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Minutes of a meeting of the District Planning Committee held on 19 April 2018 from 2.00 p.m. to 4.48 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 Thomas-Atkin, Marples, Stockwell, Hatton, Webster and Binks .

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

The Committee noted that Councillor Anthony Watts Williams was substituted for Councillor Neville Walker.

2. **APOLOGIES FOR ABSENCE**

The Committee noted that apologies had been received from Councillor Colin Holden, Councillor Edward Matthews and Councillor Anthony Watts Williams.

3. **DECLARATIONS OF INTEREST**

None.

4. **MINUTES**

The Minutes of the Committee held on 19 April 2018 were agreed as a correct record and signed by the Chairman.

5. **APPLICATIONS AND OTHER MATTERS CONSIDERED**

The Chairman reminded Members that the District Plan had recently been adopted and that they would now need to use the training they had all recently received to ensure planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. Members should note that the report formats had changed following the adoption of the District Plan.

DM/17/2271 – Land To The East Of High Beech Lane/, Land North of Barrington Close, Barrington Close, Lindfield, West Sussex.

Joanne Fisher, Senior Planning Officer informed Members that the reason for this application returning to the Committee was that the S106 agreement had not been completed and there had been a resolution to approve the application subject to the completion of a S106 agreement but as the S06 agreement had not been completed the planning permission had not been granted. Since then the District Plan had been

adopted and now Members must review this application taking into account the new policies that were adopted. The Officer then introduced the report for the erection of 43 (one, two, three, four and five bedroom) dwellings and three self/ custom build plots (Use Class C3) with associated infrastructure, landscaping and access. All matters to be reserved except for access. Amended description 21/8/2017 to include self / custom build. She also informed the Committee of an additional condition and informative contained in the Agenda Update Sheet.

Officers explained that whilst the proposal would be contrary to Development Plan DP12, as the site is situated within the countryside outside the built up area of Lindfield, it is considered that there are other material considerations, specific to this site which were relevant to this application. The site is well contained and would be seen in context with the existing housing development and would result in the infill of the current built up area boundary of Lindfield forming a more defensible and logical boundary to the open countryside which would be strengthened with additional landscaping.

Councillor Dumbleton of Lindfield Rural Parish Council, Catherine Cross who spoke on behalf of the Lindfield Preservation Society and Leanda Ahmed representing the local residents spoke against the application.

Andrew Munton the agent spoke in support of the application.

Councillor Linda Stockwell the District Ward Member for Lindfield Rural spoke against the application. She believed that the application went against policies DP3, DP6, DP12 and DP38 of the District Plan.

Sally Blomfield, the Divisional Leader for Planning and Economy, responded to the comment that the Parish had already met its housing target by informing the Committee that the housing need figure established at the Examination in Public into the District Plan was 16,390; that this figure was for the District as a whole; and that the District Plan does not include a policy that specifically sets out each Parishes housing need. There is a table in the supporting text to Policy DP6 which sets out a minimum residual amount for settlements but the Plan indicates that this position will be updated annually. In addition, in line with government guidance, the housing requirement figures are expressed as minima

The Senior Planning Officer told the Committee that following the Council's Drainage Engineer's recommendation contained in the report the development will result in a positive impact to surrounding properties and downstream areas in relation to drainage and flooding.

A Member noted that as we already had a five year housing supply these units were more of a bonus than a necessity. He believed it was unsuitable as the application was contrary to policies DP6, DP12 and DP15 of the Mid Sussex District Plan and the policy 1 of the Lindfield Rural Neighbourhood Plan. He said that the site had no easy access to amenities which would increase the use of cars at the site and the local services such as doctors and schools were already strained.

Members highlighted residents concern regarding flooding in the area. Although developers believed that they had a solution to reduce the risk of flooding, Members wanted confidence that the flood risks in the area would be reduced. A Member queried whether we have sufficient expertise to rigorously check the drainage reports that would be received from developers. He also noted that in the report it was stated that the development would allow for urbanisation of the area which was

unacceptable in his opinion, he would not be able to support the Officers recommendation.

The Divisional Leader for Planning and Economy confirmed that the Council did have the necessary expertise to rigorously check the drainage reports.

A Member asked whether the Council had received a signed S106 agreement.

The Senior Planning Officer confirmed that the S106 agreement had been signed by the developer and land owner. She also confirmed that as the Council hadn't signed the agreement there was no permission granted on the previous application until this Committee had made its decision.

A Member noted that although the site was contiguous with the Built up Area boundary it could start a dangerous precedent in the area to just keep on extending the built up area.

The Chairman noted that the site was not just contiguous to the Built up Area boundary but it was surrounded on three sides by the boundary. In addition the scheme would secure the delivery of 30% (14 units) affordable housing, 3 self/custom build units and infrastructure payments.

A Member highlighted that there were 80 letters of objection and 1 in support. However there were no objections from experts subject to the conditions and that the issue of drainage had been solved by condition 14.

The Divisional Leader for Planning and Economy reminded the Committee that the starting point in the determination of planning applications were the policies of the development plan, unless other material considerations indicated otherwise. Whilst the Committee Report indicated that the proposals were contrary to Policy DP12 of the District Plan there were site specific circumstances which were material in this case and which should be taken into account. She also explained that in the Officers view the fact that the site was surrounded on three sides by built development represented a material consideration. She noted that Policy DP12 indicated that built up area boundaries would be subject to review and that the northern boundary of the proposed development would represent a logical defensible boundary.

A Member was concerned about the inclusion of the area of land in the red line application boundary, which served as the landscaped access to the site but which extended into the open countryside to the north.

The Divisional Leader for Planning and Economy noted that the standardised criteria used to review the built up area boundaries identified that open spaces associated with a development but at the edge of settlements would normally be omitted.

A Member commented on his disappointment in the design of the development. Another Member reminded the Committee that they could not refuse the application on popular opinion and he could not find sound planning reasons to refuse the application.

Councillor Hersey proposed to refuse the application as it was considered that the proposal was contrary to policies DP12 and DP15 of the MSDC District Plan and also contrary to policy 1 of the Lindfield and Linfield Rural Neighbourhood Plan. This was seconded by Councillor Trumble. There were 3 votes in favour of refusal and 5 votes against.

The Chairman moved to the recommendation contained in the report. This was agreed with 5 votes in favour of the recommendation and 3 against.

RESOLVED

That the application be approved subject to the recommended conditions set out in Appendix A and the completion of a S106 agreement.

DM/17/4307 – Land West Of, London Road, Hassocks, West Sussex.

The Chairman reminded Members that the site has been found by the Secretary of State to be a sustainable location for a major housing development as it is located adjacent to a category 2 settlement in Mid Sussex with good access to services and other facilities. The Committee is determining the specific application on the site for approval or refusal. Steven King, the Planning Applications Team Leader drew Members attention to the Agenda Update Sheet which included additional representations and additional informatives. The Officer then introduced the report for the erection of 129 dwellings (including 30% affordable housing provision), new provision, new vehicular access onto London Road (A273), associated landscaping, car parking, open space, pedestrian link to adjacent, existing recreation ground to the north and infiltration basins. Amended plan received 12th February showing a revised layout and amended elevations to proposed dwellings. Further plans received 14th, 16th and 28th February showing amended elevations, street scenes and tenure plan. Amended plans received 28th March showing the deletion of the house on plot 3 and minor elevational changes to the dormer windows and roof lights on blocks A, B and C.

Officers explained that the application is contrary to policies DP6, DP12 and DP15 of the Mid Sussex District Plan however other material considerations outweighed those policies to be in favour of development. The Planning Applications Team Leader highlighted the planning history of the site and that fact that the Secretary of State had granted planning permission for 97 dwellings on the site. He advised that the views of the Secretary of State on the previous application on various matters, including highways, air quality and drainage were all relevant to the determination of this application.

Councillor Bill Hatton Parish Councillor for Hassocks spoke against the application.

Kirsty Lord the County Councillor for Hassocks and Ian Tovey a representative of the Residents of London Road spoke against the application.

Nick Keeley the agent of the development spoke in support of the application.

Councillor Sue Hatton a District Ward Member for Hassocks spoke in objection of the application.

Councillor Gordon Marples a District Ward Member for Hassocks spoke in support of the application.

Nicholas Bennett, the Senior Environmental Health Officer informed the Committee that the proposed development is acceptable in relation to air quality matters. He considered that there were no sustainable reasons to resist this application based on air quality concerns. As such it is considered the application complies with policy DP29 of the District Plan.

Scott Wakely, the Council's Drainage Engineer told Members that the proposed development provides the opportunity to improve existing surface water run-off issues associated with the site. By incorporating hard structures which will interrupt, collect and control surface water flows, the flood risk some properties of London Road are exposed to should be greatly reduced.

The Divisional Leader for Planning and Economy clarified that a fundamental material consideration is that there was already planning permission on the site.

A Member noted that the issue with this application was the increase in units from 97 granted by the Secretary of State to 129 units. He asked what the density of the development was. He also wanted confirmation that the hedge rows in the site would not be removed.

The Planning Applications Team Leader informed the Committee that the site density was 35 units per hectare. The provision of flats has led to the increase in units and Officers believe that it is a suitable increase for the development. The Planning Applications Team Leader advised the committee that the key issue was whether this proposal was satisfactory in relation to matters including layout and design rather than simply considering a density figure. He advised that officers considered the design and layout of the scheme was acceptable and optimised the use of the site, in accordance with policy DP26.

The Planning Applications Team Leader advised that there would be a condition requiring details of the proposed footways between the northern and southern field parcels within the site in order to protect the hedgerow that divided the two fields. He advised that the increase in affordable units should be viewed as a positive factor to be taken into account when determining the application.

A Member raised concern that even though it has been described as negligible the increase in pollution was unacceptable.

The Senior Environmental Health Officer informed the Member that any development causes pollution. The modelling that had been done in accordance with the guidance from legislation had shown an increase in pollution but this was negligible.

A Member queried why a development in Hassocks of 18 units had been refused but now an increase of 32 was being supported by Officers. He also asked why French Drains were no longer included in the plan, when they had been included in the Secretary of States plan.

The Planning Applications Team Leader told the Member that the site referred to for 18 units was a site in the countryside that had no planning history, whereas this site had already been approved for development by the Secretary of State.

The Council's Drainage Engineer informed the Committee that French Drains in certain areas of the site could exacerbate the flooding risks.

A Member asked whether the flats on the north of the site would negatively affect the intrinsic character and beauty of the countryside.

The Planning Applications Team Leader noted that the area north of the site was a recreation ground associated with Hassocks and not open countryside so in officers opinion there was no adverse impact on the character of the countryside and

therefore no conflict with policy DP12 of the District Plan. Officers considered that the location of the flats facing onto the recreation ground was appropriate.

A Member asked why this site had a large cluster of flats when it was MSDC's usual practice to encourage social integration.

The Planning Applications Team Leader told the Committee that the layout of the site and position of the flats had evolved as a result of negotiations between the Council and the applicants. He advised that there was a balance to be struck between achieving a good quality layout and making sure that the affordable housing was appropriately integrated within the site. Whilst there was a greater number of affordable units clustered together than advised in the Councils guidance these units would be finished to the same quality as the rest of development and the Councils Housing Officer supported the scheme as it provided a greater number of small affordable units. Officers therefore considered that it element of the scheme is satisfactory.

The Chairman noted no more Members wished to speak and took the Committee to the Officers recommendation for approval, which was agreed unanimously.

RESOLVED

It is recommended that the application be approved subject to the completion of a S106 legal agreement to secure the necessary infrastructure contributions and affordable housing and the condition listed in the appendix.

DM/18/0194 – Penland Farmhouse, Hanlye Lane, Cuckfield, Haywards Heath

Steve Ashdown, Team Leader for Major Development and Investigations drew Members attention to the Agenda Update Sheet which contained an amendment to the wording of condition 11. The Officer introduced the Report for the variation of condition 11 (Site Access) and 26 (approved plans) and removal of condition 19 (contamination) relating to permission ref DM/16/1803. The 50 homes that could be accessed using the temporary access would include some affordable homes. These homes are specified in Condition 11 plan number 2717-21-04-010 which would form part of the permission.

The Chairman noted no Members wished to speak so took the Committee to the Officers recommendation for approval, which was agreed unanimously.

RESOLVED

It is recommended that the application be approved subject to the completion of any S106 legal agreement to secure the necessary infrastructure contributions and affordable housing and the condition listed in the appendix. Also subject to the amendments to the conditions.

6. ITEMS CONSIDERED URGENT BUSINESS

None.

Chairman.