

Minutes of a meeting of Planning Committee B held on 30 August 2018 from 7:00 p.m. to 8:25 p.m.

Present: Chris Hersey (Chairman)
Anthony Watts Williams (Vice-Chairman)

Phillip Coote	Andrew MacNaughton	Robert Salisbury
Sue Hatton*	Norman Mockford	Rex Whittaker
Colin Holden	Pru Moore	

* Absent

Also present: Cllr Margaret Hersey

1. SUBSTITUTES

Councillor Margaret Hersey substituted for Councillor Hatton.

2. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Hatton.

3. DECLARATIONS OF INTEREST

Councillor M Hersey declared predetermination in item DM/18/0884, 34 Dukes Road, Lindfield as, along with Cllr Anthea Lea, she had called it in and will therefore remove herself from discussion of the item and speak only as Ward Member.

Cllr Watts Williams declared a prejudicial interest in item DM/18/1435 Expresslube UK Ltd, 66A Victoria Road, Burgess Hill West Sussex, RH15 9LH_as he knows the applicant well. He will leave the room for the duration of this item.

Cllr Holden declared predetermination in item DM/18/2781 Playground, Recreation Ground, James Lane, Burgess Hill, and will therefore remove himself from discussion of the item and speak only as Ward Member.

4. MINUTES

The minutes of the meeting of the Committee held on 5 July 2018 were agreed as a correct record and signed by the Chairman.

5. APPLICATIONS AND OTHER MATTERS CONSIDERED

DM/18/0213 - Michaelmas Cottage, Bolney Chapel Road, Twineham, Haywards Heath, West Sussex, RH17 5NN

Andrew Morrison, Senior Planning Officer introduced the application for the conversion and extensions to rear annexe into an independent two bedroom dwelling, drawing Member's attention to the amendments in the Agenda Update Sheet.

Alastair and Kerry McCulloch spoke in objection to the application, citing conditions that were applied to the site in 1973 and concurring with comments made by Twineham Parish Council. Anthony Evans, the applicant spoke in support, noting amendments that have been made to the plans following consultation with the Planning Officers.

A Member sought clarification on a comment made by Mr Evans that a business will be run from the property. Andrew Morrison, Senior Planning Officer confirmed that no element of the application proposes business use at the site. He noted that individuals are permitted to work from home but any significant business use of the property would require a separate planning application for such use.

A Member noted that the application would improve the whole site but noted it was unfortunate that the committee could not consider the conditions applied in 1973 as the archive had been lost. She sought confirmation of the distance to the nearest window on the neighbouring property. This was confirmed as 8m from the porch to the southern boundary.

The Chartered Legal Executive confirmed that although the details of the previous condition were not available, these conditions would have been put in place to stop people making changes automatically. A planning application would always still need to be submitted for any changes, which are to be considered on their own merit as is before the committee today.

A Member sympathised with the neighbours but felt that there was significant reason to approve the application. However, he requested that condition 8 be amended to include the comments made by the Tree Officer in the Agenda Update Sheet. It was agreed that the condition can be amended to make the Tree Officer's comments more explicit.

Councillor Coote proposed to move to the recommendation, including the amended condition 7 as per the Agenda Update Sheet and condition 8 as per the Committee discussion. This was seconded by Councillor Holden and was approved unanimously.

RESOLVED

That planning permission be granted subject to the conditions listed at Appendix A with the amendments to Conditions 7 and 8.

In advance of the next item, Councillor Watts Williams removed himself from the room at 7.30pm.

DM/18/1435 Expresslube UK Ltd, 66A Victoria Road, Burgess Hill, West Sussex, RH15 9LH

Steve King, Planning Applications Team Leader introduced the application for the demolition of existing industrial warehouse and the construction of 10 new flats and associated parking and bin storage, noting the additional condition contained in the Agenda Update Sheet. He noted that the principle of this type of application is in the Neighbourhood Plan as the Plan envisaged the area moving from commercial to residential use. Although there is parking marginally below the Neighbourhood Plan target, there is no significant parking displacement from nearby areas expected.

The Chairman confirmed that the existing condition 22 will be replaced by the condition in the Agenda Update Sheet, and the current condition 22 will therefore become condition 23.

A Member queried the design of the new proposed building as there have been other recent developments in the area which have been of poor design. The Planning Applications Team Leader confirmed the design would be similar to properties to the northwest of the site. He also confirmed that the lift within the building will come to the ground floor and service the undercroft parking area.

A Member noted that it was unfortunate that there had been piecemeal approaches to developing the whole area, as it could have perhaps have been done better as one project.

Councillor Moore proposed that the application be approved, as per the Recommendation, subject to the additions contained in the Agenda Update Sheet. This was seconded by Councillor Salisbury and approved unanimously.

RESOLVED

That planning permission be granted subject to the following recommendations, and the additional conditions contained in the Agenda Update Sheet:

Recommendation A It is recommended that permission be granted, subject to the completion of a section 106 legal agreement to secure the necessary infrastructure contributions, and to the conditions listed at Appendix A.

Recommendation B It is recommended that if the applicants have not completed a satisfactory signed planning obligation securing the necessary infrastructure payments and affordable housing by the 30th November 2018, then it is recommended that permission be refused, at the discretion of the Divisional Leader for Planning and Economy, for the following reason:

'In the absence of a signed legal agreement the application fails to deliver the necessary infrastructure and as such conflicts with Policies DP20 and DP24 of the Mid Sussex District Plan and the Council's 'Development Infrastructure and Contributions' SPD.

Councillor Watts-Williams returned to the meeting at 7.48pm.

In advance of the next item, Cllr Holden removed himself from sitting on the committee and taking part in the debate at 7.48pm and sat in the public gallery.

DM/18/2781 Playground, Recreation Ground, Janes Lane, Burgess Hill, West Sussex, RH15 0QJ

Andrew Morrison, Senior Planning Officer introduced the application for the erection of a Changing Places toilet facility.

Councillor Holden spoke as Ward Member in support of the application. He noted that the adjacent playground is due for significant refurbishment, doubling its size to include facilities for disabled children, so the provision of suitable toilet facilities is much needed.

A Member noted that the toilet block is modular in design, so could be removed in the future. She noted that the adjacent pavilion was in much need of refurbishment so in future this upgrade could include the Changing Places toilet as part of the main building.

The Chairman proposed that the application be approved, as per the Recommendation. This was seconded by Councillor Coote and unanimously agreed.

RECOMMENDATION

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

Cllr Holden returned to sit on the committee at 7.51pm and take part in debate on all subsequent items.

In advance of the next item, Cllr M Hersey removed herself from sitting on the committee and taking part in the debate at 7.51pm and sat in the public gallery.

DM/18/0884 34 Dukes Road, Lindfield, Haywards Heath, West Sussex, RH16 2JQ

Kate Brocklebank, Senior Planning Officer introduced the application for a proposed two storey extension to the rear and side and proposed new lean-to canopy with first floor front extension. She noted that the application had been called in by the Ward Members, Councillor Margaret Hersey and Councillor Anthea Lea, should it be recommended for approval. However, the application is recommended for refusal but has been brought to the committee due to the level of interest in the application.

Jane Hewitt and Gil Kennedy spoke in objection to the application on the grounds of overlooking and loss of light and outlook. The applicants, Peter and Ryan Lewry spoke in favour and asked for the application to be approved.

Councillor M. Hersey spoke as Ward Member citing concern over the rear and side extension in respect of the impact to the neighbours at No. 35 Dukes Road as the amount of light will impact their sitting room and bedroom.

A Member asked if there were objections received from No.33 Dukes Road, and sought clarification on the locations of the first floor windows on No.35 which would be affected by the application. The Senior Planning Officer confirmed there had been no comments received from No.33 Dukes Road and showed the relevant plans.

A Member noted that the recommendation to refuse related to one reason, being the loss of outlook, whereas the remainder of the report cites acceptable design and no harm to the listed buildings and Lindfield Conservation Area. He did not therefore feel that there was a significant reason to refuse and therefore disagreed with the Recommendation.

A number of other Members noted that most of the proposed scheme was acceptable bar the issue referred to in the reason for refusal but felt the design of the extension could be modified to be more sympathetic to the neighbouring property that would result in a recommendation to approve. In its current design a Member noted that the extension had an overbearing nature which would result in an extreme impact on the neighbours and felt loss of light could also be an issue.

In response to Members' queries, the Senior Planning Officer confirmed that the impact on day light had been calculated based on the best practice guide and there was no issue on loss of light at the first floor level. At ground floor level, the loss of light was on the ground floor level but this was to what is termed the 'secondary windows' and so such was not included within the Recommended reason for refusal.

The Vice-Chairman and the Chairman both commented that the size of the plot at No.34 Dukes Road would be able to accommodate an extension but felt that the current design would have a significant impact to the neighbours. Although the Chairman also referred again to loss of light, the Chartered Legal Executive confirmed that the reason for refusal in the Recommendation was 'loss of outlook' rather than 'loss of light' and so Members would need to consider this when they vote on the Recommendation.

Councillor Moore recommended that the application be refused, as per the Recommendation, which was seconded by Councillor Holden. The application was so refused with 7 Members in favour of the Recommendation and 2 against.

RECOMMENDATION

That the application is refused for the reason set out in full at Appendix A.

Councillor M Hersey returned to sit on the committee at 8.24pm.

6. URGENT BUSINESS.

None.

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

None.

Meeting closed at 8:25pm

Chairman.