the curtilages of these two listed properties, the proposal has the potential to have a detrimental impact on two of the town's heritage assets, with public views being compromised.

**Finally**, in the unwelcome event that the application is granted, the Town Council requests that any permission is temporary and that it is reviewed after a period of between three and five years, with reversion to agricultural use only. The unique setting of this location and use by the community as an informal public green space should not be disregarded. The owners must be reminded that in order to prevent antisocial behaviour, there is no public right to ride or lead a horse along a public footpath.

**DM/19/2349 – 10 Gander Green**

**Heath**

Garage conversion and single storey front extension.

No comment.

**DM/19/2490 – Land adjacent 1–5 The Birches, Southdowns Park**

**Franklands**

Oak trees x 3. Reduce lateral branches by up to 3m away from the houses giving them a clearance of 3m and to reduce the height by 2m.

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

**DM/19/2562 – Haywards Heath United Services Club, Wivelsfield Road**

**Ashenground**

Retention of new club name signage on fascia to front of building.

No comment.

**DM/19/2609 – 87 Farlington Avenue**

**Bentswood**

Proposed rear dormer to rear. 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/19/2619 – 10 Wood Ride**

**Ashenground**

Two storey side extension. Single storey rear extension. Conversion of existing study in loft, including roof lights to front and rear. Flat roof replacement to existing rear extension with new pitched roof.

No comment.

**DM/19/2634 – 31 Woodlands Road**

**Bentswood**

Single storey rear extension and garage conversion.

No comment.

### Week 3

#### **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. Amended plans received 26.06.2019 and 04.07.2019 showing reduction in size and relocation of proposed garage and reduction in size of proposed front dormer.

The Town Council **objects** to the application as tabled because the proposals would give rise to an overdevelopment of the site and would result in an unneighbourly form of development which would be out of keeping with the street scene. Thus, the application conflicts with elements of i) Policies E9 and H9 of the Haywards Heath Neighbourhood Plan, and ii) Policy DP26 of the Mid Sussex District Plan 2014–2031.

#### **DM/19/2158 – Mid Sussex District Council, Oaklands, Oaklands Road**

**Lucastes**

Alter the south-west elevation to accommodate 2 new larger, anthracite grey in colour, powder coated aluminium windows. On the north-east elevation change white PVCu window units to powder coated anthracite grey aluminium double glazed units.

No comment.

#### **DM/19/2681 – 1 Lucas Way**

**Lucastes**

2 x Hornbeam trees – reduce height by 1.5m to 2m.

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