

MID SUSSEX DISTRICT COUNCIL

DISTRICT WIDE PLANNING COMMITTEE

13 JUL 2017

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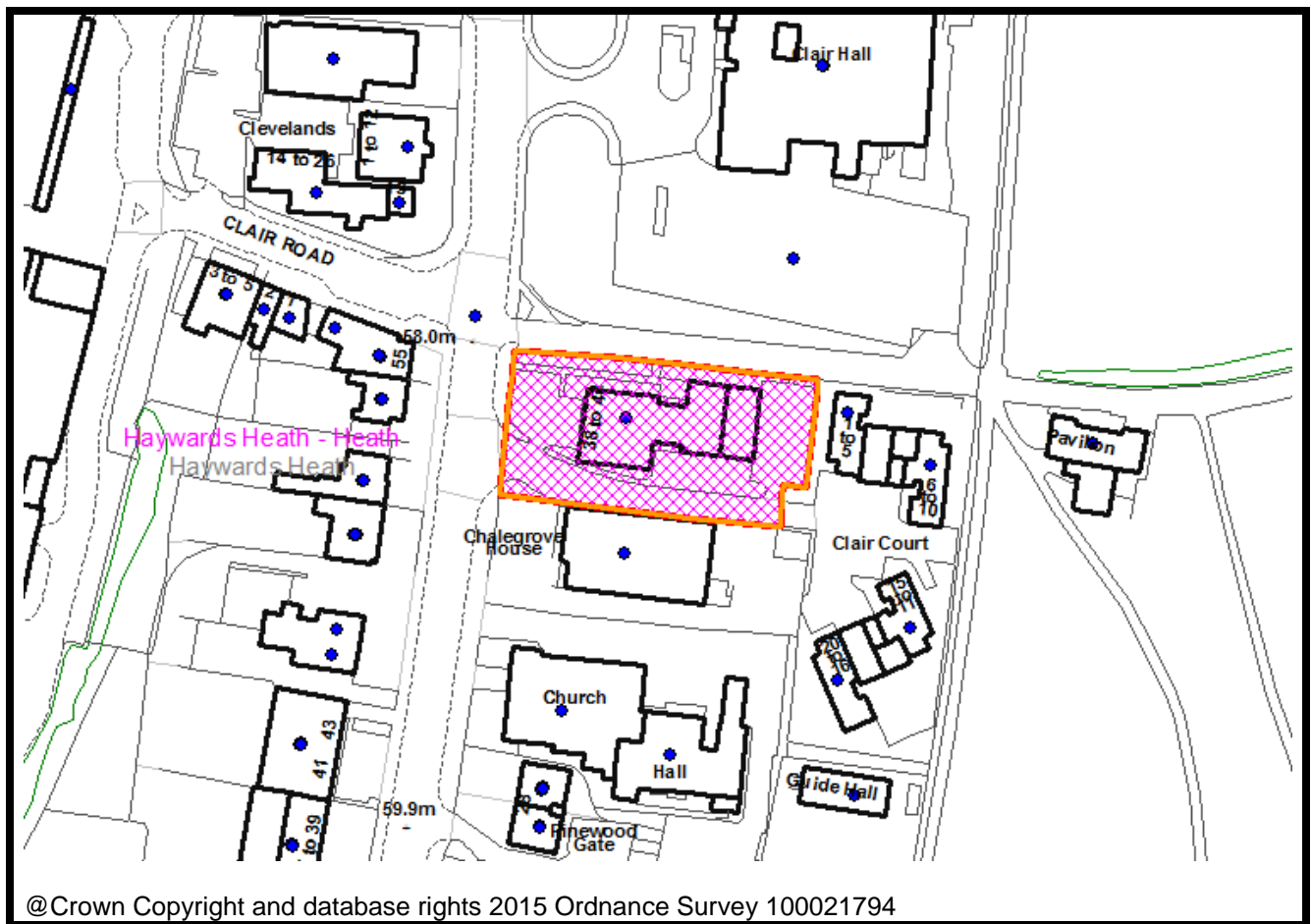
MID SUSSEX DISTRICT COUNCIL

DISTRICT WIDE PLANNING COMMITTEE

13 JUL 2017

PART I - RECOMMENDED FOR APPROVAL

1. DM/17/1136



**PERRYMOUNT HOUSE 38 - 42 PERRYMOUNT ROAD HAYWARDS HEATH WEST SUSSEX
ERECTION OF AN 78 BED HOTEL AND ASSOCIATED RESTAURANT
(AMENDMENT TO PLANNING REF: DM/16/0665).
MR JULIAN SMITH**

POLICY: Built Up Areas / Classified Roads - 20m buffer /

ODPM CODE: Smallscale Major Other

8 WEEK DATE: 9th June 2017

WARD MEMBERS: Cllr Sandra Ellis / Cllr Jonathan Ash-Edwards /

CASE OFFICER: Ms Susan Dubberley

PURPOSE OF REPORT

To consider the recommendation of the Head of Economic Promotion and Planning on the application for planning permission as detailed above.

EXECUTIVE SUMMARY

Planning permission is being sought for the redevelopment of the site with the erection of a 78 bed hotel and associated restaurant, which would be operated by Premier Inn Hotels Ltd. Planning permission was granted under a notice dated the 14th October 2016 for a similar proposal.

The need for a new planning application has been prompted by the matter of an easement over the land along the northern edge of the carriageway which provides access to nearby flats. The applicant has been unable to negotiate any alteration to this easement and thus the building footprint has had to be redesigned to accommodate the existing services and access road alignment.

While the proposal would result in the loss of the existing office use on the site, the development will create a significant number of jobs and promote additional spending in the local economy, which reflect the Governments priority to promote sustainable development and economic growth. The proposal represents a good opportunity to contribute to the revitalisation of the Haywards Heath and provide the town with a hotel which is currently lacking. Such factors weigh heavily in favour of supporting the application.

While the proposal will have some implications in relation to adjacent residential amenities, no significant harm will be caused and given the sites sustainable location and the availability of nearby car parks, the levels of parking proposed are considered acceptable. Any harm caused by the proposal would be outweighed by the benefits it would bring to the town as a whole and it is therefore considered that the proposal complies with policies B1, B3, B4, T4, T5, T6, and R15 and of the Mid Sussex Local Plan, policies E9 and B2 of the Haywards Heath Neighbourhood Plan, relevant policies within the Submission Version District Plan and the NPPF.

RECOMMENDATION

It is recommended that the application be approved subject to the conditions set out in Appendix A.

SUMMARY OF CONSULTATIONS

Full details of the consultation responses summarised below can be viewed in Appendix B of this report.

MSDC Environmental Health Officer

The change in design does not affect the issues that we previously commented on under DM/16/0665 and our comments therefore remain the same: No objection subject to conditions.

MSDC Drainage Engineer

No objection, subject to condition.

MSDC Urban Designer

The overall the scale, design and layout of this proposal is similar to the approved scheme (please refer to design observations dated 29/9/16) and the overall issues in respect of the building design, massing, and the forward building line are the same and have already been accepted.

In overall terms the positive and negative changes balance themselves out, and I therefore have no objection to this revised scheme, but I would recommend the same conditions as I suggested for the previous application, with an additional requirement to cover the further changes.

Southern Water

No objection, subject to condition.

WSCC Highways

No objection subject to conditions.

SUMMARY OF REPRESENTATIONS

5 letters of objection have been received stating the following;

- Size and design of the building is out of context for the site.
- Alternatively, a residential development of the same size as the current office block may be a more appropriate use of the site.
- Design is not sympathetic to the area and street scene.
- With the exception of the church and an office block, this side of Perrymount Road is completely residential and should remain so with current requirements for housing.
- Hotel is much further forward than the adjoining building.
- Far too close to Clair Court at the rear will block light to the flats
- Loss of daylight and sunlight to Clair Court
- Building should be scaled back at the rear
- Deliveries will cause problems on the shared access with Clair Court and could cause obstructions for emergency vehicles.
- More traffic now Waitrose is open and this will cause problems when entering and leaving.
- Virtually no parking on site.
- Increase noise and disturbance, office is only open during office hours and the hotel will cause noise and disturbance 24/7.

Clair Court Management

- Remain opposed to a redevelopment of the size and scale proposed.
- The developers have had to amended plans as they were building on land on which Clair Court has a right of way.
- The vertical east facing façade will totally overshadow Clair Court.
- A daylight and sunlight assessment should be submitted which is best practice

Haywards Heath Society

No objection.

HAYWARDS HEATH TOWN COUNCIL OBSERVATION

No objections. Overall, the Town Council sees this revised design as an improvement to the consented scheme (application number DM/16/0665 refers). The conditions applied by Mid Sussex District Council in respect of the consented scheme should remain valid for this latest application.

INTRODUCTION

Full planning permission is sought for the redevelopment of the site with the erection of a 78-bed hotel and associated restaurant which would be operated by Premier Inn Hotels Ltd.

RELEVANT PLANNING HISTORY

DM/16/0665 Erection of a 78 bed hotel and associated restaurant. Approved 14 October 2016.

SITE AND SURROUNDINGS

The site is located on the east site of Perrymount Road almost opposite the junction with Clair Road. The site is currently occupied by a two storey office building with parking undercroft constructed in the 1970s. The site has a significant slope down towards the rear of the site currently providing access to the existing undercroft car parking.

To the north side of the site is the public footpath access to Clair Park, and on the northern side of the footpath is Clair Hall with its car park located on the boundary. To the rear east side of the site is Clair Court a three storey residential block of flats. To the south side is a three storey office building.

The wider area is characterised by a mix use area including the new multi-storey station car park and recently opened Waitrose development, at the nearby Haywards Heath Station site which lies to the west of the site.

APPLICATION DETAILS

The application is for a four storey 78-bed hotel and associated restaurant which would be operated by Premier Inn Hotels Ltd. The ground floor of the hotel would have a reception area, office and breakfast restaurant located at the front of the building on the Perrymount Road frontage. The hotel guest rooms would be located at rear ground floor level and on the upper first, second and third floors.

The need for a new planning application has been prompted by the matter of an easement over the land along the northern edge of the carriageway which provides access to nearby flats. The applicant has been unable to negotiate any alteration to this easement and thus the building footprint has had to be redesigned to accommodate the existing services and access road alignment.

In submitting the application the applicants agent has made the following comments;

'The revised design has to take account of the more restricted footprint to the Western end of the site. This has required a redesign of kitchen areas of the building together

with a re-alignment of the lift core to provide sufficient space for the restaurant area. The re-aligned lift core has required detail re-arrangement of upper floor rooms. The overall height of the building is unchanged but the stepped massing to the east has been altered to create a more regular building form to the benefit of the composition of the North façade. The overall height of the building is unchanged as is the position of the frontage in relation to Perrymount Road. The ground floor accommodation responds to the line of the existing access road by providing the restaurant area with a distinctive curved glazed façade.'

The principal change along the street frontage involves the addition of an all-glazed curved ground floor café on the south west corner (that runs parallel with a reconfigured access road) and a shorter street frontage, reduced from 5 to 4 bays

The proposed materials are brickwork for the main elevations with powder coated aluminium on the top storey and aluminium framed windows and doors.

The hotel would be serviced at the rear via the existing access road. There is undercroft parking proposed for 9 car parking spaces 4 of which would be disabled spaces with a further 8 car parking spaces located to the rear of the building and 3 spaces alongside the south side of the hotel, giving a total of 20 spaces on the site.

LIST OF POLICIES

Mid Sussex Local Plan

G2 (sustainable development)
G3 (infrastructure requirements)
B1 (design)
B3 (residential amenities)
B4 (energy and water conservation)
B9 (crime prevention and design)
E2 (retention of land for business purposes)
R15 (hotel and other serviced accommodation)
T4 (transport requirements in new developments)
T5 (parking standards)
T6 (cycle parking)
CS13 (land drainage)
CS18 (recycling facilities)
CS20 (derelict and contaminated land)

Haywards Heath Neighbourhood plan (Adopted with full weight)

The most relevant policies are:

E7 (Sustainable Urban Drainage)
E9 (Design)

B2 (Encourages a diverse range of uses in the Town Centre including new office, leisure, community, hotel retail and residential)

Draft Mid Sussex District Plan (MSDP)

The Submission District Plan 2014 - 2031 was submitted for Examination on the 17 August 2016. The first of the Examination hearings have taken place. The Plan is a material planning consideration. Weight will be given to relevant policies in accordance with paragraph 216 of the NPPF.

The most relevant policies are:

Policy DP2: Sustainable Economic Development

Policy DP16: Sustainable Tourism

Policy DP19: Transport

Policy DP22: Leisure and Cultural Facilities and Activities

Policy DP24: Character and Design

Policy DP41: Flood Risk and Drainage

Haywards Heath Town Centre Masterplan SPD

National Policy

National Planning Policy Framework (NPPF) (Mar 2012)

The NPPF sets out the government's policy in order to ensure that the planning system contributes to the achievement of sustainable development. Paragraph 7 sets out the three dimensions to sustainable development, such that the planning system needs to perform an economic role, a social role and an environmental role. This means ensuring sufficient land of the right type to support growth; providing a supply of housing and creating a high quality environment with accessible local services; and using natural resources prudently.

With specific reference to decision-taking, the document provides the following advice at paragraph 187:

'Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.'

Paragraph 197 states that: *'In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.'*

ASSESSMENT (Consideration of Key Issues)

Given that there is a recent planning permission on the site, the main consideration for members in this case are the proposed changes to the scheme and any subsequent impact that they may have on the character and appearance of the area or neighbouring amenity.

Issues relating to the loss of the existing office building and parking and highway safety issues were previously considered acceptable so consideration will need to be given as to whether there has been any material change in circumstance that would warrant a different view being taken in respect of this revised scheme. The potential economic/tourism benefits remain a material consideration.

Principle of Development

Policy E2 of the Local Plan states that other than in exceptional circumstances, such as where an existing business use is inappropriately located, or where new development will bring about wider community benefit, proposals for redevelopment or changes of use which would result in the loss of existing business floor space will not be permitted.

Policy R15 of the Local Plan states that within defined built-up areas the development of tourist accommodation in the form of hotels, guest houses and other types of serviced accommodation, including extensions to existing premises, will be permitted provided normal development control and highway criteria are met.

Policy B2 of the Haywards Heath Neighbourhood Plan encourages a diverse range of uses in the Town Centre which can be shown to support the core retail offer and generate vitality and add viability, whilst avoiding harm to existing businesses and residential properties. For the sake of clarity, the site is located within the commercial area as denoted by the Town Centre Inset Policies and Proposals Map of the Neighbourhood Plan.

The Haywards Heath Town Centre Masterplan was adopted as a supplementary planning document (SPD) in June 2007. The aim of the document is to guide the revitalisation and redevelopment of Haywards Heath Town Centre. The masterplan recognises the lack of a hotel in the town centre and identifies the new Station Quarter as a possible site for a hotel.

The NPPF seeks to ensure the vitality of town centres. Para 19 advises that "Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system. Para 21 goes on to encourage investment in business. LPA's should support existing business sectors, taking account of whether they are expanding or contracting and, where possible, identify and plan for new or emerging sectors likely to locate in their area. Policies should be flexible enough to accommodate

needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances.

The principle of a hotel on the site has been established by the extant permission for a 78 bed hotel and associated restaurant granted consent by a decision notice dated the 14th October 2016, DM/16/0665 refers. In making this decision the officers report to committee contained the following assessment;

'It is acknowledged that the proposal would result in the loss of the office use on the site and in this respect the application would be contrary to policy E2 of the Local Plan which seeks to retain existing business use. However in this case the loss of the office use has to weighed up against the fact that Haywards Heath does not at present have a budget hotel and this is reflected in Policy B2 of the Neighbourhood Plan which states that 'Planning permission will be granted to development or change of uses that will encourage a diverse range of uses in the Town Centre including new office, leisure, community, hotel retail and residential which can be shown to support the core retail offer and generate vitality and add viability to the Town Centre whilst avoiding harm to existing businesses and residential properties.'

It is considered that the site, in close proximity to the town centre, cultural facilities at Clair Hall and the railway station would be suitable for a hotel use and in addition the proposal would provide a significant economic benefit to the town and provide alternative employment opportunities within the service sector. The applicant has a stated that the hotel would provide 30 full and part-time jobs.'

Since the previous application was considered by the Planning Committee (13th October 2016) and planning permission granted (14th October 2016), the Haywards Heath Neighbourhood Plan has been 'made' (14th December 2016). Accordingly, the weight that can be attached to the Neighbourhood Plan has changed since the previous application was before members (significant weight to full weight). However, given the nature of the most relevant policy, policy B2, which encourages a diverse range of uses in the Town Centre (including a hotel), the shift in weight only lends more support to the principle of the development.

In light of the above, there has been no material change in circumstances that would warrant a different view being formed with regard to the principle use of the site.

The loss of the office use in this location would be outweighed by the benefits of a hotel on the site and therefore the principle of the development on the site is considered acceptable.

Design and visual impact

Policy B1 of the Local Plan promotes high quality design, construction and layout in new buildings. Policy DP24 of the Submission Version District Plan similar promotes high

quality design and that all development and surrounding spaces be well designed and reflect the distinctive character of the town(s).

Policy E9 of the Neighbourhood Plan requires developers to demonstrate how their proposals will protect and reinforce the local character within the locality of the site, in doing this they will have regard to a number of listed design elements.

Paragraph 17 of the National Planning Policy Framework sets out a set of core land-use planning principles that should underpin decision-taking, including the notion that planning should: *"always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings."* Furthermore, paragraphs 56, 58 and 61 set out the Governments position with regard to the importance and principles of good design.

The extant planning permission has established a number of principles, including the height and scale of the building. In considering these issues the previous report stated;

'In regard to the height although the hotel would be four storeys high and, because of the domestic floor heights the overall height of the new building would be the same height as the three storey office building which lies immediately to the south of the site. In addition the redevelopment of the town centre as envisaged by the Haywards Heath Town Centre Masterplan identifies the adjacent site Clair Hall for redevelopment and re provision (3+1 storey) and the buildings opposite on Perrymount Road are identified for new mixed use development, including residential, office, leisure and car parking (5-6 storeys). It is therefore felt that the redevelopment of this site which would be a prominent corner site when exiting the new Railway Station would complement current and future development elsewhere within the Station Quarter'.

Your Urban Designer has considered the current scheme and made the following comments;

'The overall the scale, design and layout of this proposal is similar to the approved scheme (please refer to design observations dated 29/9/16) and the overall issues in respect of the building design, massing, and the forward building line are the same and have already been accepted.

The principal change along the street frontage involves the addition of an all-glazed curved ground floor café on the south west corner (that runs parallel with a reconfigured access road) and a shorter street frontage, reduced from 5 to 4 bays. This results in a more interesting and open elevation at ground floor level with the upper floors of the southern flank otherwise similarly articulated as before with vertical niches/apertures, albeit with a staggered footprint. On the other hand, the roof plant has unfortunately been brought forward approximately one metre in relation to the main street elevation.

The access way now approximately retains the alignment of the existing access that will hopefully allow either the retention of the existing trees or, replacement tree(s) that will provide screening / softening to the projecting frontage.

The extra floors that effectively fill in the previously stepped configuration on the rear / east elevation with a squared-off profile reinforces the repetitive window arrangement along the north elevation; however this repetitiveness also gives the building formality and consistency that is appropriate to this visible façade and the upper floor benefits from being marginally set back to provide some additional articulation. The rear face has been articulated with the same type of vertical niches/apertures, as on the southern flank, that gives some interest and avoids a featureless façade facing Clair Court (the elevation though would nevertheless have benefited from the top floor also being marginally set-back in the same way as the north and west elevations).

In overall terms the positive and negative changes balance themselves out, and I therefore have no objection to this revised scheme, but I would recommend the same conditions as I suggested for the previous application, with an additional requirement to cover the further changes.'

The comments raised in the presentations concerning the size and scale of the development are noted however, the extant planning permission has previously established these as acceptable. It was previously acknowledged that the proposed building would have a bigger foot print than the existing office building and would be set further forward, consequently making it more prominent in the street scene.

The comments made, and the overall view expressed by, your Urban Designer are supported and it is not considered the revisions to the design are such that there is any material change in the schemes overall impact on the character and appearance of the area, which was previously deemed acceptable.

It is acknowledged that the removal of the previously approved stepped arrangement at the rear of the building has the potential to affect the relationship with the adjacent residential block of Clair Court. However, any potential impact will fall on the residential amenities of its occupiers and this will be considered separately in the following section of the report.

It is considered that the proposed design and form of the building is satisfactory and complies with Policy B1 of Mid Sussex Local, Policy E9 of the Haywards Heath neighbourhood Plan and Policy DP24 of the Submission Version District Plan.

Effect on neighbouring amenity

Policy B3 of the Local Plan aims to protect residential amenity and states that planning permission will not be granted for proposals if significant harm to the amenities of nearby residents is likely. The policy cites a number of potential issues including a reduction in sunlight and daylight, reduction in outlook and loss of privacy.

The main properties affected by the proposal would be in Clair Court, a residential block of flats which lies to the rear of the site and a number of objections have been received from residents of the flats, including comments from Clair Court Management (on behalf of leaseholders and residents).

The existing office building, which will be replaced by the hotel, is approximately 14.3m from Clair Court and the proposed development will follow the existing rear building line and maintain this distance. There are rear windows on the existing office building facing Clair Court but the new hotel is proposing no windows in this elevation. In terms of privacy, than the proposal will not cause any significant impact on existing residential amenities in respect of overlooking and loss of privacy.

In matters associated to noise and disturbance, the following the assessment was contained in the previous report;

'In term of noise and disturbance Environmental Health previously assessed the application and raised concerns regarding potential for disturbance affecting nearby residential premises, particularly Clair Court but considered that most of these issues such as noise form plant and machinery can be addressed by condition. In addition in order to avoid noise disturbance from customers who may arrive late at night to the hotel a condition requiring a Noise Management Plan outlining which measures will be put in place to minimise disturbance, for example signs, CCTV, 24 hour concierge/security, complaints procedure etc. which forms part of the recommendation.

In response to residents' concerns over noise the applicant previously pointed out that Premier Inn offer a "Good Night Sleep Guarantee" which refunds guests if their sleep is disturbed by noise This results in a strong incentive to ensure the operation of the hotel is such that is a good neighbour not only to nearby land uses but also for occupants of the hotel rooms.

In regard to noise form parking there is existing parking at the rear of the offices which currently has undercroft parking and there are a limited number of parking spaces on the site. A condition to control the hours for loading/deliveries forms part of the recommendation restricting these to between the hours of 07:30 - 18:00 hours Monday to Saturday and between the hours of 09:00 - 18:00 hours on Sundays and Bank holiday'.

The above assessment is still relevant to the current application and your officer is of the view that it would be unreasonable to the take a different position in respect of the current proposal.

The main difference with regard to the potential impact on residential amenities lies with the removal of the previously approved stepped massing at the rear of the building and its replacement of a more regular building form. While the overall building height remains at 14.5m, the removal of this stepped arrangement results in an increase in height of the rear wall of the building (closest to Clair Court) by 5.5m.

Residents of Clair Court have raised concerns in their representations regarding the potential impact of the proposal in relation to daylight and sunlight levels. In support of the application, the applicants have submitted a daylight and sunlight assessment, which has been updated following submissions from representatives of the Clair Court Management. Officers have reviewed all the information submitted in relation to this issue in forming their recommendation.

The submitted assessment has been undertaken having regard to Building Research Establishment (BRE) Guidelines "*Site Layout Planning for Daylight and Sunlight - A Guide to Good Practice*" 2011, the results of which identify whether there will be any material impact on the amenity of existing residents through loss of daylight.

There are three flats that form the focus of the assessment, and its results, which are positioned at the western end of Clair Court, directly facing the proposed hotel, with one on each of the floors of the three storey residential block. The rooms involved consist of a living room, a kitchen and two bedrooms in each of the flats.

The assessment results cover the Vertical Sky Component (VSC), which is a measure of the amount of diffused daylight reaching a window, and the effect on the daylight distribution within the room. In both cases, if there is a 20 per cent reduction or more, then the loss becomes materially noticeable. There is an impact in respect of the bedrooms and kitchens assessed.

The results show that three of the bedroom windows (two on the first floor and one on the second floor) experience reductions in the daylight distribution by more than 20 per cent (20.8 per cent, 22.5 per cent and 24.6 per cent respectively). The applicants consultant states in relation to this that '*all six bedrooms will receive direct daylight over three quarters of the Working Plane i.e. there will be a direct view of the sky over three quarters of the Working Plane, which is a relatively good result*'. Given the marginal level of non-compliance and having regard for the consultant's comments, it is considered that the overall impact in respect of these windows is unlikely to be considered significant.

The three most affected windows are those serving the galley kitchens in each of the flats, where the reduction in daylight distribution is 35.2 per cent, 39.4 per cent and 25.2 per cent respectively. The applicants consultant state the ground floor and first floor kitchens will still receive more than 50 per cent direct light and given the nature of the kitchen (galley with works tops either side) the impact on the use of the kitchen will be minimal. Having regard for the all the available information, it is not considered that the harm to these three kitchens is sufficient to warrant refusal in its own right.

On conclusion in these matters, it is considered that subject to the recommended conditions the proposal would not cause significant harm to adjoining properties. Therefore the application complies with policy B3 of the Mid Sussex Local Plan.

Access, parking and highway safety

Policies T4 and T5 of the Local Plan outline the requirements for parking provision and access to new developments, in conjunction with the council's (maximum) parking standards, as set out in the Development and Infrastructure Supplementary Planning Document. Policy T6 requires provision of cycle storage facilities in new developments.

The Local Highways Authority have considered the application and in raising no objection they have made the following comments;

'In terms of highway impact, the current proposal is reflective of that which has already been granted planning permission under DM/16/0665. The previously permitted alterations to the existing junction onto Perrymount Road and the private access road leading to Clair Court are no longer proposed. There are no particular highway concerns with the junction or private access road remaining in their current format.

It is noted that the transport statement submitted with the current application is the same as that included with the permitted scheme. The servicing arrangements included in the TS were varied as part of the approved application. The servicing details within this are not approved and not supported by the Local Highway Authority. An arrangement was agreed whereby servicing vehicles would enter the site, turn, and then exit onto the highway in a forward gear. To cover this, a servicing management plan was recommended to be secured by condition. A similarly worded condition is recommended for the current application'.

In view of the above it is considered that the proposal would comply with Policies T4, T5 and T6 of the Local Plan.

Sustainability

Policy B4 of the Local Plan requires all new development proposals to maximise opportunities for efficient use of energy, water and materials and use of natural drainage. Policy DP39 of the draft Mid Sussex District Plan specifies that all new major and residential development proposals must address the following aspects of sustainable design and construction: energy efficiency, waste and resources, water use and resilience to climate change.

Paragraph 93 of the NPPF states:

"Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development."

Paragraph 96 states:

"In determining planning applications, local planning authorities should expect new development to:

- comply with adopted Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and*
- take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption."*

This aspect of the scheme remains unchanged from that previously considered acceptable where the following was stated;

'A Sustainability report has been submitted to accompany the application, which states that a full BREEAM assessment would be carried out on the hotel with the aim of achieving 'Very Good' rating and the CO2 emissions would be significantly reduced beyond the requirements of the Building Regulations. Sustainability features would include greywater recycling and high efficiency installations and solar photovoltaic panels on the roof. It is therefore considered that the sustainability aspects of the proposal are acceptable'.

Drainage

Policy CS13 of the Local Plan seeks to ensure that sites on which new development is provided can be adequately drained.

The Drainage Engineer has not commented on this application but had raised no concerns regarding the previously approved hotel on the site and the drainage has not altered as a result of the amendments now proposed to the access. It is considered that subject to an appropriate condition forming part of any approval there should therefore be no conflict with the above policy.

Conclusions

While the proposal would result in the loss of the existing office use on the site, the development will create a significant number of jobs and promote additional spending in the local economy, which reflect the Governments priority to promote sustainable development and economic growth. The proposal represents a good opportunity to contribute to the revitalisation of the Haywards Heath and provide the town with a hotel which is currently lacking. Such factors weigh heavily in favour of supporting the application.

While the proposal will have some implications in relation to adjacent residential amenities, no significant harm will be caused and given the sites sustainable location and the availability of nearby car parks, the levels of parking proposed are considered

acceptable. Any harm caused by the proposal would be outweighed by the benefits it would bring to the town as a whole and it is therefore considered that the proposal complies with policies B1, B3, B4, T4, T5, T6, and R15 and of the Mid Sussex Local Plan, policies E9 and B2 of the Haywards Heath Neighbourhood Plan, relevant policies within the Submission Version District Plan and the NPPF.

APPENDIX A – RECOMMENDED CONDITIONS

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The noise rating level of any operational plant or machinery (e.g. extract fans, condenser units etc.) shall be at least 5dB below the existing background noise level at the nearest residential facade. All measurements shall be defined and derived in accordance with BS4142: 2014. The results of an acoustic assessment and details of any mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the development is brought into use and thereafter be maintained in accordance with the approved details.

Reason: To safeguard the amenities of nearby residents and to accord with policy B3 of the Mid Sussex Local Plan.

3. No commercial goods or commercial waste shall be loaded or unloaded onto or from a delivery or collection vehicle except between the hours of 07:30 - 18:00 hours Monday to Saturday and between the hours of 09:00 - 18:00 hours on Sundays and Bank holidays.

Reason: To safeguard the amenities of nearby residents and to accord with policy B3 of the Mid Sussex Local Plan.

4. Prior to the installation of any external lighting on the site details of light intensity, spread and any shielding and times of use together with a report to demonstrate its effect on nearby residential properties shall be submitted to and approved in writing by the Local Planning Authority. It is recommended that the information be provided in a format that demonstrates compliance with the ILP Guidance Notes for the Reduction of Obtrusive Light. Relevant information is available from the following site: <https://www.theilp.org.uk/documents/obtrusive-light>

Reason: To safeguard the amenities of nearby residents and to accord with policy B3 of the Mid Sussex Local Plan.

5. No development shall be carried out until a schedule and/or samples of materials and finishes to be used for external walls, windows and roof of the proposed buildings have been submitted to and approved by the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve buildings of visual quality and to accord with policy B1 of the Mid Sussex Local Plan.

6. Prior to the commencement of the development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include amongst other matters details of: measures to control noise affecting nearby residents; wheel cleaning facilities; dust control measures and site contact details in case of complaints. The construction works shall thereafter be carried out at all times in accordance with the approved Construction Environmental Management Plan, unless any variations are otherwise first submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of nearby residents and to accord with policy B3 of the Mid Sussex Local Plan.

7. No part of the development shall be first occupied until such time as the vehicular access has been constructed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that adequate and satisfactory provision is made for the accommodations of vehicles clear of the highways and to accord with Policy T4 of the Mid Sussex Local Plan.

8. No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To ensure that adequate and satisfactory provision is made parking and to accord with Policy T5 of the Mid Sussex Local Plan.

9. Prior to the commencement of development 1:20 section drawings through the following shall be submitted to and approved in writing with the Local Planning Authority;

- a) The front façade showing the window reveals and front entrance canopy top floor-soleil;
- b) The south elevation of the ground floor café.

In addition, a 1:20 elevation drawing showing the facing treatment of the roof plant shall also be submitted to and approved in writing by the Local Planning Authority.

The development shall only be carried out in accordance with the approved details.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve buildings of visual quality and to accord with policy B1 of the Mid Sussex Local Plan.

10. No part of the hotel shall be first occupied until such time as until a Servicing Management Plan for has been submitted and approved in writing by the Local Planning Authority. This shall set out the arrangements for the loading and unloading of deliveries, in terms of location and frequency, and set out arrangements for the collection of refuse. Once occupied the use shall be carried out only in accordance with the approved Plan.

Reason: To safeguard the operation of the public highway and to accord with Policy T4 of the Mid Sussex Local Plan.

11. Prior to the commencement of the development a Noise Management Plan (NMP) shall be submitted to and approved in writing by the Local Planning Authority. The Noise Management Plan shall include details of: measures to control noise affecting nearby residents; the measures specified shall thereafter be carried out at all times in accordance with the approved Noise Management Plan, unless any variations are otherwise first submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of nearby residents and to accord with policy B3 of the Mid Sussex Local Plan.

12. No development shall take place unless and until there has been submitted to and approved in writing by the Local Planning Authority full details of both hard and soft landscaping, which shall include the retaining walls, indications of all existing trees on the land, and details of those to be retained, together with measures for their protection in the course of development and these works shall be carried out as approved.

Reason: In the interests of visual amenity and of the environment of the development and to accord with policy B1 of the Mid Sussex Local Plan.

13. The development hereby permitted shall not proceed until details of the proposed surface water and foul drainage and means of disposal, including details of surface water management during construction and details of future

maintenance, have been submitted to and approved by the Local Planning Authority, in agreement with Southern Water, and shall not be occupied until all drainage works have been carried out in accordance with such details as approved by the Local Planning Authority.

Reason: To ensure that the proposed development is satisfactorily drained and to accord with Policies CS13 and CS14 of the Mid Sussex Local Plan.

14. No development shall take place until details of existing and proposed site levels have been submitted to and approved by the Local Planning Authority. Development shall not be implemented otherwise than in accordance with such details.

Reason: For the avoidance of doubt and to ensure that the development does not prejudice the amenities of adjacent residents or the appearance of the locality and to accord with policies B and B3 of the Mid Sussex Local Plan.

15. Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times: Monday-Friday: 0800hrs-1800hrs; Saturday: 0900hrs-1300hrs; and Sundays and Bank Holidays: no work permitted.

Reason: To safeguard the amenities of nearby residents and to accord with policy B3 of the Mid Sussex Local Plan.

16. Hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity and of the environment of the development and to accord with Policy B1 of the Mid Sussex Local Plan.

17. The development shall be carried out in accordance with the Sustainability Statement submitted as part of the application. On completion of the development, an independent final report shall be prepared and submitted to the Local Planning Authority to demonstrate that the proposals in the Statement have been implemented.

Reason: To ensure that measures to make the development sustainable and efficient in the use of energy, water and materials are included in the

development, in accordance with policy B4 of the Mid Sussex Local Plan and the National Planning Policy Framework.

18. No burning materials:

No burning of demolition/construction waste materials shall take place on site.

Reason: To safeguard the amenities of nearby residents and to accord with policy B3 of the Mid Sussex Local Plan.

19. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area and to accord with policies B3 and T4 of the Mid Sussex Local Plan.

20. The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interest of proper planning.

INFORMATIVES

1. Section 278 Agreement of the 1980 Highways Act - Works within the Highway

The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that

it is an offence to undertake any works within the highway prior to the agreement being in place.

2. A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (tel: 01962 858688) or www.southernwater.co.uk

Plans Referred to in Consideration of this Application

The following plans and documents were considered when making the above decision:

Plan Type	Reference	Version	Submitted Date
Transport Assessment/Travel Plan	3018/005	-	10.03.2017
Transport Assessment/Travel Plan	3018/006	-	10.03.2017
Location and Block Plan	4081/L100	-	10.03.2017
Existing Site Plan	4081/EX101	-	10.03.2017
Existing Elevations	4081/EX102	-	10.03.2017
Existing Elevations	4081/EX103	-	10.03.2017
Existing Elevations	4081/EX104	-	10.03.2017
Existing Elevations	4081/EX105	-	10.03.2017
Proposed Floor Plans	4081/P400	-	10.03.2017
Proposed Floor Plans	4081/P401	-	10.03.2017
Proposed Floor Plans	4081/P402	-	10.03.2017
Proposed Floor Plans	4081/P403	-	10.03.2017
Proposed Floor Plans	4081/P404	-	10.03.2017
Proposed Roof Plan	4081/P405	-	10.03.2017
Proposed Sections	4081/P406	-	10.03.2017
Proposed Elevations	4081/P407	-	10.03.2017
Proposed Elevations	4081/P408	-	10.03.2017
Proposed Elevations	4081/P409	-	10.03.2017
Proposed Elevations	4081/P410	-	10.03.2017
Proposed Sections	4081/P411	-	10.03.2017
Proposed Visual	4081/P412	-	10.03.2017

APPENDIX B – CONSULTATIONS

Haywards Heath Town Council

No objections. Overall, the Town Council sees this revised design as an improvement to the consented scheme (application number DM/16/0665 refers). The conditions applied by Mid Sussex District Council in respect of the consented scheme should remain valid for this latest application.

MSDC Drainage Officer

It is intended for attenuating the surface water for this proposed development and then discharging into the existing MSDC culvert.

We are happy to allow drainage details to be handled by condition.

When it comes to considering the condition, we would like to see the following:

- Evidence that suitable consideration has been made to SuDS methods on site such as permeable surfaces, which can provide attenuation and improve water quality for receiving waters.
- Calculations for any proposed attenuation that will demonstrate the site's ability to cater for the 1:100 year storm event plus climate change consideration.
- Calculations for any proposed discharge from the site to the MSDC culvert, which will need to be restricted to the QBar rate for the site.

MSDC Environmental Protection Officer

The change in design does not affect the issues that we previously commented on under DM/16/0665 and our comments therefore remain the same:

Having looked at the details of this proposed hotel development, I have a number of concerns regarding potential for disturbance affecting nearby residential premises, particularly Clair Court which is very close. Most of these can be addressed by condition. However, noise from customers, who may arrive late at night, or may return from local pubs/restaurants late at night in high spirits, is not easily controlled by condition eg noise from voices, car doors, car stereos etc. It is difficult to predict how much of an issue this may or may not be. I therefore recommend, if planning permission is granted, that the applicants submit a Noise Management Plan outlining which measures will be put in place to minimise disturbance, for example signs, CCTV, 24 hour concierge/security, complaints procedure etc.

Conditions:

- Construction hours: Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times:

Monday - Friday 08:00 - 18:00 Hours

Saturday 09:00 - 13:00 Hours

Sundays and Bank/Public Holidays no work permitted

Reason: To protect the amenity of local residents.

- No burning materials: No burning of demolition/construction waste materials shall take place on site.
- Prior to the commencement of the development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include amongst other matters details of: measures to control noise affecting nearby residents; wheel cleaning facilities; dust control measures and site contact details in

case of complaints. The construction works shall thereafter be carried out at all times in accordance with the approved Construction Environmental Management Plan, unless any variations are otherwise first submitted to and approved in writing by the Local Planning Authority.

- **Plant And Machinery:** The noise rating level of any operational plant or machinery (e.g. extract fans, condenser units etc.) shall be at least 5dB below the existing background noise level at the nearest residential facade. All measurements shall be defined and derived in accordance with BS4142: 2014. The results of an acoustic assessment and details of any mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the development is brought into use and thereafter be maintained in accordance with the approved details.
- **Deliveries (Operational):** No commercial goods or commercial waste shall be loaded or unloaded onto or from a delivery or collection vehicle except between the hours of 07:30 - 18:00 hours Monday to Saturday and between the hours of 09:00 - 18:00 hours on Sundays and Bank holidays .
- **Lighting (Operational):** Prior to the installation of any external lighting on the site details of light intensity, spread and any shielding and times of use together with a report to demonstrate its effect on nearby residential properties shall be submitted to and approved in writing by the Local Planning Authority. It is recommended that the information be provided in a format that demonstrates compliance with the ILP Guidance Notes for the Reduction of Obtrusive Light. Relevant information is available from the following site : <https://www.theilp.org.uk/documents/obtrusive-light>
- **Customer Noise:** Prior to the commencement of the development a Noise Management Plan (NMP) shall be submitted to and approved in writing by the Local Planning Authority. The Noise Management Plan shall include details of: measures to control noise affecting nearby residents; the measures specified shall thereafter be carried out at all times in accordance with the approved Noise Management Plan, unless any variations are otherwise first submitted to and approved in writing by the Local Planning Authority.

MSDC Environmental Protection & Housing Standards

We do not have any immediate concerns but have noted the application and would suggest that the following condition be placed:-

1. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be

undertaken in accordance with the requirements of DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11', and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 1, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 3.

Reason (common to all): To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and to comply with policy CS20 of the Mid Sussex District Council

MSDC Urban Designer

The overall the scale, design and layout of this proposal is similar to the approved scheme (please refer to design observations dated 29/9/16) and the overall issues in respect of the building design, massing, and the forward building line are the same and have already been accepted.

The principal change along the street frontage involves the addition of an all-glazed curved ground floor café on the south west corner (that runs parallel with a reconfigured access road) and a shorter street frontage, reduced from 5 to 4 bays. This results in a more interesting and open elevation at ground floor level with the upper floors of the southern flank otherwise similarly articulated as before with vertical niches/apertures, albeit with a staggered footprint. On the other hand, the roof plant has unfortunately been brought forward approximately one metre in relation to the main street elevation.

The access way now approximately retains the alignment of the existing access that will hopefully allow either the retention of the existing trees or, replacement tree(s) that will provide screening / softening to the projecting frontage.

The extra floors that effectively fill in the previously stepped configuration on the rear / east elevation with a squared-off profile reinforces the repetitive window arrangement along the north elevation; however this repetitiveness also gives the building formality and consistency that is appropriate to this visible façade and the upper floor benefits from being marginally set back to provide some additional articulation. The rear face has been articulated with the same type of vertical niches/apertures, as on the southern flank, that gives some interest and avoids a featureless façade facing Clair Court (the elevation though would nevertheless have benefited from the top floor also being marginally set-back in the same way as the north and west elevations).

In overall terms the positive and negative changes balance themselves out, and I therefore have no objection to this revised scheme, but I would recommend the same conditions as I suggested for the previous application, with an additional requirement to cover the further changes:

- A 1:20 section through: (a) the front façade showing the window reveals and the front entrance canopy and top floor brise-soleil, (b) the south elevation of the ground floor cafe.
- A 1:20 elevation showing the facing treatment of the roof plant.
- Landscaping details including boundary treatment and railings.
- Samples / details of facing materials

West Sussex County Council

In terms of highway impact, the current proposal is reflective of that which has already been granted planning permission under DM/16/0665. The previously permitted alterations to the existing junction onto Perrymount Road and the private access road leading to Clair Court are no longer proposed. There are no particular highway concerns with the junction or private access road remaining in their current format.

It is noted that the transport statement submitted with the current application is the same as that included with the permitted scheme. The servicing arrangements included in the TS were varied as part of the approved application. The servicing details within this are not approved and not supported by the Local Highway Authority. An arrangement was agreed whereby servicing vehicles would enter the site, turn, and then exit onto the highway in a forward gear. To cover this, a servicing management plan was recommended to be secured by condition. A similarly worded condition is recommended for the current application.

No highway objection would be raised.

If minded to approve this application, the following conditions are recommended.

Car parking space

No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use

Construction Management Plan

No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to

throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area.

Servicing Management Plan

No part of the hotel shall be first occupied until such time as until a Servicing Management Plan for has been submitted and approved in writing by the Local Planning Authority. This shall set out the arrangements for the loading and unloading of deliveries, in terms of location and frequency, and set out arrangements for the collection of refuse. Once occupied the use shall be carried out only in accordance with the approved Plan.

Reason: To safeguard the operation of the public highway.

Southern Water

Following initial investigations, Southern Water cannot accommodate the needs of this application without the development providing additional local infrastructure. The proposed development would increase flows into the foul and surface water system and as a result increase the risk of flooding in and around the existing area, contrary to paragraph 109 of the National Planning Policy Framework. Section 98 of the Water Industry Act 1991 provides a legal mechanism through which the appropriate infrastructure can be requested by the developer to accommodate the above mentioned proposal.

Alternatively, the developer can discharge foul and surface water flow no greater than existing levels if proven to be connected and it is ensured that there is no overall increase in flows into the sewerage system. You will be required to provide a topographical site survey and/or a CCTV survey with the connection application showing the existing connection points, pipe sizes, gradients and calculations confirming the proposed foul and surface water flow will be no greater than the existing contributing flows.

Should the Local Planning Authority be minded to approve the application, Southern Water would like the following condition to be attached to any permission. "Development shall not commence until a drainage strategy detailing the proposed means of foul and surface water disposal and a implementation timetable, has been submitted to and approved in writing by, the local planning authority in consultation with the sewerage undertaker. The development shall be carried out in accordance with the approved scheme and timetable."

We suggest the following informative: 'The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk'.

It is the responsibility of the developer to make suitable provision for the disposal of surface water. Part H3 of the Building Regulations prioritises the means of surface water disposal in the order

- a Adequate soakaway or infiltration system
- b Water course
- c Where neither of the above is practicable sewer

Southern Water supports this stance and seeks through appropriate Planning Conditions to ensure that appropriate means of surface water disposal are proposed for each development. It is important that discharge to sewer occurs only where this is necessary and where adequate capacity exists to serve the development. When it is proposed to connect to a public sewer the prior approval of Southern Water is required.

The detailed design for the proposed basement should take into account the possibility of the surcharging of the public sewers. We request that should this application receive planning approval, the following informative is attached to the consent:

"Detailed design of the proposed drainage system should take into account the possibility of surcharging within the public sewerage system in order to protect the development from potential flooding.

The applicant should be advised that a wastewater grease trap should be provided on the kitchen waste pipe or drain installed and maintained by the owner or operator of the premises.

We request that should this application receive planning approval, the following condition is attached to the consent:

"Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and

approved in writing by, the Local Planning Authority in consultation with Southern Water."

Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk".