

**Minutes of a meeting of the District Planning Committee  
held on 9 November 2017 from 2.00 p.m. to 4.00 p.m.**

**Present:** Robert Salisbury (Chairman)  
John Wilkinson (Vice-Chairman)

Ginny Heard	Norman Mockford	Anthony Watts Williams
Christopher Hersey*	Edward Matthews	Peter Wyan
Colin Holden	Colin Trumble	
* Absent		

**Also Present:** Councillors MacNaughton, Wall and Whittaker.

**1. SUBSTITUTES AT MEETINGS OF COMMITTEE – COUNCIL PROCEDURE  
RULE 4**

The Committee noted that Councillor Margaret Hersey was substituted for Councillor Chris Hersey.

**2. APOLOGIES FOR ABSENCE**

The Committee noted that apologies had been received from Councillor Chris Hersey.

**3. DECLARATIONS OF INTEREST**

None

**4. MINUTES**

The Minutes of 12 October 2017 were agreed as a correct record and signed by the Chairman.

**5. APPLICATIONS AND OTHER MATTERS CONSIDERED**

DM/17/1955 – Brantridge Lane, Balcombe, Haywards Heath, West Sussex,  
RH17 6JT

Susan Dubberley, Senior Planning Officer drew Member's attention to the Agenda Update Sheet and the additional informatives setting out the approved drawings. The Officer then introduced the Report for the conversion of a listed main building to a single family dwelling with internal and external alterations and extensions, new tennis court building, swimming pool, and

new equestrian complex in the grounds, to include 2 x 1 bed units in the stable building for grooms accommodation and a horse walker.

The planning agent was the only speaker in support of the application and there were no speakers in objection to the application.

The Members all agreed that this was an interesting application. They commented that they were glad to see the restoration of a beautiful building and that the grounds are being put to good use.

One Member queried that this development might not be suitable long term as future owners might not have need of an equestrian complex and whether the materials used on the swimming pool/gym building are suitable. The Senior Planning Officer stated to Members that there was a long term landscape management condition and a materials condition in the report.

Councillor Mockford moved to the recommendation for approval which was seconded by Councillor Matthews and agreed unanimously.

## **RESOLVED**

It is recommended that the application be approved subject to the recommended conditions set out in Appendix A and the additional informatives set out in the Agenda Update Sheet.

DM/17/1966 – Brantridge Park, Brantridge Lane, Balcombe, Haywards Heath, West Sussex, RH17 6JT

Susan Dubberley, Senior Planning Officer, drew Members attention to the agenda update sheet and the additional informatives setting out the approved drawings. The Officer also introduced the Report outlining the application for conversion of listed main building to a single family dwelling, with internal and external alteration and extensions.

Chairman noted no one wanted to speak and moved to the recommendation which was agreed unanimously.

## **RESOLVED**

It is recommended that the application be approved subject to the recommended conditions set out in Appendix A and the additional informatives set out in the Agenda Update Sheet.

DM/17/2570 – No's 15 and 39 Crawley Down Road, Felbridge, East Grinstead, West Sussex, RH19 2NT

The Chairman explained to the committee that the application had returned due to the fact the previous report did not set out the Officer comprehensive

assessment of how the proposals complied with the policies of Neighborhood Plan.

The Solicitor to the Council, Tom Clark, confirmed to the committee that the return of this application was completely legal. He also informed Members that their decision should be based on paragraph 134 of the NPPF which provides for a balancing exercise to be undertaken, between the “less than substantial harm” to the designated heritage asset, on the one hand, and the public benefits of the proposal, on the other. The issue of land supply in the area should not hold significant weight to the decision being made.

Sally Blomfield, the Divisional Leader for Planning and Economy, explained to the committee that the reasons for refusal proposed by Members at the last committee had been carefully considered in the context of the East Grinstead Neighborhood Plan policies and in Officers opinion, would not hold up if the application went to appeal. She explained that the Officers report to the previous committee had not set out the Officer analysis of the Neighborhood Plan and had therefore not enabled a full consideration of all the issues. Members were reminded that the proposal fell across both Mid Sussex and Tandridge District Councils. She went on to explain that the report now also set out responses of both West Sussex County Council and Surrey County Council as highways authorities and that neither authorities had considered that the proposal would result in sever impact to the wider highway network and therefore neither had put forward an objection to the proposal. Finally, she went on to inform Members that until such time as the District Plan Inspector confirms in writing, in his Final Report, the Council’s housing requirement, there is no figure to calculate the supply against. At present the Council cannot demonstrate an agreed 3 or 5 year supply of housing land and therefore paragraph 14 of the NPPF is engaged.

Susan Dubberley, Senior Planning Officer drew Members attention to the agenda update sheet which outlined additional representation in both opposition and support of the application. The Agenda Update Sheet also added informatives and the Ecologists recommendation to the Report. The Senior Planning Officer then introduced the Report outlining the application for the erection of 63 dwellings and new vehicular access on to Crawley Down road that required the demolition of existing buildings and structures at no’s 15 and 39 Crawley Down Road.

Jeremy Clarke, the Ward Member for the Felbridge Parish Council, spoke against the application.

Claire Boughton–Tucker, Richard Barnby and Ian Gibson, were all residents who spoke in objection to the application.

James Bevis, Meryl Baker and Jeremy Farrelly, spoke in support of the application.

Councillor Rex Whittaker the District Ward Member for East Grinstead Imberhorne spoke in objection to the application.

Before opening the debate to the Committee the Chairman asked the Solicitor to the Council to clarify some points raised. He reiterated to Members that this application was to be judged as a balancing exercise, between the “less than substantial harm” to the designated heritage asset, on the one hand, and the public benefits of the proposal, on the other. He also echoed earlier comments that Mid Sussex District Council must wait for a written report from the Inspector before the issue of supply of housing land could be a significant factor in this application.

In response to a question, the Divisional Leader for Planning and Economy, informed Members that for purposes of Habitats Regulations Mid Sussex District Council was the ‘competent authority’ and has a duty to ensure that proposals do not have an adverse effect on the integrity of designated sites. As such the Council had undertaken a screening assessment of these proposals. The screening report is publicly available on the Council’s online planning register alongside the other documents relating to this application. As this screening assessment had concluded that there would be no likely significant effect there was no need to undertake an appropriate assessment. As such there was no requirement to consult Natural England.

The Chairman opened discussion of the application to the committee at which point a Member commented that they believed this application had come back to committee with indecent haste and that the original reasons for refusal should have been sufficient to hold up at appeal. The Member went on to criticise the transport study submitted by the applicants and commented that a 1 day traffic study is not a robust assessment, as guidance from West Sussex County Council sets out that a 10 day study should be undertaken. Furthermore, the Member stated that due to multiple developments and potential future developments in the area, there will be a cumulative negative effect on the traffic in the area. He stated that in the East Grinstead Neighborhood Plan it specifically listed the Crawley Down Road area on the border with Tandridge as a Countryside Area of Development Restraint. He drew the committee’s attention to a previous application near the site which was refused showing that there is precedent for refusal in the area. The Member believed that this committee should also give full weight to the Neighborhood Plan and refuse the application as they had in their previous meeting.

The Team Leader for Major Developments and Investigations explained to the committee that the application referred to by the Member mentioned was a full application and was refused due to details contained within that application. The policies referred to on the decision notice related to design policies in the Local Plan (B1), Neighbourhood Plan (EG3) and emerging District Plan (DP24) and were not matters of principle. As the current application is in outline form, the reasons for refusal on the adjacent site were not considered directly relevant. It was noted that policy EG2a of the Neighbourhood Plan was not referenced in the reason for refusal. The Team Leader also wanted to clarify points made in this committee and the previous committee about how the application did not comply with the East Grinstead Neighbourhood Plan. It

was Officers opinion that the proposed development actually complied with the Neighbourhood Plan. As set out in the report, Officers were of the opinion that that Policy EG2 applies a presumption in favour of certain types of development and while the proposal does not fall within any of the types listed, the wording is not explicit with regard to the forms of development that are not referred too. Notwithstanding this, Policy EG5 is the relevant housing policy in the Neighbourhood Plan Area against which the application needs to be considered. In regard to Policy EG2a, the Officer explained that the proposed development complied with all the criteria set out and that the proposed development would not result in the perception of openness being eroded in this area nor result in the coalescence of East Grinstead and Crawley Down. It was considered that the proposal complied with Policy EG5, specifically criteria b) where it was considered, given the sites location behind existing properties, would not result in any significant harm to the character and appearance of the area. Policy EG5c and EG11 related to highway matters and there was no evidence before the committee from either of the relevant Local Highway Authorities that indicated that the proposal would be contrary to these policies.

Several Members observed that the committee must only look at the application in front of them and that they were struggling to find any sound planning reasons to move against the recommendation and that the site looked suitable for development.

The Chairman clarified to Members that the issue of transport had been debated thoroughly in the previous meeting and as the appropriate agencies have made no objection and the Members must take this into account.

A Member asked the Solicitor to the Council to clarify to Members what they should take into account when deciding the resolution of the application. The Solicitor reiterated to Members that this application was to be judged as a balancing exercise, between the "less than substantial harm" to the designated heritage asset, on the one hand, and the public benefits of the proposal, on the other.

A Member commented on the different interpretations of Neighborhood Plan policies between Officers and the speakers on the application. However the Member also commented the need for housing and that a site east of this application was approved at appeal.

A Member quoted the Conservation Officers comments that "Given the separation between the site and the listed building and the degree of screening present I would consider the less than substantial harm caused to be towards the lower end of the scale." Due to this, although the Member didn't want to approve the application he could not find a reason to refuse it.

A Member urged that full weight be given to neighborhood plans and commented that this has been voiced by other Members in previous committees.

Councillor Matthews proposed to refuse the application as it was considered that the proposal was contrary to the East Grinstead Neighbourhood Plan Policies: EG2, EG2a (1, 2 and 3), EG5 (b and c), EG11 and also contrary to paragraph 32 of the NPPF. This was seconded by Councillor Wyan. There were 4 votes in favour of refusal and 6 votes against.

The Chairman moved to the recommendation contained in the report. This was agreed with 6 votes in favour of the recommendation and 4 against.

### **RESOLVED**

That permission be approved subject to the completion of a legal Agreement to secure affordable housing and infrastructure contributions and the conditions set out in Appendix A and the additional informatives set out in the Agenda Update Sheet.

## **6. ITEMS CONSIDERED URGENT BUSINESS**

None.

Chairman.