

**Minutes of a meeting of Planning Committee A
held on Thursday, 24 May 2018
from 7.00 p.m. to 8.30 p.m.**

Present: Edward Matthews (Chairman)
Dick Sweatman (Vice-Chairman)

Jonathan Ash-Edwards
Margaret Hersey
Gary Marsh

Howard Muddin
Norman Mockford
Colin Trumble

Neville Walker
John Wilkinson
Peter Wyan*

* Absent

Also Present: Councillors Forbes, Holden, Coote and Webster.

1. SUBSTITUTES

Councillor Mockford substituted for Councillor Wyan.

2. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Wyan.

3. DECLARATIONS OF INTEREST

Councillor Muddin clarified that, in respect of application DM/18/0302 – 5 Lucastes Road, Haywards Heath, RH16 1JJ, he is a member of Haywards Heath Town Council Planning Committee that have previously reviewed the application. He stated that he comes to this meeting with an open mind to consider the representations of the public speakers, Officers and Members of the Committee.

Councillor Marsh declared a prejudicial interest in DM/18/1003 – Sussex Miniature Locomotive Society Ltd, as he is the portfolio holder for the area and has been in discussion with the Society on the project. He will remove himself from the meeting for the duration of discussion and voting on the item.

Councillor Walker noted that he is the District Council Ward Member for item DM/18/0677 - Turners Hill Burial Ground.

4. MINUTES

The minutes of the meeting of the Committee held on 26 April 2018 were agreed as a correct record and signed by the Chairman.

5. APPLICATIONS AND OTHER MATTERS CONSIDERED

DM/17/4575 1 Cyprus Road, Burgess Hill, West Sussex, RH15 8DX

Joseph Swift, Planning Officer, introduced the report that sought outline planning permission for the demolition of existing restaurant and ancillary staff accommodation

and the creation of 10 new flats with a new restaurant and retail space on the ground floor. He drew Members attention to the additional contributions to primary and secondary education as detailed in the Agenda Update Sheet.

Councillor Holden spoke on behalf of Burgess Hill Town Council and noted their concern that the application does not address parking issues. Should residents choose to park on the street this would have a significant impact on the street scene. He requested that construction be limited to weekdays only and that the Construction Management Plan directs construction vehicles to enter from the Town Centre. He also raised concern on fire risk and requested that Members consider a condition that sprinklers are required in corridors and stairways.

A Member queried whether with the adoption of the District Plan, the application should have an element of affordable housing included. He also raised concern with the construction phase as the entrance to the site is shared with the car park. He sought clarification on what steps are in place to ensure that the adjacent disabled parking spaces, electrical substation and Town Council storage area are not displaced with construction storage, requesting that these areas are offered protection in the Construction Management Plan.

The Planning Officer confirmed that the affordable housing element only applies to applications of 11 units and above, so it is not applicable in this case. He stated that the applicant will require a licence from the District Council to operate within the car park which would likely to be controlled by the Council's Estates team. Steve King, Planning Applications Team Leader confirmed that the building will need to have separate building regulations consent which will address all required fire safety precautions. It is therefore not appropriate for the Planning Committee to duplicate controls in this area. He confirmed it is the Members' decision whether they wish to limit Saturday construction and that if a satisfactory arrangement regarding parking and vehicle movements during the construction phase cannot be reached, the condition will not be discharged and construction will not proceed.

A Member queried the width of the footpath around the proposed scheme, and the route from this to the main public footpath as he felt the site was isolated. He also queried whether the 1.00am opening time for Fridays and Saturdays are the existing hours of business as he felt midnight would be more appropriate to limit disturbance to the flats above. The Planning Officer confirmed that the footpath is 1.8m and that the 1.00am closing time was a condition suggested by the Environmental Protection Team and not requested in the original application.

A Member raised concern at why the units proposed are larger than the minimum space standards and yet the development is just under the required number of units for a contribution to affordable housing. The Planning Applications Team Leader confirmed that it was for the developers to submit a proposal to the Council and then it was a matter for the Council as the Local Planning Authority to assess what had been submitted. He did not feel that this was a clear and obvious attempt to circumvent affordable housing requirements.

Another Member stated his support of the application, particularly the need for more 2 bedroom units in the area, and was happy with the Officer recommendation.

Councillor Ash-Edwards proposed that the application be approved with an amendment to the opening hours to reflect midnight closing on Fridays and Saturdays. This was seconded by Councillor Marsh. The Chairman took Members to this recommendation which had 3 votes in favour and 7 against.

The Chairman then took Members to the original recommendation contained in the Report, with the correction of minor wording in condition 8, which was approved unanimously.

RESOLVED

That planning permission be approved subject to the following recommendations and updated contributions contained in the Agenda Update Sheet.

Recommendation A

That permission be approved subject to the completion of a S106 Legal Agreement to secure infrastructure contributions and the conditions set in Appendix A.

Recommendation B

That if the applicants have not submitted a satisfactory signed planning obligation securing the necessary infrastructure requirements by the 24th August 2018, then it is recommended that permission be refused at the discretion of the Divisional Lead for Planning and Economy, for the following reasons:

1. 'The application fails to comply with policy DP20 and DP31 of the Mid Sussex District Plan in respect of the infrastructure required to serve the development.'

DM/18/0302 5 Lucastes Road, Haywards Heath, West Sussex, RH16 1JJ

Andrew Morrison, Senior Planning Officer introduced the report that sought full planning permission for a two storey side extension, replacement porch, detached double garage and alteration to the position of the access and driveway. He noted that the amended proposals were acceptable to Officers in design, scale, neighbouring amenity and highway safety.

Kelly Gil-Martin spoke in objection as the resident of number 3 Lucastes Road on the grounds of overbearing impact and loss of privacy that would result from the garage and extension. Mr Turner spoke in favour as the applicant and noted that the alterations proposed are consistent with other properties in the area.

A number of Members expressed sympathy for the residents of number 3 Lucastes Road but noted that significant tree screening is in place and it is in the interest of both sides for the screening to be maintained. A Member requested an additional condition to remove permitted development rights to use the roof space of the garage. The Senior Planning Officer confirmed that there is insufficient headroom in the proposed garage for viable use but that a separate condition is not required in any case as any such amendments would automatically require a new planning application.

It was noted that the application was called in, but the Member calling it in had not attended the meeting to provide support.

Councillor Mundin proposed the application for approval, as per the recommendation set out in the Report, which was seconded by Councillor Walker and approved unanimously.

RESOLVED

That planning permission be approved subject to the conditions outlined at Appendix A.

DM/18/0677 Turners Hill Burial Ground, Turners Hill Road, Turners Hill,
West Sussex, RH10 4BP

Andy Watt, Senior Planning Officer introduced the report for the proposed re-siting of consented chapel building with excavation and construction of a new basement, internal site access road and associated landscaping. He drew Members attention to the Agenda Update sheet containing additional representations and objections to the application. He noted the significant history to the site. In 2015 an application was granted for change of use to a natural burial ground with car parking, reception building, hedge moves and footpath. Following this, groundworks had commenced. In 2016 an application for Affordable Housing units was refused by the committee, and dismissed at appeal. In 2017 an application to build a Chapel to the north of the reception building was refused by the Council but granted at an appeal with the Inspector commenting that the need for a chapel on site is not unreasonable and siting it close to the reception building is appropriate.

The Senior Planning Officer noted that the Inspector accepted the building, design and impact of a chapel building and that this new application sites it 9m away from the public right of way and boundary to the Area of Outstanding Natural Beauty so it will not result in a long term impact to the natural area.

Christian Halmaghe, Agent, spoke on in support of the application, thanking Officers for their support in developing the application.

Councillor Forbes spoke as Ward Member for the area. He cited the prior history to the site and felt that the new application contravenes the Inspector's comment as the chapel will no longer be adjacent to the reception building. He also noted that since he had called in the application he had received two letters from the applicants solicitor asking him to review his decision to call in the application. He commented on the significant height increase to the building, the fact that the footpath from the site does not connect to any other footpath leading into Turners Hill and that the site has also been put forward by the applicant for 175 homes as part of the SHEELA call for sites.

A Member noted the Parish Council's objection due to lighting and asked for clarification on any reference to this in the application. The Senior Planning Officer confirmed that no lighting is proposed and that should it be required it would be considered appropriate in general. In response to Member's queries, he confirmed that the width of the basement doors are 2.5m and that condition 9 on p.78 of the Report restricts the use of the basement to storage. He noted that from the South, North and West the height of the chapel will appear the same height as originally planned, and only on the East will it appear higher due to the land dug out for the basement access. With regard to the footpath, he confirmed that the applicant owns the strip of land for the footpath which has been put in as part of the implementation of the groundworks in the original application. He noted that where it ends, people would be required to cross the road just within a 30mph zone.

Councillor Marsh moved to refuse the application as the re-siting of the chapel breaches the Inspectors comments as it is now further away from the reception building. He noted the substantial increase in the height of the building and felt the application would be detrimental to the countryside and this was seconded by Councillor Margaret Hersey.

A Member confirmed that this application had to be considered on what is presented, rather than previous applications or conjecture on what could happen in the future and these views were agreed by some other Members.

The Planning Applications Team Leader highlighted that should Members approve the application, a condition should be included to prevent the current permission being implemented along with the new permission, resulting in two chapel buildings.

The Chairman took Members to the recommendation, as was moved and seconded, to refuse the application which went down by 2 votes for and 8 against.

He then took Members to the recommendation contained in the Report together with the additional condition to prevent the current planning permission being implemented along with the new permission, as suggested by the Planning Applications Team Leader. This was approved with 8 votes in favour and 2 against.

RESOLVED

That planning permission be approved subject to the conditions outlined at Appendix A and an additional condition to prevent the two planning applications being carried out concurrently.

[Councillor Marsh removed himself from the meeting at 8.29pm and took no part in the following application]

DM/18/1003 Sussex Miniature Locomotive Society Ltd, Miniature Railway Office, Beech Hurst Gardens, Butlers Green Road, Haywards Heath, RH16 4BB

The Chairman introduced the application for the erection of a dedicated learning centre called the Branch Line in Beech Hurst Gardens Park associated with the miniature railway. He noted that it was before the committee as the site is on Council owned land. As there were no Members wishing to speak on this item, the Chairman took Members to the recommendation to approve, as set out in the Report, which was agreed unanimously.

RESOLVED

That planning permission be approved subject to the conditions outlined at Appendix A.

6. URGENT BUSINESS.

None.

7. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 10.2 DUE NOTICE OF WHICH HAS BEEN GIVEN.

None.

Meeting closed at 8.30pm

Chairman.